

**IN DEFENSE OF A LINGUISTIC MODEL FOR REFLECTIVE
EQUILIBRIUM IN ETHICS**

by

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Submitted to the Department of
Linguistics and Philosophy
in Partial Fulfillment of the
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ABSTRACT

Philosophers sometimes compare justification in ethics and justification in fields whose objectivity is considered less problematic in order to defend accounts of justification in ethics. In *A Theory of Justice* John Rawls proposed an account of justification in ethics and claimed that its methods could be understood as analogous to methods in linguistics. Some criticized the linguistic analogy as inconsistent with claims of ethical objectivity or as incapable of capturing components of ethical theorizing that are important to objectivity. The three papers in this thesis defend the use of a linguistic analogy against these criticisms.

In Part One, I examine Jerry Fodor's argument that the use of linguistic intuitions as evidence for linguistic theories shows that linguistic theories are about psychological states, or internal representations of grammars. I argue that the use of intuitions as evidence for a theory need not indicate that the theory is a theory about psychological states. I point out that the significance of my argument for ethics is that accepting the linguistic analogy need not commit us to the view that, since ethical intuitions are evidence for ethical theories, ethical theories are theories about people's ethical beliefs rather than theories about the moral properties of acts, institutions and people.

In Part Two, I defend the linguistic analogy against objections made by Norman Daniels. Daniels appears to assume a position similar to Fodor's on the implications of using linguistic intuitions as evidence for linguistic theories. In addition, Daniels argues that a linguistic analogy suggests inadequate pressure for revision of ethical beliefs and that an analogy with natural science is a more appropriate support for claims to objectivity in ethics. I argue that my criticisms of Fodor's position apply equally to Daniels' argument, that Daniels underestimates the revisability of beliefs on a linguistic model and that Daniels overlooks the potential of the linguistic model to meet some special objections to ethical objectivity which are not as easily met on a natural scientific model.

In Part Three, I examine Bernard Williams' dismissal of the linguistic analogy. Williams assumes an interpretation of the linguistic analogy which is based upon construing linguistic evidence as Fodor construes it. I apply the argument I used in Part One against Fodor to Williams' interpretation. Williams offers an additional objection which is separable from his particular interpretation of the linguistic model. He claims that the linguistic model suggests that ethical theory cannot provide us with any grounds for choosing between conflicting ethical beliefs. I argue that his objection rests upon either the claim that theories about distortion of judgment cannot support belief in ethical theories which contradict some ethical beliefs or the claim that objective ethical theory is impossible. I contend that Williams offers no reason to

doubt that social scientific theories about distortion of judgment can support belief in ethical theories that conflict with some ethical beliefs and I argue that Williams provides insufficient argument against the possibility of objective ethical theory

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Introduction

1. The Import of Comparing Methods of Justification

Philosophers sometimes compare methods of justification in ethics with methods of justification in other areas of inquiry. One motivation for comparing the methods of justifying an ethical theory with the methods of justifying theories in other areas of inquiry is to argue that similarities between the two kinds of methods provide some reason to believe that ethical theories can have as much claim to truth as theories in the other areas of inquiry, or at least that they can have some claim to truth. If we are justified in believing a theory, we are justified in believing the theory to be true. If we are justified in believing that an ethical theory is true, we are justified in believing that there are moral facts, i.e., that people, actions and institutions have the moral properties that the ethical theory ascribes to them. A perhaps more common motivation for comparing methods in ethics with methods in other areas of inquiry is to argue that dissimilarities between the two methods provide some reason to believe that ethical theories cannot have as much claim to truth as theories in other areas of inquiry, or that they can have no claim to truth at all. In this case, successful arguments would show that the methods of justification in ethics do not support the claim that there are moral facts, since comparison with methods in other fields show them to be deficient. An account of the methods of justifying an ethical theory might include some or all of the following: a specification of what kinds of judgments count as evidence for an ethical theory and why they count as evidence for an ethical theory (i.e., why we are justified in believing the evidence and what the inferential relationship between the evidence and the theory is) as well as what inferential relationships there are between, on the one hand, the theory and the evidence for the theory, and on the other, theories and non-theoretical judgments in areas of inquiry

outside ethics. Comparing methods of justification then would involve comparing some or all of these elements.

In discussions of ethical objectivity, philosophers often favor comparing ethics with physics, chemistry or astronomy rather than for example, sociology, psychology or history. One possible motivation for this is a belief that, of all areas of inquiry, we have the most reason to believe that theories in these "natural" sciences are true. Comparison with methods in these areas is then one test for a method's contribution to claims about objectivity. That is, if the standards of justification in ethics compare favorably with those in the natural sciences, then we have one good reason for believing that there can be objective ethical theory. However, if we do not have reason to believe that theories in sciences other than physics, chemistry or astronomy cannot be true, and if the methods of justification of other theories do not differ from those of the favored theories in a way that is relevant to concerns about objectivity, then there is no reason to prefer comparisons to the natural sciences to maintain or deny claims about ethical objectivity.

John Rawls¹ suggested that methods in ethics bear some comparison to methods in linguistics. Norman Daniels,² who is sympathetic to the claim that there can be true ethical theories, argued that this suggested an inadequate account of justification which could not support claims about ethical objectivity. Bernard Williams,³ argued that linguistics at best provides a model for the justification of ethical theories when

¹ John Rawls, A Theory of Justice (Cambridge, MA.: Harvard University Press, 1971) pp. 46-49.

² Norman Daniels, "Wide Reflective Equilibrium and Theory Acceptance in Ethics", The Journal of Philosophy 76 (1979) p. 258; "On Some Methods of Ethics and Linguistics", Philosophical Studies 37 (1980) pp. 21-36.

³ Bernard Williams, Ethics and the Limits of Philosophy (Cambridge, MA.: Harvard University Press, 1985) pp. 94-102.

objectivity is not an issue. In the three papers in this thesis I argue that a linguistic model for methods in ethics is not as inadequate a support for claims about ethical objectivity as Daniels' arguments and Williams' position imply. This is not meant as a claim that a natural science model is inadequate, or less adequate, however.

Justification in linguistics, like justification in other sciences (including the natural sciences) requires explanatory coherence of relevant beliefs. Moreover, comparisons with the justification of linguistic theories may in certain respects prove more helpful to defenders of ethical objectivity than comparisons with the justification of theories in the natural sciences. In the second half of this introduction, I will summarize some of the more important claims and arguments of the three papers bearing upon the alleged inadequacy of the linguistic model. In the remainder of this first half I will make two preliminary points about why consideration of methods in linguistics seems especially relevant to ethical objectivity.

There are two special concerns about objectivity in ethics that arise in part from comparisons with the natural sciences. First, the sources of some important evidence for ethics are different from those of the natural sciences in a way that that is relevant to objectivity. According to Rawls' account of methods of justification in ethics, moral intuitions are very important evidence for ethical theories. We may begin constructing an ethical theory as an account of pre-theoretical judgments about, for example, the justice or rightness of hypothetical institutions or acts. These judgments can be made by people who are not moral experts. Moreover, judgments about complex properties of hypothetical situations are not observational in the sense that they are not made on the basis of observation nor do we purport to test them by inspection. Insofar as the judgments are not made by moral experts, they are not the product of the well-trained judgment of those who have been explicitly taught theories that we have good reason to believe. Important scientific evidence generally consists in observational judgments or

theoretical judgments of those who are well-trained in reasonably well-justified theories. The justification of scientific theories themselves can give us some reason to grant credibility to observational judgments and the theoretical judgments of those who are well-trained in theories we have reason to believe, since they can give us reason to believe accounts of perception and reason to believe the scientific theories that justify theoretical judgments. On a natural scientific model, it is unclear why we should grant credibility to other judgments. According to methods of justification in linguistics, however, linguists can grant credibility to non-observational, non-theoretically-informed judgments - namely, the linguistic intuitions of speakers of a language. The linguistic analogy is instructive for ethics in this regard, then, since granting credibility to moral intuitions has been dismissed as impossible without recourse to an implausible moral sensory organ.

Second, while there is much disagreement in both ethics and science, disagreement seems to be more widespread and less amenable to resolution in ethics than in science. Agreement and disagreement are often thought to be relevant to questions about objectivity. For example, agreement might be taken to be some evidence for truth in scientific inquiry, for the following reasons. Suppose that scientists come to agree on a particular theory because experiments they have conducted have borne out many observational consequences of the theory over time. The best explanation of the scientists' observations (and thus of their agreement on the theory) may be that they are the result of the causal relations between entities described by the theory - that is, that the theory is true. Disagreement, on the other hand, might be explained by the claim that there are no facts of the sort that the theory purports to describe. Without the degree of agreement comparable to that found in science, we have less evidence that there are the moral facts described by moral theories than we have that there are scientific facts.

One source of the relative lack of consensus on moral theory is that moral theories have consequences that are at variance with many pre-theoretical judgments. Without substantial independent reason to believe moral theories, we have less reason to accept a theory that contradicts common moral judgments for which there may be some minimal justification than we have to accept a scientific theory that contradicts, say, common-sense physics. When a linguistic theory conflicts with certain pre-theoretical judgments of speakers, the linguistic judgments may be explained as the products of factors that interfere with linguistic competence. The justification for disregarding some discrepant linguistic judgments made by speakers consists in offering independently plausible psychological theories about factors that peculiarly or especially affect linguistic judgments. So independently plausible psychological theories about particular forms of distortion play an important role in the justification of linguistic theories that conflict with pre-theoretical judgments of speakers. Ethical judgments are especially prone to distortion because they are judgments that can have a direct bearing on our self-interest, self-esteem and sense of security. This suggests that theories about forms of distortion that peculiarly affect moral judgments should play a large role in the justification of ethical theories and may serve conspicuously in bringing about more agreement on ethical theories.

I do not mean to suggest that methods of justification in the natural sciences preclude granting any credibility to non-observational or non-theoretically trained judgments, nor certainly that they preclude the use of theories about distortion. Rather I mean to underscore the relevance of the linguistic analogy to issues of ethical justification by highlighting parallels between these domains and by suggesting that these parallels may provide a way to block certain common paths to ethical scepticism.

2. Ethics and Linguistics

A plausible constraint on accounts of justification in ethics is that they be compatible with the is/ought distinction. The is/ought distinction, as it is relevant to present issues, may be stated as the claim that there is a distinction between moral and non-moral statements such that no consistent set of non-moral statements entails a moral statement. If we accept the is/ought distinction, then there is at least no deductive justification of a moral judgment completely on the basis of non-moral judgments. The is/ought distinction suggests that we cannot justify moral judgments completely on the basis of non-moral judgments. On a plausible account of the methods of justifying a moral theory, at least some of the beliefs offered in support of a moral theory are themselves moral beliefs. If moral beliefs are needed to justify other moral beliefs, and all beliefs used to justify a belief must themselves be justified, then we might conclude that the most plausible account of justification of moral beliefs involves mutual support between theoretical and non-theoretical moral beliefs rather than one-way support between one moral belief and another. Otherwise, we are left with two unattractive options. The first option is that an infinite number of justifying beliefs is needed to be justified in believing a moral theory, since all justifying beliefs must themselves be justified by a moral judgment which supports but is not supported by any beliefs which have already been justified. The second option is that some moral beliefs support all other moral beliefs and are themselves justified without the support of any other beliefs. These options are unattractive if we do not believe that moral justification requires that we hold an infinite number of beliefs, or that any judgments, or any moral judgments, are self-justifying.

In A Theory of Justice, John Rawls proposed a "mutual support" account in which the justification of principles of justice is a matter of their membership in a set of beliefs

with a high degree of consistency and inferential connection between the beliefs⁴ Rawls claimed that "a conception of justice cannot be deduced from self-evident principles or conditions on principles, instead, its justification is a matter of the mutual support of many considerations, of everything fitting together into one coherent view". The set of beliefs includes particular moral judgments that we have good reason to be confident of, relevant moral and non-moral judgments and background theories such as a theory of the person, general social theory and a theory of the role of morality in society⁵, and the principles of justice themselves. In developing principles of justice that can be members of such a coherent set, we first propose principles that can match particular judgments about justice that we have reason to believe are not distorted. Rawls⁶ suggested that we begin constructing a moral theory much as a linguist develops a linguistic theory. Just as a linguist attempts to characterize linguistic abilities of speakers by developing principles whose consequences match the judgments of speakers about their language, Rawls proposed that initially moral philosophy captures our moral sense when moral principles match "everyday" moral judgments.

A linguistic theory, or in particular a grammatical theory, attempts to provide the best account of speaker judgments about grammaticality. If the justification of moral theories is parallel to the justification of linguistic theory, a moral theory attempts to provide the best account of people's particular moral judgments. Norman Daniels⁷ believes that one critic of Rawls is right in claiming that the parallel to linguistics

⁴ Rawls, pp 19-21, 46-51, 579-581.

⁵ Daniels offers this list as the most important relevant background theories in Daniels, "Methods", "Wide Reflective Equilibrium" as well as in his "Reflective Equilibrium and Archimedean Points", Canadian Journal of Philosophy 10 (1980) pp. 83-103

⁶ Rawls, p. 47.

⁷ Daniels, "On Some Methods" p. 21.

suggests that moral theory is a form of anthropology, since it is then simply a theory about different moral beliefs that people actually hold. R.M. Hare comments on Rawls

...It is quite all right to test a linguistic theory (a grammar) against what people actually say when they are speaking carefully; people's *linguistic* intuitions are, indeed, in the end, authoritative for what is correct in their language. The kind of interplay between theory and data that occurs in all sciences can occur here, and it is perfectly proper for the data to be utterances of native speakers. But the only 'moral' theories that can be checked against people's actual moral judgments are anthropological theories about what, in general, people *think* one ought to do, not moral principles about what one ought to do.⁸

If Hare is right, the linguistic analogy seems to commit a proponent of this account of justification to positions she may well want to avoid. On this construal, if moral theories simply are the best accounts of people's moral beliefs in the anthropological sense of an account of beliefs, whether or not a moral theory is true depends upon people's moral beliefs. If we wish to hold that moral statements (in particular, moral theories) are true or false independently of our moral beliefs, we cannot maintain that moral theories are the best account of people's moral beliefs.

However, the linguistic model need not be taken to suggest that the truth or falsity of a moral theory depends upon people's moral beliefs. It is true that whether or not a linguistic theory is true does depend upon what people say, since a linguistic theory is a theory about a natural language and natural languages are languages that people use to communicate. However, it doesn't follow from this that a linguistic theory is about what people judge about the properties of their language. People's linguistic beliefs (as

⁸ R.M. Hare, "Rawls' Theory of Justice" in Norman Daniels (ed.), Reading Rawls (New York: Basic Books, 1975) p. 86.

opposed to simply what they say in communicating with one another) are beliefs about the properties of their language. What people judge about their language may simply be evidence for what properties their language has, and people can be mistaken in their judgments about their language. People's judgments about their native language, in particular their judgments about the grammaticality of strings of words, may count as evidence for a theory of grammar for the following reasons: A grammar is a set of rules that generates the sentences of the language. A string of words is grammatical if it is generated by the rules, and otherwise it is not. In order to be able to speak a language, speakers have internalized a set of rules that enables them to understand and produce sentences of the language. Difficulty in understanding a sentence, apart from unfamiliarity with the meanings of particular words, may be explained by the fact that a string of words does not accord with a speaker's set of internalized rules. In these circumstances, speakers often judge sentences they are presented with by linguists to be ungrammatical. If a string of words does not accord with the set of rules internalized by a speaker of the language, this is some evidence that the string of words is not grammatical since it is implausible to suppose that a speaker could be a speaker of the language if her internalized set of rules did not enable her to understand a sufficient number of the sentences of the language in which she communicates. Thus her judgment that a string is ungrammatical is some evidence that it is ungrammatical.

Hare's remarks might suggest a different worry about the linguistic analogy. If people's linguistic intuitions are authoritative for what is correct in their language, then this may suggest that they are unrevisable. Rawls' account countenances revision of moral judgments on the basis of coherence, so that linguistic analogy would be inadequate. It would be particularly damaging to prospects for an objective ethical theory to bar revision of the moral judgments we confidently hold. The set of

confidently-held moral judgments is inconsistent. Moreover, it is plausible to maintain that our confidently-held moral judgments are very susceptible to bias, since, for example, moral judgments bear closely upon matters that concern our self-interest

Paper Two, some of the main points of which I will now summarize, is a critical examination of Daniels' reaction to Hare and of Daniels' own position on the alleged shortcomings of the linguistic analogy. Daniels concedes that the linguistic model does leave open the possibility that a moral theory might provide grounds for the revision of our moral judgments. He notes that a linguistic theory provides grounds for the revision of a speaker's judgment if the speaker's judgment does not reflect the speaker's linguistic competency rather than some performance error due to factors such as inattention or memory limitation.⁹ Thus we can maintain the linguistic model and claim that a moral theory may be justified if it is inconsistent with moral judgments that do not reflect people's moral competency, such as moral judgments that might be distorted by self-interest. However, Daniels believes that this provision for the revisability of moral judgments does no more than suggest that a moral theory is a description of a person's moral competency and is justified just in case we have reason to believe it correctly describes a person's moral competency.¹⁰ He claims that we should reject this because principles that are justified simply because they correctly describe a person's moral competency do not thereby constitute a justified moral theory. According to Daniels' interpretation of reflective equilibrium, background theories provide a basis for choosing among competing moral conceptions, perhaps giving a reason to believe that one conception is correct. On Daniels' picture, the first step in achieving reflective equilibrium involves postulating alternative principles that more or less match moral judgments which we have some reason to be confident

⁹ Daniels, "On Some Methods" pp. 23-25.

¹⁰ , p. 25.

of A principle and set of confidently-made moral judgments which have been adjusted for coherence are in narrow reflective equilibrium. These alternative principles may capture alternative moral conceptions or competencies. In order to be fully justified, however, these principles are subject to a further constraint to cohere with background moral and non-moral theories, and so to be part of a wide reflective equilibrium of particular judgments, principles and background theories. The resulting principles do not describe an actual competency as opposed to, perhaps, the morally correct competency.

Daniels rejects the linguistics analogy in part because he believes that it suggests that moral theories are not justified by being in wide reflective equilibrium with background theories, but rather that they are justified by being part of a narrow reflective equilibrium with moral judgments and moral principles. Daniels appears to believe that since linguistic theory is justified by narrow reflective equilibrium, the linguistic analogy suggests that moral theory is part of moral psychology. He shares this view about the linguistic analogy with Bernard Williams.¹¹ If they are right, and if we wish to maintain that moral theory is not a part of psychology, we should reject the linguistic model.

However, in identifying justification in linguistics with narrow reflective equilibrium, Daniels implies that background theories play no role in the justification of linguistic theories. But at least background psychological theories as well as linguistic judgments can figure in the justification of linguistic theories. Moreover, even if a moral theory is justified if it is the best account of moral judgments that reflect people's moral competency, rather than moral judgments we have reason to

¹¹ Williams, pp. 97-98.

believe reflect a distortion of that competency, we need not conclude that a moral theory is merely a description of people's moral competency, and hence is part of psychology. Moral theories may be justified if they are the best accounts of moral judgments that reflect people's moral competency because moral judgments that reflect moral competency are important or primary evidence for a moral theory. If this is so, then Daniels' view implies that if moral judgments that reflect moral competency are important or primary evidence for a moral theory, then moral theory is a part of psychology. Someone might accept this implication of Daniels' view on the basis of interpreting the claim that justified theories must explain intuitions rather than the claim that theories must explain what is intuited. This interpretation is clearly at work in arguments that Jerry Fodor¹² uses for his views about linguistics, and we may be tempted to apply it to moral theory either as an implication of the linguistics analogy or simply as the appropriate interpretation of a claim made for any area in which a justified theory must explain intuitions. Paper One is a critical discussion of Fodor's arguments, the contents of which I will now summarize.

Fodor argues that something counts as evidence for a theory only if the theory explains the evidence and that, since speaker intuitions are the evidence for a linguistic theory, linguistic theory must explain speaker intuitions. He claims that explaining speaker intuitions requires invoking psychological mechanisms, and hence linguistic theory must invoke psychological mechanisms. Thus linguistics is a part of psychology. However, his claim that explaining speaker intuitions requires invoking psychological mechanisms hinges on the claim that in explaining speaker intuitions,

¹² Jerry Fodor, "Some Notes On What Linguistics is About", in Ned Block (ed.), in Philosophy of Psychology, vol. 2 (Cambridge, MA.: Harvard University Press) pp. 197-207.

we must explain intuitions rather than intuiteds. That is, the theory must explain the occurrences of intuitions rather than the content of the intuitions

Fodor argues for his view about linguistics and explaining intuition on the basis of the general point that a theory must explain its evidence. This may lead us to believe that the correct interpretation of "intuition" is indicated by interpretations of analogous claims about other kinds of evidence. However, the type of ambiguity in the claim about intuitions equally affects claims about observational evidence. The implications for what can count as an appropriate explanation for a theory's observational evidence differ if we interpret the observational evidence to be "observings" or "observeds" - that is, as occurrences of observations, rather than the content of the observations. In general, explaining the content of a judgment is not the same as explaining the occurrence of a judgment. We might explain the content of the judgment that someone died by referring to a cause of death, but explain the occurrence of the judgment by referring to, for example, beliefs that a judge has about the signs of death. Perhaps it is natural to expect a full explanation of the occurrence of the judgment that someone died to include psychological entities such as beliefs, but there is no such expectation of the explanation of the content of the judgment that someone died unless a cause of the death is psychological. If speaker judgments or moral judgments are evidence for a theory because linguistic or moral theories explain the facts expressed by these judgments, this in itself implies nothing about whether or not the theories are psychological.

Daniels believes that the fact that revision of speaker judgments is limited to those deemed not reflective of a speaker's competence raises a difficulty for the model which is separate from suggesting that moral theory is a part of psychology. A justified moral theory should provide grounds for revision of moral judgments that do reflect a

person's moral competence.¹³ Daniels discussion suggests¹⁴ that one reason for this is that, the wider the grounds for revisability, the more likely is the resolution of moral disagreement. The persistence of moral disagreement has led some philosophers to question whether there are moral facts and thus whether any moral theories can be justified. Widespread moral disagreement makes acceptance of a moral theory problematic when particular moral beliefs on which there is much moral disagreement are offered as a major support for the theory. It seems plausible to claim that the more bases there are for revising a moral judgment, the more chances there are for reaching agreement in moral judgment. Widening the grounds for revision seems to increase our chances for revision, and perhaps our chances for agreement if there is more agreement on the beliefs that serve as these grounds.

However, the background moral theories that are the grounds for revision may themselves rely on moral judgments on which there is wide disagreement. Theories about what lives are most valuable might be candidates for grounds upon which we might revise judgments about what acts are right should these judgments conflict with these theories. We then might come to agreement on judgments about what acts are right. But if we disagree on, for example, what particular kinds of lives are valuable, consideration of theories about valuable lives will not effect an agreement. Revision on the basis of non-moral theories that do not concern distortion may be insufficient to secure enough agreement to make acceptance of one theory more likely. Moral disagreements often remain after disputants agree (if only for the sake of argument) on what seem to be all the relevant non-moral beliefs that do not concern the distortion of moral judgments. So perhaps moral disagreement would persist in the face of

¹³ Daniels, "On Some Methods" p. 25.

¹⁴ Daniels, "Wide Reflective Equilibrium", pp 256-257.

agreement on what actually are all the relevant non-moral beliefs that do not concern distortion.

Both Rawls¹⁵ and Williams¹⁶ note that people are more likely to revise a moral belief when there is an explanation of how we came to have the erroneous belief than when there is not. As Rawls claims:

When a person is presented with an intuitively appealing account of his sense of justice (one, say, which embodies various reasonable and natural presumptions), he may well revise his judgments to conform to its principles even though the theory does not fit his existing judgments exactly. He is especially likely to do this if he can find an explanation for the deviation which undermines his confidence in his original judgments and if the conception presented yields a judgment which he finds he can now accept.

Such explanations for deviations may take different forms. My judgment may deviate from certain consequences of the theory because the theory is consistent with certain other judgments, which I can see are true, and the theory could not be consistent with both my judgment and the latter judgments. An alternative form of explanation, which I take Rawls to be alluding to, is a claim that the judgment is distorted which draws upon some more or less sophisticated theory of how factors such as self-interest or class bias adversely affect our ability to make correct moral judgments. Without such explanations and without better reason to believe a moral theory that is inconsistent with the belief than to believe an alternative moral theory that is consistent with the belief, it may be reasonable to maintain an erroneous belief, making slight adjustments in one's overall belief system to accommodate any inconsistencies in the entire system of moral and non-moral beliefs. Moral disagreement between the holder of the erroneous belief and the proponent of the theory with which it is inconsistent would persist if the

¹⁵ Rawls, p. 48.

¹⁶ Williams, p. 219, n. 16.

former opted for such minor adjustments. It may be then that revisability on the basis of theories about how moral judgments come to be distorted plays as important a role in the resolution of ethical disagreement as revisability on the basis of, for example, background moral theories, given a relative lack of consensus on correct background moral theories. So revisability on the basis of, for example, psychological theories about how linguistic competence can be distorted, may be more of an instructive aspect of the linguistic model of justification than a reason to abandon it, whether or not we believe that there is some comparably specific moral competence.

In Paper Three, I examine Bernard Williams' reasons for rejecting a linguistic model for the justification of ethical theories. As I noted earlier, he shares Daniels' assumption that a linguistic analogy implies that ethics is a part of psychology, and so his position is susceptible to some of the same criticisms that Daniels' view is. Apart from this, Williams¹⁷ claims that ethics should be distinguished from linguistics because we need to have a reason to accept an ethical theory with consequences that conflict with our non-theoretical ethical beliefs. But the linguistic model for justification of theory does provide a reason to accept a theory with consequences that conflict with our non-theoretical beliefs. For example, as I mentioned in the earlier discussion of Daniels, the linguistics model for justification of theory provides for the revision of linguistic judgments on the grounds that the judgments are a product of the distortion of linguistic competence. This suggests a reason for accepting a theory with consequences that conflict with pre-theoretical beliefs, namely, that the pre-theoretical beliefs with which the theory conflicts are distorted, and the theory provides a relatively comprehensive explanation of our other beliefs. Of course, these considerations will not count as reasons for accepting an ethical theory if we have

¹⁷ Williams, pp. 98-99

some reason to believe that ethical theories cannot be true. If ethical theories cannot be true, ethics should be distinguished from linguistics and the linguistic model for justification is inapplicable to ethics

The linguistic model for justification of moral theory need not be taken to suggest that moral theory is a part of anthropology or psychology and so should not be rejected on that basis, if at all. I take the model to suggest that justification of a theory is possible when important evidence for it consists of more or less sophisticated pre-theoretical judgments on which there may be much disagreement. If we can have some reason to believe our pre-theoretical judgments independently of the theory, and we have some independently plausible accounts of how these judgments can come to be distorted, we can have reason to believe a theory that accounts for these judgments and is consistent with explanations for distortion of judgments the theory rejects.

Linguistic theories are theories about natural languages. Natural languages are languages that people use or have used. It is implausible to suppose that we could be very mistaken about what sentences are or are not a part of our language and still manage to speak the language. Thus, our judgments about our language can serve as evidence for the linguist. Nevertheless, we can be mistaken in virtue of memory or other psychological limitations which it is independently plausible to suppose we are subject to, and which may affect our linguistic judgments in specific ways. Criticisms of the linguistic model should address the question of whether or not there is any reason to believe particular moral judgments which is independent of particular moral theories and whether any theories about the distortion of moral judgments could provide independent support for a moral theory by giving reason to believe that the pre-theoretical moral judgments it contradicts are distorted.

It may be plausible to believe, for example, that moral judgments made in accordance with particularly widespread and long-lasting moral norms contain a sufficient number of truths to serve as some evidence for moral theories. Moral norms give certain criteria for behavior which reflect equal consideration for everyone affected by the behavior. Behaviors that result in significant inequities in the distribution of social resources do not in general meet criteria that reflect equal consideration for everyone affected by the behavior. Inequities in the distribution of social resources are likely to result in social instability, given conditions that do not severely impair the capacity of those who suffer from the inequities to act on their own behalf. Some moral norms, then, are criteria for behaviors that help to maintain social stability and it is plausible to believe that we should develop an ability to recognize such criteria over time with some accuracy. Moral judgments may be far less reliable and far more prone to distortion than linguistic judgments. Moral judgments, for example, concern matters that directly affect our self-interest, sense of self-esteem and sense of security since they concern distribution of social goods and forms of social cooperation. Our tendency toward bias in these matters may be far greater than our tendency toward bias in matters not so directly related to self-interest, self-esteem and sense of security. This need not lead us to the view that there are no moral facts about which there is much disagreement, if we can explain the greater unreliability of and disagreement in judgments as traceable to distortions to which moral judgments are particularly highly prone. But even if moral judgments are far less reliable than linguistic judgments and far more prone to distortion, the linguistic model need not prove unilluminating. The arguments I examine from Daniels, Fodor and Williams do not provide good reasons for rejecting the help that a linguistic analogy can offer to moral epistemology.

Paper One: Comments on Fodor's "On What Linguistics Is About".

Introduction

Jerry Fodor¹ argues that general considerations about what constitutes good scientific methodology count against both the position that we could specify a priori that linguistic intuitions constitute the data that a true linguistic theory accounts for and the position that linguistic theories or grammars need not themselves refer to psychological states. He thinks that to assume that a priori specification of linguistic data is possible and that grammars need not be internally represented neglects two important considerations. First, it is unreasonable to be certain that data previously assumed irrelevant will never prove to be relevant as a result of scientific investigation. Second, a reasonable constraint on scientific theories is that they be able to explain why what is taken to be evidence for a theory is evidence for a theory. Fodor argues that linguistic theories that do not make reference to the psychological states of speakers are ruled out by the requirement that a theory be able to explain why its evidence counts as evidence.

I argue that the general considerations about good scientific methodology Fodor cites do not rule out a priori specification of linguistic data or linguistic theories that do not themselves refer to psychological states on two grounds. First, whatever plausibility a priori specification of linguistic data has or lacks, specifying a priori some but not all data leaves room for finding more data relevant as inquiry proceeds. Second, there are two different interpretations of what the data that linguistic intuitions provide are and on only one of them does the requirement seem to necessitate reference to

¹ Jerry A. Fodor, "Some Notes on What Linguistics is About", in Ned Block, ed., Readings in Philosophy of Psychology 2 (Cambridge, MA.: Harvard University Press, 1981), pp. 197-207. All page references to this essay will be given parenthetically in the text.

psychological states. We can take the data to be psychological itself (that is, as occurrences of intuitions, or intuitings), and so to require reference to psychological states, or we can take the data to be merely psychological in origin (that is, as the content of linguistic intuitions, or intuiteds), and so not to require reference to psychological states. Many scientific theories with data that are merely psychological in origin, for example, astronomical theories with observational data, do not provide explanations that make reference to psychological states. We may be reluctant to adopt the latter interpretation because of general epistemological concerns about the reliability of intuition, in which case it is not necessarily canons of good scientific methodology, but a certain epistemological position, that allegedly necessitates reference to psychological states. Finally, I argue that some intuitions about good scientific practice may lead us to adopt a position about specification of data which is closer to the a priori view than Fodor's own view is.

My interest in Fodor's arguments stems from the consideration that if certain constraints on theories automatically follow from taking intuitions as evidence for theories, this might have a bearing on how we assess the proposal that justification of ethical theories parallels the justification of linguistic theories, since the parallel suggests that ethical intuitions provide some of the evidence for ethical theories. Barring a special dispensation for ethics, accepting Fodor's arguments seems to commit us to the view that ethical principles must refer to the psychological states of people who make ethical judgments and to suggest that we cannot claim that ethical intuitions are evidence for ethical theories in advance of the development of ethical theories that can explain ethical intuitings. Ethical theorists may well wish to avoid both of these positions. First, if the claim that ethical principles must refer to the psychological states of people who make ethical judgments implies that the truth of ethical statements depends upon our ethical beliefs, then we might conclude that ethical theories lack

objectivity. Moreover, the claim conflicts with a more common-sense view that many ethical principles are about the ethical value of acts and institutions and do not refer to psychological states. Second, even if ethical theories are either insufficiently developed now to explain ethical intuitions, or never in fact will explain ethical intuitions, we might hold that there is good reason to believe that wide reflective equilibrium, which counts ethical intuitions as evidence for ethical theories, is the correct account of justification in ethics. If the general constraints on theories do not have the consequences for linguistics that Fodor claims, however, analogies between linguistics and ethics are not threatened by the prospect of commitment to these positions on the basis of Fodor's arguments.

The particular analogy between ethics and linguistics aside, one of Fodor's arguments bears some resemblance to how Bernard Williams² uses what has been called the "explanatory requirement"³ in an argument against the possibility of objective ethical theories. Fodor uses the requirement that theories must explain why what they take to be evidence for a theory is evidence for a theory to argue against the position that linguistic theories need not be themselves psychological in the sense that correct grammars that linguists develop are not necessarily internally represented. Williams offers the following as one argument for why objective theories are possible in science but not in ethics: The possibility of objective theories in science rests upon the in principle possibility that a suitably abstract and general scientific theory could be used to explain how people came to have certain beliefs, including belief of the theory itself. Normative ethical theories, however, cannot themselves explain why people do or do

² Bernard Williams, Ethics and the Limits of Philosophy (Cambridge, MA.: Harvard University Press, 1985), pp. 132-155.

³ See Warren Quinn, "Truth and Explanation in Ethics", Ethics 96 (1986), pp. 524-44. The original articulation of the requirement for ethics is in Gilbert Harman, The Nature of Morality (New York: Oxford University Press, 1977), pp. 3-23.

not have any ethical beliefs. They at best divide these judgments into those that are correct and those that are incorrect. If they did try to explain the occurrence of the judgments, they could count as objective theories, but they would be merely psychological theories of how we came to have certain judgments, and not theories about what our ethical judgments ought to be.

In the following sections, I first present a statement of two opposing positions on specifying data for a linguistic theory. I believe that this statement of the two opposing positions clearly mark an important distinction between two general views on the subject matter of linguistics that Jerry Fodor describes in "Some Notes on What Linguistics is About". Next, I consider the arguments Fodor offers for his view and some replies to these. In the final section, I offer an argument for a middle position on specifying linguistic data.

1. Two Positions on Linguistic Data

Fodor claims that philosophically interesting answers to the question of what it is for a linguistic theory to be true are answers to the question "What facts are such that the truth of a linguistic theory consists in its correspondence to those facts?" (p. 197). Two conflicting meta-theoretical views constrain the possible answers to this question. As Fodor describes them, according to one view "the question is susceptible to a priori settlement, in fact...we can even now specify a priori some set of facts such that the truth of a linguistic theory consists in its correspondence to them"; according to the other, "the question of what facts a true linguistic theory corresponds to is answerable only a posteriori, in fact only after adequate linguistic theories have been developed". (pp. 197-198). He calls the school of thought associated with the former view "the forces of darkness" and the school of thought adhering to the latter "the forces of light". Later I will argue that there is something to be said for the forces of darkness, though not necessarily the same things that are said by those who Fodor alleges currently ally with these forces.

Given these two methodological views, two possible opposing positions emerge: (a) we can specify a priori that intuitions are or are not the facts that a true linguistic theory accounts for, and (b) the development of linguistic theory tends to point to the conclusion that intuitions are or are not the facts to which a true linguistic theory corresponds.

One interpretation of what Fodor means by "the facts that a true linguistic theory corresponds to" threaten to place the dispute between the two schools of thought

beyond any serious interest. Suppose that the linguistic theory can be stated as a single (perhaps conjunctive) proposition; then surely among the facts that a true linguistic theory corresponds to is the one expressed by that proposition, and a dispute about whether or not we could settle a priori the question of whether what is expressed by a true linguistic theory is or is not one of the facts a true linguistic theory accounts for does not seem to be an issue in which Fodor is interested. Another way of expressing what Fodor might mean by "the facts that a true linguistic theory corresponds to" is "the data that a true linguistic theory accounts for". This expression both eliminates obviously unintended readings with consequences like the one above and seems to be in line with Fodor's intentions as they are revealed in the rest of the essay. Aside from his specific intent to argue for his own view on what linguistics is about, in this essay Fodor seems to be arguing that controversies about the subject matter of linguistics are related to positions on what counts as evidence for a linguistic theory, so that constraints on what can count as evidence constrain subject matter. Thus a better description of the particular competing views of the opposing forces in which we are interested is, first, the position that we can specify a priori that intuitions are or are not the data that a true linguistic theory accounts for and, second, the position that the development of linguistic theories tends to point to the conclusion that intuitions are or are not the data that a true linguistic theory accounts for.

A further modification of the positions as stated will enable us to sidestep objections stemming from certain intermediary positions that differ from the two already stated positions in ways that ultimately prove insignificant for the purposes of this discussion. A proponent of one of the intermediate positions I have in mind denies that we can specify a priori that intuitions are all of the data that a true linguistic theory accounts for but may nevertheless believe that we can specify a priori that intuitions constitute some of the data that a true linguistic theory accounts for. To accommodate

both the intermediary and the "extreme" positions we can describe the views under consideration as the following:

- (1) We cannot specify a priori that intuitions constitute (or do not constitute) at least some of the data that a true linguistic theory accounts for.
- (2) We can specify a priori that intuitions constitute (or do not constitute) at least some of the data that a true linguistic theory accounts for.

Though Fodor characterizes the positions in terms of the ability to specify a priori what the evidence for linguistic theories is, I suggest that ultimately what is most important for Fodor is whether or not we can specify in advance of the development of linguistic theories that intuitions constitute evidence for linguistic theories. In what follows, I will use the phrases "specify a priori" and "specify in advance of the development of the theory" interchangeably.

The foregoing is not an idle mapping out of four possible positions on the role of intuitions in linguistic theories. At least two of these positions are actually held by philosophers. Fodor himself maintains that the development of linguistic theories lends support to the view that intuitions constitute some of the data that a linguistic theory may account for (and this could not have been specified a priori), while Stephen Stich⁴ and Jerrold Katz⁵ hold the view that intuitions are at least some of the data that a linguistic theory accounts for and we can specify this independently of any developments in linguistic theory.

⁴ Stephen P. Stich, "Grammar, Psychology and Indeterminacy", in Block op. cit., pp. 208-222.

⁵ Jerrold Katz, "The Real Status of Semantic Representations", in Block, op. cit., pp. 253-275; Languages and Other Abstract Objects (Totowa, NJ: Rowman and Littlefield, 1981).

I take positions (1) and (2) to be specific statements expressing meta-theoretical views of the schools of thought that Fodor labels, respectively, the forces of light and the forces of darkness. Fodor claims that the choice between the two positions espoused by these schools will "determine views on most of the rest the methodological issues in the field". He then elaborates on what he takes to be common to the views of the adherents to each school, calling the positions "the Right View" and "the Wrong View". It is worthwhile here to make an initial examination of these views and their relations to positions (1) and (2).

According to Fodor, those who adhere to the Wrong View believe that: (a) there is a specifiable data base for linguistic theories; (b) that this data base can be specified antecedent to theory construction; (c) that the empirical content of linguistic theories consists of what they say about the data base; and (d) that the data base for linguistics consists of the intuitions about grammaticality, ambiguity, etc., that informants do or would produce, given specified forms of prompting. Those who adhere to the Right View claim that (a) Linguistic theories are descriptions of grammars. (b) It is nomologically necessary that learning one's native language involves learning its grammar, so a theory of how grammars are learned is de facto a theory of how languages are learned. (c) It is nomologically necessary that the grammar of a language is internally represented by speaker/hearers of that language. (d) It is nomologically necessary that the internal representation of the grammar is causally implicated in communication exchanges between speakers and hearers insofar as these exchanges are mediated by their use of the language they share; talking and understanding the language normally involve exploiting the internally represented grammar (pp. 198-199).

Fodor points out that a salient difference between the two views on the nature of what the data for a linguistic theory can be is attributable to the fact that, according to the Right View, linguistics is embedded in psychology and hence any data could in principle be relevant to the choice between competing ethical theories. Anything could bear upon the psychology of speaker/hearers of a language. The Wrong View, on the other hand, makes no claims about the relation of linguistics and psychology and limits the data base to speaker intuitions. If Fodor is right about the relationship between the opposing meta-theoretical views and the "rest of the methodological issues in the field", if you adhere to the Right View (henceforth known as View A) you adhere to Position (1), and if you adhere to the Wrong View (henceforth known as View B), you adhere to Position (2).

In the following sections, I argue that the considerations Fodor advances in favor of the View A (and by implication Position (1)) are insufficient to establish the view, but can be used in support of a third position which is also supported by considerations which I believe may motivate Position (2)

2a. Some Considerations for View A

An important component of Fodor's defense of View A rests upon some uncontroversial observations about scientific methodology and practice. As theories are developed, typically we discover that facts which at first seemed totally irrelevant to the confirmation of theories are in fact relevant, and we could not have known that such facts were relevant before the theory was so developed. Moreover, some of the facts may be ones which we expected to be relevant only to areas of inquiry unrelated to the theory in question, but further scientific progress may enable us to discover relationships between what was taken to be data for one theory and what was taken to be data for another such that both sets of data are relevant to the confirmation of either theory.

These observations seem to weigh heavily against the view that the "data base" of a theory can be delimited antecedent to the construction of any theory, and hence against View B. However, it need not be crucial to View B to exclude the possibility that some facts might prove relevant to linguistic theories as they are developed which were not believed to be relevant before. Some intuitions may prove to constitute exceptions to hypothesized grammatical rules, and an investigation into these exceptions may lead to evidence that they should not be accepted as reliable grammatical intuitions, which would constitute (non-intuitive) evidence that the rules are not so complex as to accommodate these irregularities. Facts about as wide a range of phenomena as memory limitations, cultural taboos and class aspirations could bear upon whether or not correct grammatical rules accommodate certain judgments about

grammaticality, synonymy or ambiguity. In fact, Stephen Stich,⁶ who Fodor regards as a proponent of View B, explicitly denies that speaker intuitions are the only data a linguist needs to attend to in constructing a grammar. He allows liberal use of actual unreflective speech, stress patterns, facts about how sentences are heard and data on short-term verbal recall. It is for this reason that I described Position (2) as covering both the possibility that all data for a linguistic theory is specifiable a priori and the possibility that only some data for a linguistic theory is specifiable a priori. If a proponent of Position (2) believed that we could know in advance of the development of linguistic theory that intuitions provide some but not all of the data for the theory, he or she could consistently believe that some other evidence for the theory can come to light.

But Fodor goes on to make another claim which may appear to cast doubt upon all versions of View B, whatever form of Position (2) is accepted. He claims that any science is under the obligation to explain "why what it takes to be data relevant to the confirmation of its theories are data relevant to the confirmation of its theories" (p. 200). Fodor goes on to claim that a typical way of meeting the obligation is "by exhibiting a causal chain that runs from the entities the theory posits, via the instruments of observation, to the psychological states of the observers." (p. 200). Since any science is supposed to be under this obligation, then in particular linguistics is, so a point which is relevant to this dispute emerges: "An adequate linguistics should explain why it is that the intuitions of speaker-hearers constitute data relevant to the confirmation of grammars". (p. 200). If it can be shown that an adherent of one of the views can meet this obligation while an adherent of the other cannot, we then have an argument for the former view. Fodor believes that this can be shown. View A meets

⁶ Stich, pp. 210-212.

the obligation by saying "We can use intuitions to confirm grammars because grammars are internally represented and actually contribute to the etiology of the speaker/hearers intuitive judgment", whereas View B only says "We do it because we have always done it" or "We do it by stipulation".

Fodor may have some justification for believing that the proponents of View B whom he has in mind do or would answer the question of why intuitions should be used to confirm grammars in the manner he claims they would. It isn't obvious that a proponent of View B must answer the question in this way, but it is instructive to see how the requirement that a science explain why what it takes to be data relevant to the confirmation of its theories are data relevant to the confirmation of its theories may appear to conflict with View B. Fodor offers an example of how the requirement might be met in astronomy:

...So, the astronomer can argue, if there are such things as planets, and if they are at least roughly the sorts of things that his theories suppose them to be, then given the way terrestrial astronomers are situated, and given the way telescopes work, telescopic observations should bear upon the confirmation of theories about how planets are arranged in space. (p. 200).

In keeping with others who espouse a naturalistic epistemology, Fodor suggests that a science must provide causal explanations for its evidence which rely upon the assumption that currently accepted, relevant views are roughly right. View B makes no claim that the entities invoked by linguistic theories causally influence speaker intuitions, whereas View A does. View B then may seem to at best leave it open that linguistic theories can explain why what is taken to be evidence for the theories is evidence for the theories, whereas View A does not.

2b. Response to Fodor's Arguments

Fodor's use of the example of the astronomer illuminates an important conflict between the two views. Generalizing from his concern with linguistics and his use of astronomy as an example, we can infer that Fodor thinks that a science is under the obligation to explain why what it takes to be data for its theories are data for its theories. An immediate objection to this view is that the only appropriate burden for science relevant to Fodor's point is that a science provide an explanation for its data, not an explanation for why what the science takes to be data for its theories are data for its theories, and while this explanation requires reference to psychological states, there is no reference to psychological states in astronomical theories themselves. Thus, we should not conclude that linguistic theories themselves require reference to psychological states. Sciences themselves need not provide a theory of confirmation.

Both views would presumably agree that a science has the former burden, but disagree on how it should be interpreted. If a science meets the obligation by exhibiting a causal chain connecting the entities its theories posit to the psychological states of the observer, it is concerned with observations as its data in a special sense. That is, if I take a certain set of observations as the data I have to explain, I may take it to be my task either to explain the fact that these observations were made, in which case I must explain the observings, or merely to explain a set of facts which happen to be gleaned by observation, in which case I must explain the observeds.⁷ Accordingly, I must explain either, for example, the fact that a given scientist observed a trail in a

⁷ The distinction between the source and content of data is made in Katz, "Real Status", p. 258, and is applied by William Lycan to the case of ethics in his Judgement and Justification, (Cambridge: Cambridge University Press, 1988), pp. 207 - 213.

cloud chamber or the fact that there was a trail in a cloud chamber. These two tasks are not mutually exclusive, but it seems that if either task needs to make use of psychological states, only the former task needs to make use of psychological states in its explanation (unless the data are psychological as opposed to, for example, chemical). Fodor need not be taken to be denying that the latter interpretation exists, but his comments suggest that he believes that the former interpretation of the task is the only appropriate one. On this view, a science must explain the fact that we make an observation of a certain kind at all rather than the fact which has been gleaned by observation. I point this out because I do not think that the view is obviously correct and Fodor does not argue for it in this essay. A natural alternative view is that it is in the domain of epistemology or psychology to explain the relationship (causal or otherwise) between the observation of a trail in a cloud chamber and the fact that there is a trail in a cloud chamber, and chemistry need only concern itself with explaining the existence of the trail in the cloud chamber. The view would interpret the task of such a science to explain a set of facts which happen to be gleaned by observation rather than to explain observations in a way that necessitates an account of psychological states of observers.

A proponent of the alternative view might then hold that the analogous task for a linguistic theory would be to explain a set of facts (about grammaticality, synonymy, ambiguity, etc.) which happen to be known by intuition rather than to explain the existence of certain intuitions. The latter task, if understood to be the task of giving a complete causal explanation, presumably would require reference to psychological states if they causally contribute to the intuitions, whereas it is at least not obvious what the former task requires. If the latter task is indeed one of the tasks for linguistics, then View B fails to take account of this fact since it holds that linguistic

theory need not invoke psychological states in its explanations. No such failure is apparent if the task for linguistics is the former, not the latter.

It may seem that this alleged failure of View B is not really a failure. We might grant that, in addition to simply offering explanations of certain data, it is a legitimate task for linguists, in defense of their theories, to explain the existence of linguistic intuitions and indeed, intuitions being what we suppose them to be, this explanation will require reference to psychological states. However, to say that this explanation will require reference to psychological states is not the same thing as to say that linguistic theories themselves must invoke psychological states or entities that can causally influence psychological states. The example of the astronomer cited by Fodor illustrates this point. We might grant that it is a legitimate task for astronomers, in defense of their theories, to explain the existence of observations that can count as data for theories in astronomy, and this explanation requires reference to psychological states and so we should not conclude that linguistic theories themselves require reference to psychological states.

A natural retort to this objection is that it ignores a dissimilarity between astronomy and linguistics which is significant for the purposes of this argument. If linguistic theories themselves do not invoke psychological states, then it is difficult to see how linguists, in defending their methodology, could produce a causal chain which would link entities invoked by linguistic theories with psychological states of intuiters in the service of an explanation of the existence of intuitions that can constitute data for linguistic theories. In order to fulfill the task that Fodor believes any science must fulfill, the entities invoked by that science's theories must be the kinds of things that can causally influence psychological states, if the data for the theories is at least partly psychological in origin. Consistent with fulfilling the task for astronomy, theories in

astronomy need only invoke physical objects which could (in however roundabout a manner) causally influence the perceptions, and hence psychological states, of observers. The task for linguistics is more problematic, however, in a way that is similar to difficulties in accounting for how we might have epistemological access to abstract objects invoked in mathematical theories. Grammatical theories do not, at least at this stage, invoke physical objects, and even if they did, it is difficult to imagine what kind of causal influence physical objects could have upon many intuitions of grammaticality that speakers have. The most likely candidates for causal influences upon intuitions are psychological themselves. This is not to say that there are no other possible kinds of causal chain ending in intuitions and beginning with entities invoked by linguistic theories, but it appears that the burden to come up with such a causal chain is on anyone denying that reference to psychological states is needed to perform Fodor's task. View B in effect denies that there is any such burden by stating that intuitions constitute some of the data that a linguistic theory must account for, whether or not linguists can produce any causal chain linking the entities to speaker intuitions.

If there is a task for all sciences which is to be interpreted as Fodor apparently interprets it, there is a constraint on theories to be theories whose entities are of a kind that can causally influence psychological states when data for those theories is psychological in origin. View B does not recognize this as a constraint on linguistic theories. The alternative interpretation of the task offered above does not appear to conflict with View B, however. If the linguists task is simply to explain a set of facts about grammaticality, synonymity, ambiguity, etc., then no requirement that the entities invoked be ones that can causally influence psychological states is obvious. I take it that the claim that intuitions about synonymy are psychological in some relevant sense is uncontroversial at least among proponents of both views. However,

the claim that synonymy itself is psychological is controversial. Moreover, this task can be fulfilled simply by explaining the linguistic theories and showing how the data are consequences of the theories.

For example, Katz makes a proposal for what would count as a non-causal, non-psychological explanation of the fact that "flammable" and "inflammable" are synonyms:

...The explanation is, roughly, that the "in" in "inflammable" is not a negative prefix, as it first seems, because "inflammable" is derived from the verb "inflamm" and that "flammable" is derived from the noun "flame" by addition of the adjective forming suffix "able". The full explanation requires an account of the derivations of these adjectives that exhibits the syntactic conditions determining their synonymy and an account of the structural reasons why the adjectives are apparently but not really antonymous forms.⁸

I have argued that this alternative interpretation of the task for linguistics partly on the basis of the plausibility of analogous interpretations of the task for other sciences. I suspect, however, that many who find the latter plausible will not find the alternative interpretation plausible for linguistics. The alternative interpretation of the task for astronomy is that the task is to explain a set of facts which happen to be gleaned by observations rather than to explain the existence of certain observations. This presumes that there is a set of facts that happen to be gleaned by observation. But claiming that the former, "lesser" task is perfectly respectable science seems to rest upon having epistemological faith in observations which we may be less inclined to have in intuitions. If we seriously doubted that we could know any facts by observations, we would not simply take it for granted that observations provide us with

⁸ Katz, Language and Other Abstract Objects, p. 65.

data for which theories must give an explanation. However, while there may be serious doubts about the reliability of intuitions in general, where they are understood simply as spontaneous, largely non-observational judgments, intuitions that are specifically linguistic are not as suspect, and the degree of agreement we find in linguistic intuitions and the reasonable prospects of being able to explain disagreements tends to support confidence in them. Some other sorts of intuitions, such as hunches, are often soon contravened by other judgments we have reason to believe and this is far less frequent for linguistic intuitions. Moreover, if speakers could not to a reasonable extent accurately judge what sentences are in their language and some of the relationships between sentences, they could not manage to communicate in the language.

3. A Middle Position

There are some considerations in favor of the position that the question "What are some of the facts that a true linguistic theory must account for?" is answerable in advance of the development of what Fodor would consider to be adequate linguistic theories. We may have good reason to believe that certain beliefs constitute data for a linguistic theory in the absence of a full causal explanation for the occurrences of these beliefs, or the intuitings.

Fodor claims that some support for View A, and by implication Position (1), comes from intuitions about the way that scientific practice should proceed:

it is...a consequence of the Right View that there is no a priori distinction between linguistic data and psychological data (or indeed, linguistic data and data of any other kind). Such distinctions as we are able to draw are a posteriori; we find out more and more about which are the relevant data as we find out more and more about how grammars function in the mental processes of speaker/hearers. This seems to me precisely as it ought to be; it accords with our intuitions about how scientific practice ought to proceed. Suppose that, tomorrow, some very clever astro-linguist were to devise an argument that runs from observations of the Martian planet to some other constraint on theories on human psychology and thence to the proper formulation of the English pseudocleft. Surely we would say "Bravo, and, well done" not "Ingenious but not pertinent." (p. 199).

I believe that likewise some support for the position that we can make reasonable claims about the data for a theory antecedent to the construction of theory comes from intuitions about scientific practice. We can begin constructing a theory as an explanation for what we pre-theoretically take to be facts within the domain of the

field of inquiry of which the theory is a part. Whatever causal story a linguistic theory gives or fails to give, it seems that we can enumerate some constraints on the theory. Any linguistic theory must explain (given modest aspirations) at least some subset of what we pre-theoretically take to be linguistic facts, or a proponent of the theory has the burden of explaining why what were taken to be linguistic facts are not linguistic facts. There is no comparable burden upon any proponent of a linguistic theory to explain why its consequences do not correspond to planetary movements, unless some theory is available which makes convincing connections between linguistic facts and planetary movements. This position can be maintained independently of what we pre-theoretically take to be linguistic facts, for example, whether we believe the facts are intuited, i.e., intuited facts of grammaticality, ambiguity, etc., and the theory must account for them, or that the facts that we pre-theoretically consider to be linguistic facts are intuitings, the facts that speakers have certain intuitions about grammaticality, ambiguity, etc. (which, incidently is the view held by Stephen Stich,⁹ a proponent of Position 2).

Moreover, beyond general intuitions about scientific practice, we have some reason to believe that, in advance of significant development of linguistic theory, we can specify that linguistic intuiteds constitute some of the facts for which linguistic theories give explanations. Linguistic theories are theories of natural languages, and a natural language is used by speakers of the language. The judgments of speakers about what they say can constitute some data for linguistic theories which explain the properties of the language if being a speaker of a language enables us to make reliable judgments about our language. Speakers have linguistic beliefs about, for example, whether a sequence of words is grammatical in their language. In advance of any

⁹ Stich, *op. cit.*

detailed account of how speakers manage to make these judgments, (and in particular, without Fodor's claim that they have an internal representation of grammatical rules), we have reason to believe that at least some intuitions of speakers about the grammaticality of sentences in their language are reasonably reliable. Grammaticality depends upon, among other things, structural features of sequences of words (for example, word order) which bear upon the meaning of sentences. Since structural features bear upon meaning, they affect a speaker's comprehension of sentences. Speaker judgments about grammaticality and ungrammaticality may be made on the basis of comprehensibility, and insofar as speakers are reliable judges about whether or not they comprehend sentences (evidence for which may be their success in communication over time), and comprehension is in fact related to structural features, speakers can be reasonably reliable about grammaticality.¹⁰

¹⁰ An account of how native speakers manage to make these judgments would plausibly invoke a speaker's specifically linguistic competence, since this is implicated in comprehension. A speaker's linguistic competence includes some component which is responsible for enabling the speaker to acquire the language. Within roughly the past ten years, Chomsky and other linguists have developed theories of universal grammar which some propose to be innate structures responsible for language acquisition. The theory contains very general principles constraining possible rules of grammar for a natural language. In addition to these principles, there are sets of values determining how a grammar may vary with respect to each principle. For example, a principle of all rules governing the deep (phrase) structure of a sentence in any natural language is that all phrases contain a "head" such that certain properties of the head are properties of the phrase. Thus, a noun phrase must contain a noun as head, and if the noun is plural, the noun phrase is a plural noun phrase. All natural languages, and hence grammars of natural languages, obey this constraint, but may vary according to the possible position of the head. Some languages are "head-first" while others are "head-last". It is hypothesized that in learning a language, rather than constructing a complex set of rules on the basis of meager data (as was suggested earlier by attention to versions of grammar that emphasized complex rule systems), a child selects a type of language from among the different values available. It is reasonable to suppose that selection of a language on the basis of minimal data is a more easily and quickly accomplished task than construction of complex rules on the basis of minimal data, and correction for mistakes in acquisition is more easily and quickly accomplished by simply switching to another value than by completely reconstructing a set of complex rules. The type of language selected conforms to the general principles that are part of the child's innate endowment.

(cont.)

If it is not a consequence of a grammatical theory of English that "For John to will play the piano bothers me" is ungrammatical, this counts as a very strong consideration against it. Whether we construe the facts as intuited facts or facts about speaker intuitions, it is incumbent upon a proponent of any linguistic theory to explain why its consequences are at variance with speaker intuitions (when they are) or does not predict speaker intuitions (when it does not), whereas it is not incumbent upon any proponent of a linguistic theory to explain why its consequences do not correspond to planetary movements unless some theory is available which makes convincing connections between the two kinds of facts. Though we may not be tempted to believe that we can specify a priori that intuitions constitute some of the data that a true linguistic theory accounts for, a slightly different position which Fodor appears to reject and which is consistent with certain components of the Wrong View seems to be quite reasonable. In advance of the development of linguistic theories to the point that we can give a full causal account of speaker intuitings, we have some reason to believe that either a linguistic theory must count speaker intuiteds among its consequences or a proponent of the theory must give an explanation for why it does not.

If there is an internal representation of grammar, it may be far different from anything Fodor imagined at the time he wrote this article. However, this need not affect the claim that the content of linguistic intuitions can serve as data for linguistic theory.

Paper Two: Daniels on Reflective Equilibrium in Ethics and Linguistics

Introduction

In A Theory of Justice John Rawls¹ proposed a method for arriving at a justified moral theory which he called the method of "reflective equilibrium". The method involves the mutual adjustment of moral judgments, moral principles and non-moral beliefs in order to achieve a coherent set of beliefs. At a few points in his account of this method, he compared the development of a moral theory with the development of a linguistic theory.² R. M. Hare³ and Thomas Nagel⁴ objected to this analogy, claiming that it suggested that we give too much authority to the common moral judgments people actually make. They argued that moral theory is not as beholden to common moral judgments as linguistic theories are to the judgments that speakers make about what is grammatical in their languages. Norman Daniels⁵ basically concurred with the criticism of the analogy between ethics and linguistics, but defended the method of reflective equilibrium, suggesting that an analogy between the method proposed by Rawls for ethics and methods in the natural sciences is more apt. An important motivation for Daniels in invoking the scientific analogy and dismissing the linguistic analogy is to strengthen the claim that reflective equilibrium in ethics is a plausible

¹ John Rawls, A Theory of Justice (Cambridge, MA.: Harvard University Press, 1971) pp. 19-21, 46-51, 579-81.

² Rawls, pp. 46-9.

³ R.M. Hare, "Rawls' Theory of Justice" in Norman Daniels, (ed.), Reading Rawls (New York: Basic Books, 1975) p. 46.

⁴ Thomas Nagel "Rawls on Justice" in Daniels, op. cit., p.2, n.2.

⁵ Norman Daniels, "Wide Reflective Equilibrium and Theory Acceptance in Ethics", The Journal of Philosophy 76 (1979) pp. 256-282; "On Some Methods of Ethics and Linguistics", Philosophical Studies 37 (1980) 21- 36; "Reflective Equilibrium and Archimedean Points", Canadian Journal of Philosophy 10 (1980) pp. 83-103. When these essays are referred to, page numbers with "WRE", "MEL" or "RE" appended will appear parenthetically in the text.

method of justification which can support the claim that there are moral facts. Section 1 of this chapter is a critical examination of Daniels' reasons for dismissing the linguistic analogy.

In section 2, I discuss Daniels' motivation for stressing similarities between methods in natural science and ethics. I argue there is one important respect in which the linguistic analogy fulfills Daniels' purposes. One argument against the claim that there are moral facts rests upon the claim that there is widespread moral disagreement. Disagreement on ethical issues seems to be more pervasive than disagreement on scientific issues. Agreement in judgment which is produced by legitimate methods of inquiry is taken to be important evidence for truth, so if the prospects for resolution of moral disagreement by such methods are dim, we lack some important evidence for the claim that there are moral facts. The prospects for resolution of moral disagreements produced by legitimate methods of inquiry are dim if there is reason to believe that on the best account of the justification of moral theories, we are equally justified in holding contradictory ethical beliefs when everything the account deems to be evidence for or against the beliefs is considered. We are not equally justified in holding contradictory ethical beliefs if we have reason to believe that one of the beliefs is distorted or is held on the basis of some distorted belief, and other things are equal. Pretheoretical and theoretical moral judgments seem to be more subject to distortion than non-moral observations and theories are, and so there should be a significant role for an account of the distortions of moral judgments to play in the justification of moral theories. It is plausible to suppose that many disagreements are traceable to distortion, so the prospects for resolution of such moral disagreement by legitimate methods of inquiry are greater when accounts of distortion play a significant role in the methods of inquiry. A linguistic analogy is instructive in this respect for methods in ethics.

1. Daniels on the Linguistics Analogy

Rawls proposed a procedure for arriving at a justified moral theory that relies on coherence as a criterion for justification of moral beliefs. Norman Daniels offers a succinct description of the procedure, called the method of wide reflective equilibrium:

A wide reflective equilibrium is a coherent ordered triple of sets of beliefs held by a particular person, namely a set of considered moral judgments, (a); a set of moral principles (b); and a set of relevant background theories, (c). We collect the person's initial moral judgments and filter them to include only those of which he is relatively confident and which have been made under conditions generally conducive to avoiding errors in judgment. We propose alternative sets of moral principles which have varying degrees of "fit" with the moral judgments...we advance philosophical arguments which reveal the strengths and weaknesses of the competing sets of principles...The agent may work back and forth, revising his initial judgments, moral principles, and background theories, to arrive at an equilibrium point which consists of the triple, (a), (b), and (c). (RE pp. 85-6)

In A Theory of Justice, Rawls explicates this procedure and makes two significant comparisons between the development of moral theories and the development of linguistic theories. First, he suggests that we should provisionally understand moral philosophy as an attempt to describe our moral sensibility, much as linguists attempt to describe our grammatical competency:

Now one may think of moral philosophy at first...as the attempt to describe our moral capacity...a conception of justice captures our moral sensibility when the everyday judgments we do make are in accordance with its principles. These principles can serve as part of the premises of an argument which arrives at the matching judgments. We do not understand our sense of justice until we know in some systematic way covering a wide range of cases what these principles are. Only a deceptive

familiarity with our everyday judgments and our natural readiness to make them could conceal the fact that characterizing our moral capacities is an intricate task. The principles which describe them must be presumed to have a complex structure, and the concepts involved will require serious study...A useful comparison here is with the problem of describing the sense of grammaticalness that we have for the sentences for our native language. In this case the aim is to characterize the ability to recognize well-formed sentences by formulating clearly-expressed principles which make the same discriminations as the native speaker. This is a difficult undertaking which, although still unfinished, is known to require theoretical constructions that far outrun the ad hoc precepts of our explicit grammatical knowledge. A similar situation presumably holds in moral philosophy. There is no reason to assume that our sense of justice can be adequately characterized by familiar common sense precepts, or derived from the more obvious learning principles. A correct account of moral capacities will certainly involve principles and theoretical constructions which go much beyond the norms and standards cited in everyday life...⁶

Rawls makes a second comparison between moral theory and linguistic theory in discussing the possibility of revisions in our considered judgments about justice:

In describing our sense of justice an allowance must be made for the likelihood that considered judgments are no doubt subject to certain irregularities and distortions despite the fact that they are rendered under favorable circumstances. When a person is presented with an intuitively appealing account of his sense of justice...he may well revise his judgments to conform to its principles, even though the theory does not fit his existing judgments exactly. He is especially likely to do this if he can find an explanation for the deviations which undermines his confidence in his original judgments and if the conception yields a judgment which he finds he can now accept...Moral philosophy is Socratic: we may want to change our present considered judgments once their regulative principles are brought to light. And we may want to do this even though these principles are a perfect fit. A knowledge of these principles may suggest further reflections that lead us to revise our judgments. This feature is not peculiar though to moral philosophy, or to the study of philosophical principles, such as those of induction and scientific method. For example, while we may not expect a substantial revision of our sense of

⁶ Rawls, pp. 46-7.

correct grammar in view of a linguistic theory the principles of which seem especially natural to us, such a change is not inconceivable, and no doubt our sense of grammaticalness may be affected to some degree anyway by this knowledge.⁷

Despite Rawls' claims about revisability, critics⁸ argued that if we understand the coherentist methodology in ethics as on a par with methodology in linguistics, the method gives too much authority to people's considered moral judgments. One effect of this is that there is too little room for revision of pre-theoretical considered moral judgments to count as an adequate account of the development of a justified moral theory. We expect a moral theory to be critical of at least some pre-theoretical, considered moral judgments, and we do not expect considered moral judgments to be the final arbiters in determining the correctness of an ethical theory in the way that it is supposed that, for example, speaker's intuitive judgments of grammaticality are the final arbiters in determining the correctness of a theory of grammar. Wide disagreement in pretheoretical moral judgments dictates that more than minimal revisions in judgments are needed in order to avoid countenancing several inconsistent claims as equally justified.

Daniels, in defending Rawls' coherentist methodology, recommends that the linguistic analogy be dispensed with. He claims that seeing methods in ethics as strongly parallel to those in linguistics suggests that the grounds to which we may appeal in revising considered moral judgments are far narrower than what is actually legitimate. He suggests that the coherentist methodology advocated by Rawls should be seen as parallel to methodology in the natural sciences, in which revisability of both observational judgments and theories on the basis of their coherence with a wide

⁷ Rawls, pp. 48-9.

⁸ Namely Hare and Nagel, at the places in the works cited above.

range of background beliefs and theories can be countenanced.⁹ Among the background theories that can force revision in moral judgments, according to Rawls' account, are a theory of the person, general social theory, and a theory of the role of morality in society.

Daniels' objection to the linguistic analogy centers around two issues: (1) the revisability of considered moral judgments and (2) the reliability of considered moral judgments. I argue that neither issue provides strong grounds for rejecting the linguistic model for reflective equilibrium in ethics. Section 1a considers Daniels' discussion of (1), section 1b considers his discussion of (2).

1a. Revisability

In "On Some Methods of Ethics and Linguistics" Daniels argues that analogies made between Rawls' method of reflective equilibrium and methods in linguistics are "unnecessary, or, at least, overstated". (MEL, p. 21). Much worse, he fears that too much reliance on this analogy fuels the view that those who believe that employing the method of reflective equilibrium in ethics can lead to justified moral theories confuse moral anthropology with moral philosophy. (MEL, p. 21). Linguistics is concerned with what people say since linguistic theories are theories about natural languages and natural languages are used by people to communicate. If ethical theories are concerned with what people say about ethics (that is, their considered moral judgments) for analogous reasons, then it seems that ethical theories are theories about people's ethical beliefs, and ethical theories are anthropological studies of various systems of

⁹ See especially his "Wide Reflective Equilibrium and Theory Acceptance in Ethics".

ethical beliefs held by people. On this view, reflective equilibrium does not support the claim that there are moral facts independent of moral beliefs. Daniels believes that this is a misunderstanding of what employing reflective equilibrium in ethics implies, and it is best avoided by distinguishing methods in ethics from those in linguistics. He believes that we can distinguish methods in ethics from those in linguistics by noting that "the revisability of considered moral judgments does not hinge on the formulation of an appropriate competence-performance distinction". (MEL, p. 27). A second important point is that "the target of such equilibrium is not just the explication of a person's actual moral competency". (MEL, p. 27). This section is a critical discussion of these claims. I think that we can grant both of Daniels' points and still maintain that the analogy is useful. A further point relevant to the issue of the revisability of moral judgments hinges on Daniels' claim that a natural scientific model for reflective equilibrium in ethics is superior to the linguistics model. An important respect in which he alleges that the revisability of moral judgments goes beyond the revisability of speaker judgments serves equally to distinguish ethics from methods in the natural sciences.

Roughly, we can understand the analogy between methods in linguistics and in ethics in the following way: just as grammatical principles are developed to systematize speaker intuitions about the grammaticality of sentences economically, so general moral principles are developed to systematize moral judgments about the rightness and wrongness and justice and injustice of acts, policies and institutions. An immediate objection to such an analogy is that linguists are far more beholden to speaker intuitions about grammaticality than moral theorists are to our judgments about rightness and wrongness or justice and injustice. A linguistic theory is justified to the extent that it matches the spontaneous judgments of the speakers of the language. Presumably we do not wish to make the parallel remark for moral theory,

i.e., that a moral theory is justified to the extent that it matches our moral judgments, and in any case, the method of wide reflective equilibrium indicates otherwise.

Daniels does not wish to drive such a strong wedge between the two enterprises on this particular point. He grants the now commonplace point that speaker intuitions about grammaticality are widely revisable. Two examples, one of which is cited by Daniels (MEL, p. 24), will suffice to make the point. When presented with the following string of words, English speakers often pronounce both to be ungrammatical: "buffalo buffalo buffalo" and "the horse raced past the barn fell".

Despite these speaker pronouncements of ungrammaticality, a little persuasion on the part of a linguist can lead to revisions in the judgments. The former string can be judged as grammatical if we see it as structurally similar to strings like "men admire women". Likewise, the judgment about the latter string can be revised when the speaker is presented with the argument that it is synonymous with "the horse that was raced past the barn fell" and structurally similar to "the dog dragged by the collar bit its owner".

In spite of speaker judgments to the contrary, then, we expect principles of English grammar to count "buffalo buffalo buffalo" and "the horse raced past the barn fell" among the grammatical strings. The fact that speaker judgments are revisable and the fact that there are similarities between what are considered to be legitimate means of persuading people that their linguistic and moral judgments ought to be changed seems to narrow the gulf between linguistic and ethical theories. Persuasive moral arguments often consist of pointing out that a judgment about a particular case is inconsistent with judgments made about cases that are quite similar in important respects, and so the original judgments ought to be changed. Hence, any correct moral

principle will count the judgment of the original case in like manner with the others, in spite of the original intuition.

Daniels believes that noticing these facts about revisability is insufficient to resurrect the analogy, however. He believes that the grounds for revision in the linguistic case are far too narrow and this points to a disparity in the goals of the two enterprises that serves to deprive the analogy of its usefulness. However, pointing out that there is a disparity in the goals of the two enterprises need not lead us to the conclusion that an analogy between the two is not useful. The fact that linguistic theories aim to characterize linguistic properties, while moral theories explain moral properties, does not itself dictate that accounts of how linguistic theories are justified bear no interesting relationship to accounts of justification in ethics. This seems especially important to notice for someone who holds Daniels' position. Daniels wants to maintain that there is a useful analogy between methods in ethics and methods in the natural sciences, and yet ethical theories are not explanations of, for example, chemical properties.

For the linguistic case, revision of initial speaker judgments is permissible only by reference to a performance-competence distinction. Linguists have proposed that a speaker's ability to use a language is explained by the fact that the speaker has internalized a set of rules which the speaker exploits in producing and understanding sequences of words. This internalized set of rules is called the speaker's competence. A speaker utilizes this competence both when she makes a judgment about her language and when she speaks or listens to the language. For example, she may unconsciously apply the internalized rules to a sound sequence in order to judge whether or not it is acceptable in her language. Such judgments count as part of a speaker's performance and they reflect the speaker's competence when the unconscious application of rules is

not influenced by memory limitations or special short cuts for classifying sequences of words that generally facilitate understanding sentences but can lead a speaker astray in ways which the speaker can be brought to realize. When these factors do influence a speaker's performance, the performance does not reflect the speaker's competence. We are entitled to revise an initial speaker judgment only if we can claim, for example, that the initial judgment is a product of short-term memory limitations or the limitations of our ordinary parsing heuristics and hence can be passed off as a performance error rather than a judgment which is revealing of linguistic competency.

However numerous the permissible revisions of speaker intuitions of grammaticality may be, Daniels maintains that the revisions of our moral intuitions that are deemed legitimate for a moral theorist (or a person seeking wide reflective equilibrium) to make go far beyond any that might be justified by appeal to an analogous moral competence-performance distinction. Moral theorists do not only discard or revise those intuitions that can plausibly be regarded as products of performance errors. According to Daniels, the theories invoked in ethics might dictate revisions of judgments that all would agree actually do reflect the moral competence of a particular moral agent. Daniels remarks that "At best, we might describe [the ethical theorists] goal as seeking a hypothetical [as against an actual] competency: the one a person would have were he to have been persuaded by such and such arguments and revise the components of his belief system accordingly". (MEL, p. 27).

Though I am sympathetic with Daniels on this point, I don't think that it is quite as easy to dismiss the competence-performance distinction as an adequate basis for the revisability of ethical judgments as he seems to think. Exactly how close an analogy between a linguistic competence and a moral competence we might expect might

influence the range of judgments we are willing to call "performance errors" in the moral case. I think we should expect a great deal of difference between the range of dismissable judgments in the two cases. Daniels himself seems willing to concede that there is a plausible, very rough analogy between linguistic performance errors and moral judgment errors which provides an acceptable rationale for revising some judgments. He describes the two types of linguistic performance errors and suggests some moral analogues. He calls the first type "non-linguistic" performance errors which are those errors attributable to conditions affecting a speaker's state of mind such as inebriation, inattention and fatigue. He considers that these performance errors could count as roughly analogous to those moral judgments initially pruned from consideration in the method of wide reflective equilibrium because the person seeking such equilibrium is not confident of these judgments, doesn't have adequate information or has made the judgment "in a state of mind conducive to moral error". (MEL p. 23). Thus, conditions that might be characterized as sheer ignorance, self-interestedness or hatred could discount moral judgments as performance errors. These "conditions" seem to have a much broader scope than fatigue or inebriation in their capacity to discount judgments. Moreover, it does seem reasonable to rule these conditions as potentially leading to moral errors since factual knowledge, self-interest and the emotions clearly affect our moral judgments in ways that are less likely to affect our judgments of grammaticality.

Daniels also describes a second kind of "purely linguistic" performance error which would be attributed to factors such as short-term memory limitations or other processing limitations. After noting that where the performance-competence distinction is drawn may itself be susceptible to theoretical considerations rather than be simply obvious or initially agreed to, he suggests how a further analogy between a performance-competence distinction in the two areas might be made:

...With some exercise of fancy, we might find a parallel between the appeal to the performance-competence distinction in syntactics and an analogous distinction we might draw for the moral case. Consider, for example, cases in which we are led to revise moral judgments because we realize that they are incompatible with other judgments we hold, contrary to what we had been able to see at first. A specially constructed moral dilemma, for instance, might convince us that we had "overlooked" relevant features in judging the original case. Or a number of related cases may be shown to us, on the basis of which we see similarities we had not seen before. We might then say that our on-line moral processor had failed to match our real moral competency. Here we can suppose our moral competence-performance distinction may be theory-dependent in ways analogous to the theory-dependency of the syntactic version (for example, psychological theories of attention or reasoning ability may affect how the moral version might be drawn). (MEL pp. 24-5).

We can imagine that, if the analogy that held between so-called non-linguistic performance errors for linguistics and (non-moral) performance errors for ethics could be so rough and allow so much more scope for dismissing moral errors, likewise there might be a good deal more room for revision of moral as versus linguistic judgments in this category of performance error. It is plausible that the psychology of our moral reasoning abilities is both different from and much more complicated and variously influenced than the psychology of our linguistic abilities. Of course, in order to give an account of our moral reasoning abilities which can explain distortion, we need to assume that certain moral claims we now accept are true. This is unproblematic as a general strategy if we accept the epistemological view that our beliefs can only be justified by relying on the beliefs we already have and if the claims we rely on are not peculiar to one moral theory such that they serve to dismiss any intuitions that would conflict with the theory.

For example, we might ascribe certain tendencies to "overlook relevant features" to more or less circumscribed inhibition or activation of emotional responses that

interferes with the operation of a person's moral competency. Suppose that the capacity to empathize with others is important in making moral judgments and suppose further that the ability to empathize requires imagining oneself in the position of the person concerning whom a moral judgment is being made. For some people, this act of imagining carries an emotional charge, in which feelings associated with being in this position are experienced. People may be particularly averse to empathizing with others in certain situations because, for example, they have recently (or perhaps not so recently) escaped similar situations themselves and so the unpleasant emotional charge is very strong. They may not be particularly conscious of the aversion, or the reasons for it, and they may simply automatically avoid empathizing fully in these situations, and make distorted moral judgments. This may persist for a time quite unrecognized, as those afflicted with the difficulty continue to make moral judgments in other situations with no such interference.

Another example of a tendency to "overlook relevant features" in a way that we might characterize as an interference with competency may be the persistence of "selective" prejudices. For example, a person who is otherwise committed to egalitarian social arrangements nevertheless excludes the interests of women from equal consideration in these arrangements. This exclusion may be due to the person's difficulty in regarding women as having interests separate from interests in fulfilling subordinate social roles. In at least some cases, this may not be explainable simply by noting that, in the society in which the person lives, sexism functions in such a way that women have fewer social resources than men and so less frequently develop abilities not directly related to serving others, which leads the person to the belief that women lack the capacity for self-determination. This explanation would be inadequate if the person did not in general infer a lack of capacity for self-determination from a relatively low level of socially-recognized achievement and in general tended to notice

the significance of social barriers. The difficulty in regarding women as self-determining may be the result of unconscious, emotionally-tinged associations of women with the role of caretakers, which can exert a particularly strong and primitive pull on people because a child's relationship to a mother forms a basis for a sense of security, and women usually have had sole or primary caretaking responsibilities for children

The question of exactly at what point we must stop calling a certain "lapse" a performance error and consider it part of the person's moral competence no doubt would have important implications for what ethical theories are acceptable, if the deliverances of moral competencies are seen as important evidence for what ethical theories are true. However, this need not disqualify the notion of such performance errors as hopelessly biased toward particular theories even as it gives enormous room for revision of judgments beyond the linguistic analogue. If independently of the evaluation of a particular moral theory (for example, on the basis of shared pre-theoretical assumptions or claims common to many different ethical theories), we have reason to believe that there are certain requirements for the ability to make moral judgments and that there are certain identifiable factors that can interfere with this ability over a period of time, we need not assume that the notion of a performance error is simply an ad hoc device for discarding discrepant judgments.

Revision of moral judgments on the basis of a moral competence-performance distinction might then be much more extensive than revision of speaker judgments on the basis of a linguistic competence-performance distinction. The extent of revisability of judgments is not itself a clear ground for dismissing the linguistics analogy. Daniels might not accept that revision of moral judgments on the grounds of a moral analogue to the competence-performance distinction would be as extensive as I

have suggested. Nevertheless, he suggests that the linguistic analogy should be dismissed not only because there may be insufficient revisability of moral judgments provided for, but rather because the grounds for revisability in the linguistic case are limited to appeal to a competence-performance distinction.

It is worthwhile to consider why Daniels thinks that limiting revisions to those defensible on the grounds of a competence-performance distinction is objectionable. We might not find it objectionable since it is not clear how restrictive this limitation has to be. We need not think that revision of all moral judgments must be justified on the basis of a competence-performance distinction if we accept the linguistic model Daniels subscribes to the view that non-moral judgments can be more or less theory-dependent. Linguistic or moral judgments might likewise be more or less theory-dependent and permissible revisions could vary with this status. The linguistic judgments that linguistic theories dismiss on the basis of a competence-performance distinction are not usually judgments that speakers accept because they have considered certain linguistic theories. Typically only the least theory-dependent linguistic judgments (speaker's spontaneous, untutored judgments) are dismissed for this reason. In the development of linguistic theory, other linguistic judgments, such as the theoretical judgments made by linguists, are dismissed for their inconsistency with other theories or with speaker judgments. So perhaps according to the linguistic model only the revisions of the least theory-dependent moral judgments are limited to those grounded on a competence-performance distinction. Perhaps the more theory-dependent a judgment is, the more revision on the basis of coherence with background theory is legitimate (though even here, the competence-performance distinction may play a role), and the less theory-dependent it is, the more our grounds for dismissing it are limited to claims of distortion. I cannot offer guidelines for determining when a moral judgment is more or less theory-dependent, but one index of low theory-

dependency may be that the judgment is generally accepted by people who have widely differing theoretical orientations.

On this interpretation, the linguistic analogy only suggests that the grounds for revision of certain moral judgments be limited to those that can be justified on the basis of a moral competence-performance distinction. These moral judgments would be the least theory-dependent moral judgments that can support a moral theory and as such may be compared with observational reports that serve as evidence for scientific theories. This is not to say that all moral judgments are not more theory-dependent than observational judgments, but simply that the least theory dependent moral judgments have a justificatory role for moral theories that is similar to the justificatory role of observational statements for scientific theories. The limitation to revision on the basis of a competence-performance distinction may seem less objectionable under this interpretation. Observational judgments are extensively revisable, but generally only on the grounds that they are a product of a "performance error" - e.g., some limitation or impairment of observers' perceptual abilities. In the absence of these grounds, as Daniels suggests (MEL, p 31), we may simply choose to ignore certain observational reports that conflict with a wide body of other observational reports and widely accepted theory, with the hope that certain other theories can account for them. But it is important to realize that in this case we do not have strong grounds for their revision.

Daniels' objection to limiting the grounds for revision of moral judgments to those defensible by a competence-performance distinction also may depend upon a questionable construal of linguistic evidence. Daniels claims that theories in linguistics should be distinguished from theories in ethics on the grounds that, while theories in linguistics force revisions of speaker judgments only to the extent that such revision

reflects actual speaker competence, theories in ethics "force us to choose..which among alternatives we want to see realized in persons". (MEL p. 27). Something of an explication of this remark is suggested in a quotation I cited earlier. Daniels claims that in ethics we are either not actually trying to describe a competency or we are seeking a "hypothetical competency: the one a person would have were he to be persuaded by such and such arguments and revise the components of his belief system accordingly." (MEL p. 27). Daniels is assuming that, since theories in linguistics force revisions of speaker judgments only to the extent that such revision reflects actual speaker competence, theories in linguistics must be theories about speakers' competence. But even if the only speaker judgments that linguistic theories account for are speaker judgments that reflect speaker competence, we needn't conclude that linguistic theories are theories about speaker competence. Speaker judgments that reflect speaker competence may be the best evidence for linguistic theories because we have good reason to believe that these judgments are true. Linguistic theories may account for speaker judgments not because linguistic theories are explanations of intuitings (or of the fact that speakers have these judgments), and thus posit a competency to account for this, but rather because they are explanations of intuiteds (or linguistic facts about grammaticality, ambiguity and synonymy expressed in speaker judgments that there is reason to believe are true). So Daniels' claim that in ethics we are not actually trying to describe a competency at all need not separate ethics from linguistics.

Finally, an ad hominem point is that Daniels' alternative suggestion that ethics should be distinguished from linguistics because in ethics we are trying to characterize not an actual, but a hypothetical, competency does not fit well with other claims he makes about methods of justification in ethics. While he discounts the analogy with linguistics, Daniels claims that analogies with methods of justification in the natural

sciences are more apt. But it seems that many sciences aside from linguistics are concerned with actual, as opposed to hypothetical, objects of study. Of course, hypothetical situations are characterized or idealized descriptions might be offered as a means to the best approximation of actual situations or objects. But in any case, this particular use of hypothetical situations or idealizations is not one that Daniels rules out for the case of linguistics. It doesn't seem as though any science pursues a characterization of an analogue to the hypothetical competency that Daniels describes, so it should come as no surprise if linguistics doesn't.

Following a suggestion that Daniels makes in a slightly different context (RE, p. 95), we might see this hypothetical competency as an ideal competency in a sense which is different from an empirical idealization of actual moral competency. That is, the hypothetical moral competency need not be simply a competency which abstracts from certain distortions in actual moral competencies which we can account for by other theories (of self-interest or pathological personality, for example). It may be simply the moral competency that we think ought to be realized in persons and the pursuit of a characterization of this kind of ideal (as opposed to empirical idealization) is foreign to linguistics even if linguistics is concerned with characterizing a competency. I take the point of Daniels' claim to be that moral considerations (that is, any moral claims contained in background theories that principles must cohere with) constrain the choice of moral principles. But if normative (moral) considerations constrain the choice of moral principles, then the constraints on choice of moral principles are different from the constraints on the choice of natural scientific theories as well as syntactic theories. Thus, on this picture, there is no special shortcoming of the linguistic model for understanding justification in ethics which might be remedied by adopting a natural scientific model, as Daniels seems to suggest.

1b. Reliability

Daniels claims that methods in linguistics most resemble what he follows Rawls in calling a method of narrow reflective equilibrium. (MEL pp. 23-5; WRE p. 258 n.4). He takes this to suggest that any analogy between methods in linguistics and methods in ethics would have unacceptable implications about the epistemological status of our moral judgments. I argue that, even if we grant his claim about linguistics, narrow reflective equilibrium does not have these implications, and his own conception of methods is not superior in avoiding them. Moreover, it is not clear that methods in linguistics are best seen as a narrow reflective equilibrium. A narrow reflective equilibrium is an ordered pair consisting of a set of considered moral judgments that are acceptable to a person at a given time and a set of moral principles that systematizes them. We arrive at this ordered pair by taking a person's initial moral judgments, eliminating those we have some reason to believe are not credible (for example, those made in great ignorance of relevant detail or in a state of agitation), developing principles to systematize and extend them and further eliminating judgments that do not fit with the best principles. Daniels favors an alternative conception of methods for developing a moral theory, called wide reflective equilibrium. A wide reflective equilibrium is an ordered triple which consists of a set of considered moral judgments, a set of moral principles and a set of relevant background theories, which Rawls proposes and Daniels concurs include a theory of the person, general social theory and a theory of the role of morality in society. Achieving a wide reflective equilibrium involves proposing alternative sets of principles to fit moral judgments made in circumstances favorable to making undistorted moral judgments, assessing these alternatives in the light of their fit with background theories, and making adjustments in judgments, principles and background theories to achieve the most coherent system.

Achieving a narrow equilibrium differs from achieving a wide equilibrium in that the latter does not merely require that we arrive at the most coherent system of acceptable initial judgments and principles but that we arrive at principles that both systematize judgments and are found to cohere best with the background theories. Some initial judgments may be dropped, then, for example because they do not fit with the one principle of competing principles that does the best overall job of both systematizing our judgments and fitting well with background theories. Or a principle may be discarded because it does not fit with a background theory.

Daniels thinks that an important problem for narrow reflective equilibrium as an account of how moral theories may be justified (and by implication a shortcoming of the linguistic analogy), is that merely constraining moral principles to cohere with our moral judgments is insufficient justification for them unless we wish to grant "privileged epistemological status" to our moral judgments. (WRE, p. 264). Cohering with beliefs that have privileged epistemological status were there any would count as justification for moral theories, but cohering with beliefs, for example, we simply happen to believe does not.

One motive for rejecting the linguistic analogy and narrow reflective equilibrium is then to avoid the need to grant privileged epistemological status to considered moral judgments. We may wish to avoid granting privileged epistemological status to moral judgments either because we believe that granting privileged epistemological status to certain beliefs commits us to foundationalism or because there is something particularly troubling about granting privileged epistemological status to moral beliefs. Daniels does not fully discuss what he means by the "privileged epistemological status" required of moral judgments in order to make narrow reflective equilibrium a possible account of justification for moral theory. In another context he

talks about "privileged" data and indicates that by "privileged" he means either completely reliable or unrevisable. (MEL p. 32). Let us assume for the moment that this is what he means by the "privileged epistemological status" of moral judgments.

To claim that a certain set of beliefs is completely reliable need not commit us to foundationalism. Foundationalism is the view that a certain set of beliefs does not require justification by any other beliefs and is the basis for the justification of all other beliefs. We can claim that completely reliable beliefs require justification by other beliefs, perhaps by beliefs about why they are reliable.¹⁰ So the worry about privileged epistemological status may be unrelated to foundationalism

Alternatively, there is a particular worry about claiming that moral beliefs have privileged epistemological status if this means that they are completely reliable or unrevisable. As Daniels points out, we are well aware of how susceptible to bias moral judgments are. But neither the linguistic analogy nor narrow reflective equilibrium suggests that moral beliefs are completely reliable or unrevisable. Moral beliefs can be unreliable when made by someone "in a state of mind conducive to moral error". Moral beliefs can be revised because they do not fit the principle that most economically systematizes them. Unless coherence with completely reliable or unrevisable moral judgments is the only satisfactory account of justification for a theory arrived at using narrow reflective equilibrium, the claim that moral beliefs are neither completely reliable nor unrevisable does not count against narrow reflective equilibrium. I see no reason why nothing short of coherence with completely reliable moral judgments should be required, unless the method of narrow reflective equilibrium is understood to allow for theories that are inconsistent with other non-moral beliefs that we have some

¹⁰ See David Brink's discussion of foundationalism and reliable beliefs in his Moral Realism and the Foundations of Ethics (Cambridge: Cambridge University Press, 1989) p. 118.

reason to believe are true, though these non-moral beliefs are not completely reliable nor are based upon beliefs that are completely reliable. Again, I see no reason why this particular stipulation is required.

It may be objected that narrow reflective equilibrium does require complete reliability of considered moral judgments. Among the moral beliefs that are systematized by moral principles in accord with narrow equilibrium there would not be any that we have reason to believe are unreliable because, for example, they are made in a state of mind conducive to moral error. The method stipulates that these are eliminated prior to systematization. However, stipulating that this elimination takes place does not imply that considered moral judgments are completely reliable. It only implies that we have more reason to believe that this set of judgments is reliable than we have to believe the set prior to the elimination is reliable.

Daniels admits that neither complete reliability nor unrevisability of moral judgments need be part of narrow reflective equilibrium or linguistic method, given the room for pruning judgments at the outset and some adjustments to principles. He claims that what makes narrow reflective equilibrium inadequate is that it does not allow for "drastic theory-based revision". (WRE, p. 268). I take it that theory-based revision is revision of judgments based upon moral or non-moral theory. If psychological, sociological or historical theories are needed to support claims about distortion, then revision on the basis of distortion can count as (non-moral) theory-based. If moral theory must be developed to some extent in order to determine the content of moral claims, and this plays a role in determining how we might be distorted in our moral judgments, revision on the basis of distortion can be (moral) theory-based. For example, if, according to a moral theory, some moral judgments concern the consequences of our actions on others, we may conclude that some degree of empathic

understanding of others is required in order to make reliable moral judgments. In this case, moral theory and theories about the circumstances under which empathic understanding is blocked might give (moral and non-moral) theory-based grounds for revision. Certainly a linguistic analogy would sustain the possibility of theory-based revision. Daniels himself admits that theoretical considerations play a role in determining where the distinction between competence and performance may be drawn. (MEL, p. 24). So either linguistic methods do not count as narrow reflective equilibrium, or narrow reflective equilibrium can countenance theory-based revision.¹¹ If the latter is true, narrow reflective equilibrium in ethics may be perfectly able to accommodate this type of revision as theories develop over time. Determining what states of mind or circumstances are conducive to moral error seems to require both moral and non-moral theory. Thus the linguistic analogy need not commit us to too strong a claim about the reliability of moral judgments by disallowing theory-based revision of judgments.

A different objection to the linguistic model for justification is, not that it commits us to too strong a claim about the reliability of moral judgments, but rather that it gives us no reason whatsoever to believe that they are reliable. This claim stems from an objection made by Richard Brandt¹² to the method of reflective equilibrium. Brandt argues that the only condition under which we would find the method of reflective equilibrium satisfactory as an account of justification is when we have some reason to believe confidently in our initial set of judgments which is independent from the fact

¹¹ The point about narrow reflective equilibrium's compatibility with the use of non-moral theories to effect revision in moral judgments is argued for in Margaret Holmgren, "The Wide and Narrow of Reflective Equilibrium", Canadian Journal of Philosophy 19 (1989) pp. 43-60.

¹² Richard Brandt, A Theory of the Good and the Right (New York, Oxford University Press, 1979) p. 20.

that they cohere with the principles that best systematize them. A paradigm case of a judgment which we can confidently believe in for a reason which is independent of its status as evidence for the principle we believe best accounts for it is a judgment which purports to state a fact of observation. Our independent reason is that these judgments are generally reliable, and we are confident of this because we can offer a causal story involving our perceptual mechanisms to explain our detection of observational properties. If there is no such story for our initial moral judgments, Brandt's argument implies that the credibility of the set of moral judgments and principles arrived at through reflective equilibrium is doubtful.

Daniels claims that Brandt's criticism would discredit narrow and wide reflective equilibrium equally if it were tenable. However, Daniels seems to think that the objection is best answered if we accept wide reflective equilibrium as the method of justification in ethics. If he is right, and the linguistic model is best seen as a narrow reflective equilibrium, then this is grounds for rejecting the linguistic model. He suggests that it seems reasonable to maintain that we will only be able to tell a reliability story about our initial considered judgments after a good deal of development of acceptable moral theory in wide reflective equilibrium. He contends that the only reason we are able to assign initial credibility to observation reports is that we already have a broadly developed body of theory which explains why the reports are credible. The unfavorable comparison between observation reports and the considered moral judgments with which we begin constructing a moral theory is unfair for this reason. Daniels' argument concedes something to Brandt and yet attempts to circumvent coming to the conclusion that considered moral judgments are not a proper starting point for moral theories. We can summarize it as follows: The only reason we are able to give initial credibility to observation statements (as opposed to more theoretical statements) is because we have causal reliability stories for these statements. Some

such reliability story is owed for moral judgments. But the causal reliability stories for observation statements only became available with the development of scientific theories. Thus, we should only expect such a story for moral judgments to emerge with the development of moral theory.

I think that there is room to dispute Daniels here. It isn't clear that the only reason we are able to give initial credibility to observation statements is because we have the causal reliability stories made available with the development of scientific theories to this point. That is, the detailed knowledge that we now have about our perceptual mechanisms need not be a prerequisite for granting credibility to them. We may give initial credibility to observation statements based upon widespread agreement to them, as well as the knowledge that certain conditions that tend to produce widely discrepant judgments do not obtain. Perhaps, as certain factors that affect our perceptual mechanisms become better understood, we might be more or less inclined to grant credibility to certain observations or certain kinds of observations. But this is not, I think, what Daniels has in mind. It may be that observations play more of a role in scientific theories than they did at some previous time, but if so this seems to be less an issue of gaining credibility than of coming to understand their relevance to certain questions. It is not clear that we need to accept the view that scientific theories only now give a justification for granting credibility to observations in general which was lacking previously. Exactly how much development of theory is necessary for granting initial credibility to observations is an open question, subject to perhaps degree of agreement on the judgments and how well these judgments may cohere with other judgments for which we have justification. The linguistics case is particularly interesting to consider in this context. We give initial credibility to speaker intuitions about grammaticality, ambiguity and synonymy without benefit of any complete story about how such judgments could be reliable (that is, any full specification of the

workings of our language faculty) aside from filtering out some conditions which would make the judgments obviously unreliable

Even if we were convinced that assigning initial credibility to moral judgments requires a specification of our ability to detect moral properties, it is not obvious that achieving wide reflective equilibrium is the only means to arrive at such a specification. Daniels claims that it is plausible to suppose that the requisite stories about reliable detection of moral properties will only be possible when we have a better idea about what kind of fact a moral fact is, and we will only have such an idea when moral theory has developed in wide reflective equilibrium. (WRE, p. 271). However, we might have a sufficient idea of what kind of fact a moral fact is to give an account of our ability to detect moral properties without relying on a highly detailed development of moral theory in wide reflective equilibrium. To determine what moral properties are and how we detect them, we may look instead at moral claims most commonly accepted by a range of (perhaps not very well-developed) moral theories and show their connection with properties we can detect. For example, justice is a moral property which may be linked to social stability, and our detection of social stability is reasonably unproblematic. Moreover, it is unclear why narrow reflective equilibrium cannot provide any answers to what kind of fact a moral fact is, which we then might be able to use in an account of how we came to detect moral properties.¹³ It is true that employing the method of narrow (moral) reflective equilibrium will not itself produce an account of our moral detection mechanisms since any such account is a non-moral theory, but arriving at a moral theory using narrow reflective equilibrium need not somehow prevent us from being able to develop a theory of moral detection mechanisms. Narrow reflective equilibrium may provide everything that the moral

¹³ See Holmgren, p. 49.

component of wide reflective equilibrium provides toward a theory of moral detection mechanisms, if that simply has to be an idea of what kind of fact a moral fact is.

Daniels offers a second argument against Brandt's claim that we cannot attach credibility to a system of moral judgments and principles that are justified on the basis of their coherence with moral judgments. He argues that the force that Brandt's claim has depends upon the comparison of observation reports and moral judgments, but observation reports and moral judgments are so unlike one another that we ought not to expect any stories about the reliability of moral judgments to resemble the kinds of stories we tell about observation reports. He claims that moral judgments are in many ways far more like theoretical statements than observation statements. He believes that some evidence for this claim comes from noticing the contrast between how we actually support moral judgments and how we support observational judgments when called upon to justify them in everyday contexts. The only "reasons" we give in the observational case refer to satisfactory conditions for viewing, whereas in the moral case we invoke more or less theoretical claims that connect a moral with non-moral or other moral properties. Daniels concludes that the moral properties mentioned in the considered moral judgments that are our starting points for moral theories (for example, justice and injustice) are not simple properties and so they will not play a role "analogous to that played by observational properties in the causal reliability stories we tell ourselves concerning observation reports". (WRE, p. 271) Presumably then the dissimilarity between observational and moral properties is grounds for claiming that we should not expect the same sorts of justification for theories whose primary evidence is observational statements and theories whose primary evidence is moral judgments.

The fact that there is a difference in the kinds of properties mentioned in observational and moral judgments doesn't itself say anything about what our expectations of a causal reliability story should be. Brandt only claims, in effect, that we do have causal reliability stories for observations, but not for the considered moral judgments with which we begin theory construction, and we do need some such story. Daniels seems to be assuming that anyone making Brandt's point is implying that reflective equilibrium in ethics can only be an account of justification if we claim that there is some sort of perceptual apparatus for sensing moral properties, and the implausibility of this casts doubt on reflective equilibrium. If Daniels is right, then perhaps here the linguistic analogy would serve him well. Grammaticality, synonymy and ambiguity are unlikely to be "simple" properties of utterances or sentences. We have not discovered a perceptual organ for sensing linguistic properties. Yet we consider linguistic theories whose primary evidence comes from speaker judgments about grammaticality, synonymy, and ambiguity to be justified

I do not mean to suggest that the judgments that count as evidence for ethics and linguistics are necessarily on the same footing epistemologically. I only mean to suggest that Daniels' position against Brandt can be strengthened by pointing out an actual case of an area of inquiry in which our grounds for accepting the primary evidence for the theory are likely to be somewhat different from our grounds for accepting observation reports. The details of when and how speaker intuitions about grammaticality are reliable are not as well worked out nor as uncontroversial as reliability stories for observations are. Whatever stories finally do emerge, it is reasonable to expect them to look different from reliability stories for observations. Nevertheless, even though we lack these stories and we can assume reasonably that they will be different from stories about observations, this does not seem to affect seriously our conviction that particular linguistic theories may be justified at least

partly on the basis of their account of linguistic intuitions. This seems to undercut the implicit claim that having grounds for accepting initial evidence that are the same as grounds for accepting observation reports is required for the credibility of any system of coherent principles and judgments

2. Reflective Equilibrium and Scientific Methodology

Daniels contends that adopting the linguistic model for reflective equilibrium in ethics makes the claim that methods in ethics resemble methods in other sciences less plausible. He thinks that the parallel between science and ethics is important in two respects. First, sciences other than linguistics "emphasize theory construction as the basis for evaluating" particular judgments, and this is a significant feature of wide reflective equilibrium as a method for ethics. (MEL p. 33). Second, the similarities in methods may lend credence to claims about objectivity in ethics parallel to those in science. I argue that the linguistic model suggests a feature of justification which is important to the question of objectivity in ethics, and the importance of this feature is somewhat obscured on the natural science model as Daniels describes it.

The claim that wide reflective equilibrium emphasizes that theory construction is a major basis for evaluating considered moral judgments may be supported in a few different ways. First, considered moral judgments are not, from the outset, stipulated as completely reliable or unrevisable such that moral theories must simply accommodate them. Rather, considered moral judgments can be evaluated on the basis of how they accord with ethical principles. We have seen how this does not distinguish moral theories from linguistic theories. Second, acceptance of ethical principles, and thus acceptance of moral judgments, is constrained by coherence with background moral and non-moral theories.

Daniels suggests that we can see the background theories in wide reflective equilibrium as providing independent support for moral principles in the way that the body of interconnected scientific theories provides support for a candidate scientific law. This independent support might take the form of a demonstration that only one

among many different candidate principles that systematize initial considered moral judgments is consistent with a background theory. For example, one of the background theories that Rawls suggests constrains a choice of a moral principle is a theory of the role of morality in society. Daniels argues that this theory, combined with a theory of the person, may yield the claim that principles of justice must be principles that could regulate a society by constituting a public conception of justice which is in fact accepted by everyone and is satisfied by basic social institutions. (RE, pp. 90-3). Any principles of justice which could not meet the publicity constraint lack the support of this background theory, and those that do meet this constraint are supported by the theory. A considered moral judgment might then be evaluated on the basis of its coherence with principles that cohere with a theory of the role of morality in society.

The second motivation for Daniels' insistence on the analogy to scientific methods is a hope that the methodological considerations which are alleged to lend credence to certain claims about objectivity in science will do the same for ethics. First, Daniels holds out the hope that adhering to the method of wide reflective equilibrium will result in greater moral agreement. The relative complexity of wide reflective equilibrium (as opposed to narrow reflective equilibrium) may enable us to trace alleged disagreements on moral judgments to background theory, and Daniels believes that disagreements about theory hold more promise of resolution than disagreements about principles or judgments. Consensus may thus be produced by coherence constraints which bear some resemblance to the kinds of coherence constraints in science. Daniels is attached to a version of scientific realism which claims that certain methodological features of science produce consensus because they lead us to better approximations of the truth. If these coherence constraints are among these methodological features and similar ones operate to produce consensus in ethics,

then "we have some reason to think that wide reflective equilibrium involves methods that will lead us to objective moral truths, if there are any." (WRE, p. 230).

Daniels considers this suggestion to be a tentative one, and so admits that he has not established that the alleged philosophical gains to be made for claims about objectivity for science are transferrable to ethics on the basis of similarities noted in science and ethics. The success of this strategy for making progress in justifying claims about objectivity is contingent upon discovering other similarities between ethics and science. Daniels believes that the arguments for scientific realism depend upon a causal theory of knowledge which, for example, invokes the existence of reliable detection mechanisms in an account of perceptual knowledge. However, Daniels considers the fact that we have no persuasive account of a moral analogue to such reliable detection mechanisms to be a problem. Moreover, he is willing to entertain the hypothesis that our causal accounts of knowledge may themselves be unpersuasive, and in that case one of the motivations for maintaining the analogy between science and ethics would no longer obtain.

The natural science model for understanding methods of justification in ethics may be superior to a linguistic model in suggesting that a wide range of background theories are relevant to revision of judgments in the way that Daniels suggests. The linguistic analogy does seem to suggest that there is little room for revision and criticism of our pre-theoretical moral judgments on the basis of their coherence with background theories not directly linked with distortion. However, Rawls suggests that in ethics, theories about distortion have a special role to play in the likelihood of revision of belief. He claims that a person is especially likely to revise moral judgments to conform to principles if there are explanations for the judgments that deviate from the principles and the explanations undermine confidence in the

judgments. This remark has been largely ignored both by critics of reflective equilibrium and Daniels himself. However, Rawls' suggestion points to a potentially important feature of accounts of justification in ethics. The linguistic analogy may serve to legitimate the special importance of these claims by drawing attention to the fact that certain kinds of judgments can be prone to types of distortion that are uncommon for other kinds of judgments. This is important, since heavy reliance on claims about distortion may tend to cast doubt on theories.

The natural science model for the method of developing a moral theory suggests that a moral theory initially attempts to account for certain judgments which we have some reason to believe independently of the fact that the theory accounts for them. In the moral case, these judgments are more or less spontaneous moral judgments. In the scientific case, the judgments a theory must account for include observational and theoretical non-moral judgments. We can have reason to believe non-moral observational judgments independently of a particular scientific theory since we have reason to believe that observation is reliable, and we can have reason to believe some theoretical judgments independently of the theory attempting to account for them if they are supported by other theories which we have reason to believe, perhaps because they account for certain observations. If ethical or scientific theories are justifiable, then there must be some reason to believe that the judgments they account for are more or less reliable, though not necessarily infallible. If the factors that influence the reliability of considered moral judgments are not the same as those that influence non-moral observations and theoretical judgments, and we cannot expect constraints to cohere with beliefs and theories that do not concern the reliability of moral judgments to eliminate unreliable moral judgments, the justification of ethical judgments and theories diverges from justification in the natural sciences in an important respect. This holds even if reflective equilibrium is the correct account of justification

If the initial judgments (moral or non-moral) with which theories are presumed to cohere are very susceptible to distortion and we could not specify the conditions under which we could consider them reliable, correct for the distortion or rule the judgments out, then the requirement that these judgments must cohere with judgments and theories that do not concern this distortion does not give us a reason to believe that such theories are justified. When Daniels speaks about the natural science model, I assume that he has the justification of theories of physics, chemistry and possibly biology in mind, rather than, for example, justification of theories of sociology, history or economics. Considered ethical judgments appear to be much more subject to distortion than non-moral observational and theoretical judgments for which theories in physics and chemistry account, though perhaps the contrast is less extreme between ethical judgments and judgments in the social sciences. Some special account, not shared by the natural science model, of when to count considered moral judgments reliable or unreliable is called for.

The considered moral judgments with which we begin constructing a moral theory (according to the method of wide reflective equilibrium) must be screened for the presence of factors that can give us reason to believe that they are unreliable. These factors need not be exactly the same as those that adversely affect non-moral observations. If they are not, then revision on the basis of coherence with non-moral beliefs that do not concern the reliability of moral judgments and correction for unreliable non-moral observations will be insufficient for justification. Even with such revisions and corrections, many moral judgments that we may have good reason to believe are unreliable can be included in the judgments in such a coherent set.

Distortion of moral judgments seems to be more widespread and systematic than distortion of non-moral judgments, including linguistic judgments. Perhaps this should come as no surprise, partly because moral judgments deal with matters that quite directly affect our interests and our general sense of security. Some moral judgments concern the distribution of social resources and the general terms of cooperation between people. In addition, the ability to make certain moral judgments requires special capacities of imagination and empathy not particularly important for the ability to make other kinds of judgments, and these capacities may not be highly valued. The factors that can distort moral judgments are not limited to immediate, rather transient physical conditions either existing in the environment or in the person making the judgment. A mere change of locale, lighting, or state of inebriation or fatigue would not correct for many quite prevalent factors that affect moral judgments. Creating special laboratory conditions for making these judgments is impractical and would be ineffective in increasing reliability. Confining judgments to those made in thought experiments may be insufficient for the removal of biases. Deep psychological and social factors can distort moral judgments in ways that may be widespread across populations, and not so immediately open to correction or recognition by the person holding the beliefs

First (as is the case perhaps less frequently for non-moral judgments), we regularly dismiss moral judgments that we have some reason to believe are influenced by self-interest or bias toward a particular group. We also have reason to believe that circumstances of extreme material deprivation either currently existing or existing in a person's past can affect the person's judgment about what is good in a way that justifies discounting these judgments. The ability to imagine and compare worthwhile activities is greatly hampered when whatever material security required to pursue them has not been enjoyed in the past or is not currently enjoyed or cannot be

anticipated in the future. To the extent that these judgments about what is worthwhile influence moral judgments, we can expect the moral judgments to be distorted. Likewise, extreme emotional deprivation, perhaps especially when it occurs in childhood, may affect moral judgments, insofar as the ability to make moral judgments depends upon some capacity for empathy. For example, psychoanalyst Alice Miller¹⁴ has proposed that part of the explanation for the participation in or high degree of tolerance for Nazi cruelties among members of the German population is that utterly inhumane child-rearing practices severely impaired the capacity for empathy and increased the tolerance for pain and suffering in this group. She discovered that the advice of child-rearing manuals that prescribed brutal and arbitrary punishments as the best method for raising well-disciplined children were widely followed in the childhoods of the generations that came of age soon before and during World War Two. Also, societal and parental norms for cooperative behavior which have little basis in moral judgment (rather than, at worst, judgments about what is expedient for those in power) may nonetheless be tenaciously regarded as morally correct because of a combination of power imbalances and the need for security.

Aside from special, isolated factors that we might clearly pinpoint as operating in particular cases, there may be general tendencies that operate to distort moral judgments more frequently than non-moral judgments. Psychoanalysts have proposed that we have a deep-seated psychological need to believe that the forms of social cooperation under which we live are more or less fair or morally justifiable or that, if they are not, we can effect a change in these forms of cooperation. If we hold neither belief, our sense of security is threatened, since the content of moral concerns is at least partly concerned with human welfare, and our well-being is endangered if we

¹⁴ Alice Miller, For Your Own Good (New York: Farrar, Strauss, Giroux, 1983).

live under unfair systems of cooperation over which we have no influence. If we correctly (as is often the case of a young child) or incorrectly believe ourselves to have little power to change the terms of (by hypothesis, unfair) cooperation, we may be unconsciously driven to believe that these practices are fair or morally justified in order to preserve our sense of security. The tenacity of these judgments may be evidence that these factors are more pervasive and systematic in the case of moral judgments than in the case of non-moral judgments.

Instead of starting with all considered moral judgments that we are reasonably certain are free from the distorting influences that most typically influence non-moral observational judgments (as the natural science model may seem to suggest), we need to have more leeway both initially and at the theoretical level to discard moral judgments that there is some reason to believe are influenced by the factors described above. Wide pre-theoretical and theoretical latitude for discarding considered judgments when considered judgments are supposed to provide an important check on theories may seem to invite question-begging. However, insofar as there is enough initial agreement on some considered moral judgments as well as some initial agreement on the grounds for dismissal of moral judgments, we need not assume that such dismissals will simply serve as attempts to justify favored ethical theories for which there are no independent grounds. Any claims used to support a particular theory must themselves be supported by considerations independent of the theory being tested. Thus, claims about distortion that support a particular ethical theory by giving reason to discount ethical judgments that conflict with the theory must have independent support.

The appeal of the analogy to linguistics is that the methods for developing linguistic theories rely heavily on judgments of speakers about their language and yet there is

freedom exercised in discarding these judgments on the basis of the presence of factors that are peculiarly prone to distort linguistic judgment. Speaker intuitions about grammaticality, ambiguity and synonymy are regarded as reasonably reliable, but there is leeway for dismissing certain judgments as products of performance errors, due to psychological or even social factors such as short-term memory limitations, heuristic devices for comprehending sentences and class aspirations. These distorting factors may or may not be beyond the immediate correction or recognition of the speaker making the judgment. Judgments may be discounted early on in the process of theory building or only after considerable development in both linguistic and psychological theory.

Daniels suggests that disagreement in ethical judgments should be regarded as no more troublesome for the possibility of objective ethical theories than disagreement in non-moral judgments is for objective scientific theory. However, giving justified leeway for more initial (as well as theoretically based) dismissal of considered judgments in developing ethical theory than there is for dismissing observations and more theoretical claims that play a comparable role in developing theories in the natural sciences may help to give a more satisfactory answer to worries about disagreement and objectivity in ethics. As I discussed earlier, some philosophers take the considerable disagreement in moral judgments to tell against the possibility of objective ethical theories.¹⁵ If there is much more initial disagreement in considered moral judgments due to distorting factors beyond immediate correction and recognition than there is on non-moral judgments that serve as evidence for scientific theories,

¹⁵ For example, John Mackie, *Ethics: Inventing Right and Wrong* (New York: Penguin Books, 1977) pp. 36-8; Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge, MA.: Harvard University Press, 1985) pp. 132-155.

general coherentist answers to doubts based upon wide disagreement in considered ethical beliefs may seem to have little weight. A general coherentist answer to worries about disagreement is that disagreement will reduce as adjustments for coherence in overall belief systems are made. But adjustments for coherence made between ethical principles, judgments and other non-moral particular beliefs and theories that do not concern the reliability conditions for ethical judgments may not be the best answer a believer in objective moral theories can offer. These adjustments may not serve to reduce disagreement or produce convergence in moral belief to anything approaching the convergence produced in scientific or non-moral belief on the basis of adjustments for coherence.

David Brink¹⁶ argues that it is incumbent upon a moral realist to claim that most moral disputes are resolvable at least in principle. I take it that on a coherentist picture, resolving a dispute involves both parties agreeing to a moral belief as the result of one or both of them adjusting their respective systems of belief to achieve greater coherence. As Rawls mentions in the passage I cited at the beginning, we are more likely to abandon a particular ethical judgment which does not cohere well with an ethical principle (or vice versa) if we have some reason to believe that the ethical judgment (or the ethical principle) is a product of distorting factors. Ethical disagreement is much more widespread than non-ethical disagreement and it is plausible to attribute much of this to distortions in judgment that are particularly likely to affect moral, rather than non-moral judgment. Perhaps it is always in principle possible that both parties to a moral dispute will come to agree on a moral belief on the basis of adjustments for coherence in sets of beliefs that do not include beliefs about distortion, but resolution of ethical disputes traceable to distortion is much

¹⁶ Brink, p. 200.

more likely to occur if the disputants have some reason to believe that one of the ethical beliefs in question is a product of distortion. We are more likely to have reasons to believe that particular moral beliefs are distorted when we have some beliefs about how moral beliefs in particular can be distorted. Thus, many moral disputes are more likely to be resolved if beliefs about how moral beliefs are distorted are included in the set of beliefs with which the moral beliefs must cohere than if they are not. And if moral beliefs are prone to special types of distortion and if the distortion is more widespread, then beliefs about this should appear in coherentist accounts of moral justification even if they do not in coherentist accounts of non-moral justification.

This of course does not imply that the account of methods and justification for ethical theories should not be a coherentist one - our considered moral judgments simply must cohere with, among other beliefs, our beliefs about the factors that distort these judgments. One result of this is that, the more discarding of initial judgments that can be justified on this basis, the heavier a burden of proof will be placed upon accounts of how our judgments come to be distorted. Also, a substantial amount of support for an ethical theory may come from psychological or social theories that can explain distortions in moral judgments.

Conclusion

Daniels uses the analogy between methods in ethics and science and argues that there is a disanalogy between methods in ethics and linguistics for two main reasons. Neither of them count as persuasive grounds for abandoning the linguistic analogy. First, he invokes the similarity in appeal to "background theories" in order to suggest a solution for any ethical theory constrained by actual moral judgments: we know that moral judgments can be unreliable because of such factors as class bias, self-interest or historical accident. Daniels believes that appeal to background theories gives room for revisability of moral judgments, so that we have some chance to avoid the danger of taking unreliable moral judgments as "fixed points" for ethical theories. He believes that a linguistic analogy suggests that there is either no appeal or limited appeal to background theories and so there is inadequate pressure for revision of moral judgments. Second, Daniels hopes that the analogy to science, in invoking constraints to cohere with background theories, will lend credence to the view that an account of objectivity in ethics parallel to the account of objectivity in science provided by scientific realism will be forthcoming. These coherence constraints may produce convergence, and we may be justified in regarding this convergence as evidence of truth. This account awaits treatment of a problem about reliability of moral judgments other than the one described above. That is, this account of ethics assumes the burden of providing an account of the reliability of moral judgments even without the presumption that they are likely to be biased which would perform the same justificatory task that it is assumed causal reliability stories about observations perform for science. Notice for the latter we do not need to assume that there is some reason to believe that observation reports are likely to be biased.

The sort of appeal to background theories that Daniels invokes does indeed appear to exert pressure for revision of moral judgments in a way that is foreign to the linguistic model. In particular, there does not seem to be a linguistic analogue to a moral background theory which would be based upon certain linguistic intuitions and would constrain acceptance of our judgments of grammaticality. Nevertheless, the linguistic model does leave room for correction of moral judgments biased by self-interest, class bias or other factors. Something analogous to a competence-performance distinction can be invoked. On the basis of explicit judgments about distortion, we can pre-theoretically screen out those judgments that are obviously tinged with self-interest or class bias. Also, we can make the more tenuous decisions about excluding judgments that require a more sophisticated (i.e., theoretical) understanding of exactly what constitutes class bias or self-interest in a way that conflicts with moral judgment. In linguistics, the competence-performance distinction can be invoked in either an intuitive or a highly theoretical way to exclude judgments about grammaticality. The linguistic model suggests that there can be both theory-based and pre-theoretical grounds for discarding judgments which would remedy the need for assurances of credibility that come from the specific worries about class bias or self-interest.

Also, Daniels' second reason for pressing an analogy between ethics and science is not ill-served by the linguistic model. First, the linguistic model suggests that, even if causal reliability stories for moral judgments must be provided, we need not assume that the causal reliability stories for observations are the only kind suitable for granting justification to primary evidence. That is, we need not assume that we must either find some sort of perceptual apparatus for sensing moral properties or give up any claim to be justified in taking our moral judgments as evidence for moral theories. Second, the prospects for achieving convergence by utilizing at least some of the coherence constraints operative in the scientific case may hold equally well on the

linguistic model as it does on the scientific model. It is important to note first that coherence constraints do operate in linguistics. Insofar as the notion of a performance error can be justified theoretically or can be invoked at a theoretical level, it leaves open the possibility that our conception of what counts as a distorting influence can undergo refinement or modification as the theory progresses. Our notion of a moral performance error may also change as we come to know more about human psychology and social behavior. Thus, coherence with developments in ethical and non-ethical theory can count toward justification on the linguistic model.

Moreover, the coherence constraints that have the most direct bearing on claims about distortion may be more important in achieving convergence in ethics than they are in science. This is important, since some people point to the relative lack of convergence in moral versus scientific inquiry as some evidence against the claim that there is any objective moral truth to be discovered. I take Daniels' general response to this claim about objectivity to be that there has not been sufficient appreciation of the role that theoretical development plays in the production of convergence in scientific inquiry that can serve as evidence of truth, and in moral inquiry, there has not been the requisite theoretical development which parallels theoretical development in science. I agree that theoretical development is crucial for producing convergence which is evidence of truth, but there may be some features of this theoretical development that are more important in the ethical case than in the scientific case. A plausible explanation for the greater degree of and persistence of disagreement in ethics as opposed to science is that, given the content of moral judgments, there is likely to be much more distortion in these judgments. It is true that that a distorted ethical belief may be abandoned simply on the basis of its inconsistency with another ethical belief, without any recourse to specific claims about distortion. Developments in theory of the kind that Daniels proposes may make this a more common occurrence

Seeing how the justification of a particular considered moral judgment may depend upon a different moral judgment that supports a background moral theory with implications about, for example, publicity, may cause us to revise a moral belief (even one whose origin is traceable to distortion) which we would not have revised had we been ignorant of the bearing of the publicity condition on a particular moral belief. However, another option in being presented with inconsistent moral beliefs is to hang onto the original (by hypothesis, distorted) belief and to make other adjustments in the entire set of moral beliefs, perhaps by rejecting the moral belief supporting the background theories. This is a much less reasonable option in the face of good grounds for believing that the original belief was, for example, influenced by factors known to make such beliefs unreliable. If it is plausible to suppose that distortion is more likely to occur in ethics than in science, theoretical developments directly concerning the distortion of judgments may be more important in producing convergence than theoretical developments that simply reveal the complexity of justification of moral judgments. This is not to claim that theoretical development of the sort Daniels is interested in is not important. Indeed, development of both moral and non-moral theory seems to be important for accounts of distortion. Nor is it to claim that focusing on distortion precludes revealing complexity in the justification of moral judgments. The point is simply that a special feature of moral judgments makes at least one aspect of the linguistic model (the prominence of appeal to theories about distortion as justification for revisions in initial linguistic judgments) seem close to (perhaps appropriate) methods in ethics which are crucial for concerns about objectivity.

Daniels briefly considers the merits of an account of wide reflective equilibrium which differs from his in that coherence with background moral theories may play less of a role in reaching convergence. This account proposes a kind of pre-theoretical

screening against bias by finding initial consensus on judgments. He admits that such an account may help with the problem of credibility of ethical judgments:

Suppose we begin by admitting into the set of initial considered moral judgments only those judgments on which there is substantial consensus. There seem to be two immediate advantages. First, ethics looks more like science in that the initial considered moral judgments share with observation reports the fact that there is substantial initial agreement on them. The starting point is more "objective", at least in the sense of intersubjective agreement. One may gain a slight edge in respect to the problem of initial credibility discussed earlier (revisability is, nevertheless presumed). Second, the approach makes the wide equilibrium that emerges (if one does) much more a collective or social product from the start than does my approach, which is a quite unnatural idealization in this regard (WRE, p. 281)

However, Daniels objects to this proposal on several grounds. First, he reiterates his complaint against Brandt that we shouldn't assume that considered judgments ought to function like observation reports in science, contrary to what this proposal seems to suggest. But his previously offered argument seems at best to suggest that we shouldn't expect reliability stories for attributions of complex properties to resemble reliability stories for the attribution of simple properties characteristic of observation reports, which perhaps invoke sensory apparatuses for detecting the properties. We could grant the differences he points out and yet believe that both can serve as the initial starting points on which we agree in building a theory.

A second objection to this proposal rests upon his contention that the consideration of alternative principles and the sets of background theories with which they must cohere will work to eliminate those divergent judgments that should be eliminated. He argues that dispensing with this process of coherence as a corrective makes the judgments arrived at seem to be merely "methodologically warranted starting points". Given the plausibility of the claim that moral judgments are highly susceptible to bias,

this proposal need not be merely methodologically warranted but rather based upon some understanding of ethics and human psychology. As I argued earlier, Daniels' reliance on consideration of alternative principles and their coherence with background moral theories may not be most effective in producing convergence if the original disagreement is traceable to distortion. Moreover, the account under consideration does not entirely rule out revision on the basis of coherence with background (moral) theories

A third objection to which he attaches less importance is that the method of wide reflective equilibrium was supposed to be a model for a process of moral argument when there is disagreement. But this need not be ruled out by the proposal to begin by building a theory on the judgments on which we do agree. If beginning with what we agree to produces a theory coherent with other theories which dictates that some judgments about which there is disagreement be dropped, this seems to represent a plausible model for resolving ethical disputes

The linguistics model suggests that much of what we might take as primary evidence for moral theory can and will be eliminated on the grounds of distortion. Assuming that moral judgments are more liable to distortion than non-moral judgments, this seems to be a welcome feature of the model. If, as I have suggested, the prominent role of acceptable claims about distortion helps to produce more convergence in moral judgment than there would be otherwise, the linguistic model may serve claims about objectivity in ethics well. Of course, just as the scientific model may not be completely appropriate because of, for example, less liability to distortion and the availability of well-worked out causal reliability accounts of observation reports, so the linguistic model has its shortcomings. As I remarked earlier, if background moral theories do force revisions in the way Daniels suggests, there seems to be no analogue to this in a

theory of grammar. Also, in advance of detailed development of linguistic and moral theory, we have much more reason to believe that speakers' judgments about their language are credible than we have to believe that people's moral judgments are credible. A speaker of a language is highly unlikely to be completely mistaken in recognizing what counts as part of her language and still manage to be a speaker of the language. There don't seem to be any analogous limits to the possibility of moral error.

Paper Three: Bernard Williams on the Linguistic Analogy

Introduction

In *Ethics and the Limits of Philosophy*,¹ Bernard Williams argues that ethical theories cannot provide answers to questions about how one should live, and that this is a good reason to abandon attempts to develop ethical theories. In the course of his argument, he rejects the suggestion that methods in linguistics can provide a model for the development of ethical theories. He rejects the linguistic model on basically two grounds. First, he believes that it is implausible to suppose that we could discover a set of internalized rules that could by itself account for all applications of all ethical terms. Second, he maintains that linguistics cannot offer a model for the resolution of ethical conflicts, which he takes to be an important feature of ethical theories, because he thinks that ethical theories can provide no compelling reason to abandon those pre-theoretical intuitions with which they conflict.

In section 1 of this paper, I argue that his first objection simply assumes that the analogy between linguistic theory and ethical theory must imply that ethical theories are psychological theories about what rules people have internalized about the application of ethical terms, and that there is no need to assume this. His second objection simply presupposes that we do not have reason to believe that ethical theories can be true and thus interest in discovering ethical truths cannot motivate us to adopt theories that have consequences with which our pre-theoretical beliefs conflict.

¹ Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge, MA.: Harvard University Press, 1985) All page references to this book will be given parenthetically in the text.

Though he earlier provides arguments against some specific attempts at providing objective foundations for ethics (which I will not discuss), it is only in a later discussion of the distinction between ethics and science that he provides general, in principle arguments for the position that there are no objective ethical theories

In section 2, I discuss Williams' claims against objective ethical theory. First, I argue that Williams himself is in no position to claim that objective ethical theories are impossible, because he grants that objective non-theoretical ethical knowledge is possible and he gives no reason to believe that such knowledge cannot be extended to theoretical knowledge. Second, I maintain that his position relies upon questionable views both about an epistemological requirement that theories must meet in order to be justified and about ethical theories' inability to meet the requirement

1. Williams on Linguistic Theory and Ethical Theory

This section primarily discusses Williams' views on the relevance of linguistic theory to ethics in defending ethical theory. It is divided into four subsections. In 1a I discuss some idiosyncrasies in Williams' definition of an ethical theory and suggest that these idiosyncrasies introduce a bias into his arguments against ethical theories. 1b is devoted to Williams' interpretation of what the point of the analogy between ethics and linguistics is and what implications it has about what an ethical theory is about. I argue that his interpretation is not the only or even the most natural interpretation of the analogy. In 1c, I discuss Williams' contention that ethical theory and linguistic theory must handle the problem of conflicting intuitions differently. Williams' discussion suggests that this difference shows that there is an important difference between the two kinds of theories in what can count as a compelling reason for accepting a theory. I argue that there are fewer differences in handling conflicting intuitions than Williams alleges, and even to the extent that there are differences, they do not have the import for the justification of ethical theory that Williams claims.

1a. Preliminaries: A Special Definition of Ethical Theory

Williams offers a general characterization of what an ethical theory is and brief descriptions of two major styles of ethical theory put forward by philosophers:

An ethical theory is a theoretical account of what ethical thought and practice are, which account either implies a general test for the correctness of basic ethical beliefs and principles or else implies that there cannot be such a test (p. 72).

Citing a formulation offered by T. M. Scanlon,² he describes a contractual style of ethical theory as one which states that:

An act is wrong if its performance under the circumstances would be disallowed by any system of rules for the general regulation of behavior which no one could reasonably reject as a basis for informed, unforced general agreement. (p. 75).

A utilitarian style of ethical theory, on the other hand, claims that rightness or wrongness is determined by the welfare of individuals affected by the acts, rules institutions or practices being assessed. Thus, "facts of individual welfare" constitute the "basic subject matter" of ethics, according to utilitarian theories. (p. 75).

Williams' definition of an ethical theory is somewhat idiosyncratic, and so some preliminary remarks about the definition and its effect on subsequent arguments are in order. Two points about his definition are especially important to note: first, the definition stipulates that ethical theories must themselves include what have traditionally been considered meta-ethical claims, and second, his reasons for excluding his own position as an ethical theory could count as reasons for excluding a wide range of possible theories which bear little resemblance to his own.

Ethical theories are commonly thought of as general principles describing or determining what is right or wrong. This usage is perhaps included in Williams' definition by his specification that part of what he later calls a "positive" ethical theory is "a general test for the correctness of basic ethical beliefs". If general

² T. M. Scanlon, "Contractualism and Utilitarianism", in Amartya Sen and Bernard Williams, eds., Utilitarianism and Beyond (Cambridge: Cambridge University Press, 1982), p. 110.

principles describing what is right or wrong, together with reasonably uncontroversial empirical claims, imply ethical claims that either match or contradict basic ethical beliefs, then ethical theories as they are commonly understood might be taken to be tests for basic ethical beliefs, or at least they may be taken to be usable as tests in principle. However, Williams' inclusion of "a theoretical account of what ethical thought and practice are" as a necessary part of any ethical theory goes far beyond the common understanding of what an ethical theory is. It seems to require that what are usually considered meta-ethical claims (about, for example, what distinguishes ethical from non-ethical judgments, and the relations between ethical thought and practice) be part of an ethical theory.

Using Williams' definition in an argument for dispensing with ethical theory introduces a particular understanding of what the burdens of an argument against ethical theory are which tends to make the defense of ethical theories more difficult and arguments against ethical theories easier. Principles simply explaining what counts as right and wrong can be automatically ruled out as ethical theories because they themselves do not contain what are usually considered to be meta-ethical claims. The more important question about the bearing of meta-ethical claims on the defensibility of an ethical theory really is whether or not any plausible meta-ethical claims could support or perhaps even more weakly be consistent with the proposed principles, not whether or not the theory contains these claims. Williams' modification of the usual understanding of an ethical theory has the effect of placing a burden on the defender or proponent of an ethical theory to supply the meta-ethical claims that support normative principles, rather than placing the burden on the opponent of the principles to show that they cannot be supported by plausible meta-ethical claims.

Understanding the burdens of argument in this manner allows Williams to dismiss the linguistic analogy as a model for the justification of ethical theories without considering how moral realism can support the legitimacy of appeal to this model. I discuss the bearing of the meta-ethical claim that ethical theories can be true on the plausibility of Williams' attack on the linguistic analogy in section 1c.

A second point about Williams' definition of an ethical theory also has some bearing on how questionable or idiosyncratic his grounds for dismissing candidate ethical theories are. Despite the fact that Williams himself provides arguments against the usefulness of very general ethical theories, he does not classify his own position as among those included in his definition and later described as "negative ethical theories". Negative ethical theories are "theoretical accounts of what ethical thought and practice are" (which imply that there is no) "general test for the correctness of basic ethical beliefs and principles" (p. 74). His main reason for not classifying his own position as a negative ethical theory is that he believes that an important feature of either a positive or negative ethical theory is that it is the theoretical account of what ethical thought and practice are that determines whether or not there is a general test, whereas his view is that philosophy cannot determine how or whether we "can think in ethics" (p.74). Presumably then philosophy itself provides the theoretical account which either implies the test or implies that there cannot be one. This seems to suggest that philosophy cannot draw upon, for example, psychology, sociology or history in giving a theoretical account of ethical thought and practice. If so, Williams gives ethical theorists exceedingly restricted resources, and it should come

as little surprise if no adequate ethical theory could be developed under such limitations

Arguments against ethical theories are uninteresting if they simply consist of dismissals of the theories on the grounds that they do not count as ethical theories according to an unusual definition which does not have some overriding, independent appeal. Though at least one philosopher³ does think that Williams' definition has special merit, both in challenging the distinction between normative ethics and meta-ethics and in focusing our attention on the philosophical reasons why moral philosophers have advocated certain normative principles, I do not think that these features compensate for the difficulties introduced by using this definition.

³Susan Wolf, "The Deflation of Moral Philosophy", *Ethics* 97 (1987), pp. 821-833.

1b Williams' Construal of the Analogy Between Ethics and Linguistics

Williams believes that ethical theories as they are "naturally understood" take certain ethical beliefs as their starting points (p 93) These ethical beliefs are sometimes called "intuitions", where the term "intuition" is understood to refer to a perhaps somewhat reflective, but nevertheless pre-theoretical judgment. This class of judgments may or may not be limited to judgments offered as a response to an ethical question about a hypothetical situation in a thought experiment. Williams notes that this particular use of the term "intuitions" is prompted by an analogy with linguistics (p 95). Certain speaker beliefs about language that serve as evidence for linguistic theories are called "intuitions". Typically, these beliefs are judgments (often elicited by the questions of linguists) about the grammaticality, synonymity or ambiguity of sentences. Williams argues that the linguistic conception of an intuition has little application to ethics. I take it that the significance for Williams of distinguishing linguistic and ethical judgments is the bearing of that distinction on the question of whether or not the prospects for developing a justified ethical theory (as it is naturally understood) are as good as those for developing a linguistic theory.

Williams first concedes that the linguistic conception of an intuition is indisputably relevant to ethics, because he thinks that some ethical intuitions are "merely applications" of the linguistic conception of an intuition. (p 95) He elaborates on this claim by saying that certain ethical terms (for virtues and kinds of actions) are general terms in the language, and there is "room for linguistic intuitions about the situations they apply to...[because the terms have] complex conditions of application" (p 95). I take it that if this is so, the ethical judgment that, for example, quarantining

is a cruel practice, in some way involves an application of the linguistic judgment that the term "cruel" designates the property of indifference to suffering. There seems to be a difference between claiming that ethical intuitions are "merely applications" of linguistic intuitions and the claim that there is "room for" linguistic intuitions about when ethical terms apply to situations. The first claim suggests that ethical judgments about people or kinds of actions are linguistic judgments about what certain terms designate. Contrary to what Williams says, this is far from indisputable and he does not argue for it. A linguistic judgment about what a certain term designates is a judgment about that term's meaning, whereas an ethical judgment about a person is a judgment about, for example, some characteristic of that person, such as his fairness. A term might have meaning, but it could never be fair. The second claim might reasonably be understood as the claim that, in order to make certain ethical judgments, we must have certain beliefs about the meanings of the terms used in the judgments. This second, trivial claim is not a special claim about the relevance of linguistics to ethics, since it could equally well be made about non-ethical judgments.

Whatever the merits of the suggestion that ethical intuitions are "merely applications" of linguistic intuitions, the conception of a linguistic intuition can be relevant to ethics in a different way. In both linguistics and ethics, moderately reflective, pretheoretical judgments form an important basis for theory. The conception of a linguistic intuition is relevant to ethics since it counts as an example of an acceptable use of moderately reflective, pre-theoretical judgments as a basis for theory. As Williams' discussion progresses, he considers and dismisses one construal of the claim that both linguistics and ethics can use pre-theoretical judgments as a basis for theory. He considers the position that a hopeful analogy between ethics and

linguistics might be drawn by speculating that there might be similar explanations for what look like similarities between linguistic capabilities and the capacity to make ethical judgments. Because a speaker can unhesitatingly recognize as correct in his or her language sentences he or she has never heard before, we have good reason to believe that it is possible to form a theory of natural language which gives an account of the rules internalized by the speaker. Williams dismisses the suggestion that this could serve as a model for explaining our ability to answer questions about the right thing to do in situations we have never encountered before. In keeping with the linguistic model, he supposes that the proposed analogous explanation of our ability to answer questions about what is ethically right is a set of internalized, discursively stateable rules. He objects to this proposal that we do not need to suppose or should not necessarily expect to find a clear, discursive, internalized rule underlying our abilities to make these ethical judgments (pp. 97-98). I think that Williams' understanding of the analogy is mistaken, but his objection needn't undermine the analogy between linguistics and ethics even as he understands it. What we need to suppose or necessarily expect to find doesn't give us the grounds for believing that a set of internalized, discursively stateable rules at least in part explains our linguistic capacities either. Whether or not it actually is an explanation can only be determined by the success of the project of constructing such theories of natural languages that do account for our ability to use languages.

Williams construes the analogy to linguistics as one which is intended to point out a parallel between (or even an identification of) an explanation of our capacity to use language and an explanation of our capacity to make moral judgments. This is

understandable, given Rawls' characterization of how methods in ethics and linguistics can be compared:

Now one may think of moral philosophy at first...as the attempt to describe our moral capacity...a conception of justice captures our moral sensibility when the everyday judgments we do make are in accordance with its principles...a useful comparison here is with the problem of describing the sense of grammaticalness that we have for the sentences of our native language. In this case the aim is to characterize the ability to recognize well-formed sentences by formulating clearly-expressed principles which make the same discriminations as the native speaker.⁴

However, it isn't clear that an analogy with linguistics must be meant to imply that the basic concern of an ethical theory is to explain our capacity to adjudicate acts never encountered before as "right" or "wrong". An ethical theory may obey the constraint that it consist of a set of rules which would generate answers to the questions about whether or not an act is right which are more or less consistent with the intuitions offered by people. The claim might be that it is analogous to a linguistic theory to this extent without invoking the further claim that it is the set of ethical rules internalized by people with the capacity to answer these questions.

We may construe the analogy other than how Williams construes it for two separate reasons. First, we could accept Williams' characterization of linguistic theory and the role of linguistic intuitions in the development of linguistic theory but deny that the analogy has the import for ethical theory that Williams supposes. We might be interested in the question of whether or not there could be a set of principles which could generate an enormously complex and varied set of ethical judgments, because such a set of principles could (if the judgments were correct) serve as the general test

⁴ John Rawls, A Theory of Justice (Cambridge, MA.: Harvard University Press, 1971) pp 46-47.

for basic ethical beliefs that Williams says a positive theory implies. Linguistics may serve as a model since it develops very abstract and general principles capable of generating sentences consonant with speakers' grammaticality judgments. If no set of principles could do this much for people's moral judgments, this would be one reason to believe that no general test for ethical beliefs is possible, and Williams' doubts about a positive ethical theory might be vindicated. If the model of linguistics gives us a reason to believe that there could be such a set of principles, we might then go ahead to develop an account of how the particular set of principles is justified. The justification of principles may merely rest on the match of their consequences with considered moral judgments or their explanatory power, but the linguistic analogy need not commit us to the view that ethical theories are explanations of moral capacities as internalized rules.

A second possibility is that we could reject his understanding of what a linguistic theory is or why accommodating linguistic intuitions should be considered part of the justification of a linguistic theory. For example, a philosophical conception of linguistics like the one espoused by Jerrold Katz⁵ does not take linguistics to be a study of the set of rules internalized by people with the capacity to use language. On his view, theories in linguistics are about abstract objects, even though some of the evidence for these theories comes from speakers' intuitions about their languages. We should not consider linguistic theories to be about the set of rules internalized by speakers any more than we consider mathematical theories to be theories of rules internalized by mathematicians. Thus the analogy between linguistics and ethics

⁵Jerrold Katz, Language and Other Abstract Objects (Totowa, N.J.: Rowman and Littlefield 1981).

would not suggest that an ethical theory is a psychological explanation of our ability to make ethical judgments

More generally, the fact that we do have intuitions or we do make judgments of a certain kind in a way that cannot be explained simply by explicitly being taught these beliefs does constitute some evidence that we have a relatively complex, internalized capacity which enables us to make these judgments. The capacity may be either a capacity which specifically enables us to make judgments of this kind or a capacity we utilize in making many different types of judgments. But in either case, this capacity may be a capacity that enables us to make true judgments. It is reasonable to suppose that scientific judgments made by scientists are evidence that the scientists who make the judgments possess a complex, internalized capacity rather than simply that they have been explicitly taught particular scientific beliefs which they reiterate when appropriate. However, these judgments are not merely evidence that the scientists have internalized capacities to make scientific judgments. They are also often evidence for the truth of scientific theories about, for example, the chemical properties of liquids. In these cases, we have reason to believe that the scientist's judgments are true, and so they constitute evidence for a scientific theory that purports to explain these truths. Whether or not we accept Katz' position, the linguistic model can be taken merely to suggest that an important part of the justification of a theory can be how well it accommodates ordinary, pre-theoretical judgments, rather than to suggest that theories that consist of rules can themselves be psychological explanations of intuitive judgments. Speakers can make some reliable judgments about their languages, and on these grounds theories about language should be consistent with these judgments. If it is possible to make some reasonably reliable pre-theoretical ethical judgments, then, as

in the case of linguistic theory, an important part of the justification of an ethical theory is how well it accommodates ordinary, pre-theoretical judgments. The ethical theory need not itself be a psychological account of how people come to have these intuitions. On this understanding of the linguistic analogy, the intuitive judgments simply provide a reasonably reliable guide to, for example, what is in fact ethically right or wrong, which is what the theory is attempting to explain. The explanation for why ethical intuitions should prove reasonably reliable need not be the same as that for linguistic intuition, nor need it give us a reason to believe that ethical intuitions are as reliable as linguistic intuitions. For example, under special circumstances, we may be good at recognizing when the interests of everyone affected by an action are taken into account because our need for stable forms of social cooperation makes accurate recognition an important capacity for thriving.

Williams' construal of the linguistics analogy as suggesting that an ethical theory is a psychological theory may in part stem from his interpretation of how an intuition can serve as evidence for a linguistic theory. At one point he claims that "intuition" refers to "a speaker's spontaneous grasp of what can be said in his language" and thus competent speakers have intuitions about what can or cannot be said correctly in their languages. It is for this reason that intuitions are "the raw material for a theory of a natural language" (p. 95). This may suggest that we should understand "intuitions" in this context as "intuitings" - events that demonstrate a speaker's grasp of the language, rather than as "intuiteds" - facts about grammaticality, synonymy, etc., whose source happens to be speaker intuitions. Accordingly, theories explaining these intuitions will be theories explaining a speaker's grasp of a language rather than a theory

explaining what sequences are grammatical, ambiguous or synonymous. Williams may assume that linguistic intuitions and by implication ethical intuitions constitute evidence for a theory only if the theory purports to be an explanation of the occurrence of the intuitions, rather than an explanation of what is intuited (e.g., what is right or what is grammatical). Since intuiting is psychological, it is plausible to suppose that theories whose tasks are primarily to explain occurrences of intuitions are psychological theories. If, on the other hand, the theory must explain what is intuited as right or grammatical, there is no presumption in favor of the view that the theory is a psychological theory. Williams is not alone in this interpretation of linguistic intuition and linguistic theory. As we have seen in Paper One, Jerry Fodor appears to rely on this interpretation of linguistic intuition to argue for his views about linguistic theory. In Paper Two, I suggested that this interpretation of linguistic intuitions influences Norman Daniels' position that linguistics provides an inadequate model for the justification of ethical theories. Neither Williams nor Fodor nor Daniels offer any argument to the effect that this interpretation is necessary or preferable to the alternative I suggest.

The non-psychological interpretation of the linguistic analogy draws attention to an important point about how much or how little ground Williams gains in his arguments against ethical theory by his criticism of the linguistics analogy. Williams' position against the view that an internalized set of stateable principles could explain our ability to make moral judgments does not itself count as a position against the view that a set of stateable principles could explain our true moral judgments. Our ability to make the judgments may not be best explained by an internalized set of principles, but the facts expressed in our judgments could still be best explained by a set of principles. A

set of internalized principles may not be the best explanation of our ability to make, for example, observational judgments about the behavior of gases, but the facts expressed in our observational judgments could still be best explained by a set of principles of chemistry. Someone still might object to the linguistic analogy as I have construed it that no set of principles could capture all of our true moral judgments because there is no general underlying pattern to them, but this is not Williams' objection to the analogy.

1c The Problem of Conflicting Intuitions

Williams also questions the analogy between ethics and linguistics on the grounds that the resolution of conflicts in ethical intuitions should be sharply distinguished from the resolution of conflicts in linguistic intuitions. He claims that, whereas ethical theories are required to resolve conflicts between ethical intuitions of different people, there is no such requirement for linguistic theories (p. 98). But he immediately goes on to catalogue various theoretical moves for dealing with conflicts in linguistic intuitions: we attribute different dialects to the people with conflicting intuitions, and linguistic theory can discount a particular judgment of grammaticality as "not really" a linguistic intuition so much as a product of a performance error. He comments that it is "certainly appropriate for a theory, having formed a principle on the strength of some intuitions, to discount other and conflicting intuitions" (p. 98).

On the basis of Williams' own description of the theoretical devices used in linguistics to deal with conflicting intuitions, it is too hasty to conclude at this point that linguistics can provide no model for the resolution of conflicting intuitions in ethics.

A dialect model for dealing with conflict in effect would provide no grounds for claiming that one of a set of conflicting ethical beliefs is true and the other is false, and so no grounds for choosing between the two. Though this may be an unacceptable proposal for all conflicting ethical beliefs, an acceptable ethical theory could fail to provide any reason to choose between certain conflicting ethical beliefs. If, for example, adherence to either of two alternative incompatible sets of moral norms produced the same amount of human welfare, and a given ethical theory implies that moral norms are to be evaluated by the amount of welfare produced by adherence to the norms, then the theory would provide no grounds for choosing between certain conflicting ethical beliefs based upon alternative norms.

Moreover, discounting particular linguistic intuitions as, for example, products of performance errors, may not leave us without grounds to choose between certain conflicting linguistic beliefs. It remains to be seen whether or not the notion of a performance error could be useful as a suggestion for how some conflicting ethical intuitions might be dealt with.

After acknowledging that there are "theoretical devices" for dealing with conflicts in linguistic intuitions, Williams says

It is not like this with ethical intuitions. A lot turns on what outlook is to be adopted, and an ethically idiosyncratic outlook will not simply be left alone, inasmuch as it touches on any matter of importance or on the interests of others. Here the aim of theory is not simply, or even primarily, to understand conflict. We have other ways, historical and sociological, of understanding it. The aim of theory is rather to resolve it, in the more radical sense that it should give some compelling reason to accept one intuition rather than another. (p. 99)

We can grant that the resolution of ethical conflicts matters more than the resolution of conflicts in linguistic intuitions. It is unlikely that bloodshed would ever result from conflicts in linguistic intuitions. The fact of the more pressing need in the one case does not in itself dictate a significant difference between the two enterprises in what counts as a legitimate dismissal of some intuitions, however. Williams implies that while linguistic theory may give us a means for understanding conflict in linguistic intuitions, it doesn't give a "compelling reason" to accept one intuition rather than another, which is what is required of an ethical theory.

Williams doesn't explain the notion of a "compelling reason" here, and later I will go on to discuss some possible interpretations of his use of the notion in this context. However, it does seem as though there must be compelling reasons or special justifications for the acceptance of a linguistic theory which discounts certain intuitions of grammaticality offered by native speakers. If there are, then the implication about this difference between ethics and linguistics seems to be false. Such special justifications can be found when a linguist provides a persuasive argument that certain intuitions discounted by a proposed theory should be understood as performance errors. For example, some speakers find the following sentence unacceptable:

I called the man who wrote the book that you told me about up ⁶

⁶ Noam Chomsky, *Aspects of the Theory of Syntax* (Cambridge, MA.: MIT Press, 1965), p. 11

An explanation of this may involve citing other, partly non-linguistic theories about memory limitations to account for treating these alleged linguistic intuitions as performance errors. The citation of this factor, combined with the general persuasiveness of the theory itself (for example, its ability to account for most of the data when combined with theories about performance) will give more or less compelling reasons for those at least in the field of linguistics to accept some intuitions and not others as reliable intuitions

We might speculate then that the analogy between ethics and linguistics could be extended to include considerations of how rejection of some intuitions can be justified. Sociological, psychological or historical theories might be drawn upon to understand how some conflicting ethical intuitions come to be believed. Such understanding may in some instances involve grounds for dismissing these as reliable ethical beliefs, according to a particular ethical theory. The acceptability of such a dismissal would rest upon both the acceptability of the ethical theory in question as well as any other theories brought to bear upon understanding the intuitions in question. Thus, in both cases, compelling reasons for the rejection of particular intuitions may come in part from consideration of a theory outside of linguistic theory or ethical theory itself. This suggestion is explicitly endorsed by Rawls in a quotation I cited in the last chapter. In discussing the analogy between ethics and linguistics, Rawls claims that someone is most likely to revise pre-theoretical judgments to conform to principles of justice "if he can find an explanation for the deviation which undermines his confidence in his original judgments".⁷

⁷ John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), p. 48.

As an example of the foregoing, suppose that an ethical theory that manages to capture a vast array of ethical intuitions has as a consequence or component principle that physical violence or coercion is morally impermissible except in cases of self-defense. Suppose further that some people, while sharing most of the intuitions captured by the theory, believe that physical punishment is morally acceptable as a means of disciplining children. A possible psychological explanation for this belief is that it is maintained as a safeguard against painful guilt feelings which can easily arise in certain child-rearing situations. If a child is uncooperative in a close, daily living situation, this might arouse great hostility in a parent which is more difficult to control than hostility toward others who are uncooperative. The greater difficulty may be attributable to the fact that a child's dependency on a parent makes serious retaliation less likely than retaliation from others who are not so dependent, and so one factor normally operating to help control expression of hostility is diminished in these situations. Physical punishment may serve as an outlet for this hostility, and a belief in the moral justifiability of this practice helps to ease any guilt feelings. If this psychological explanation were accepted, and both the theory and people's moral beliefs generally cannot countenance the difficulty of adhering to a standard of non-violence in situations where the recipient of the violence is dependent as an excusing condition (as opposed to, for example, situations of self-defense), the psychological explanation and the ethical theory combined may give a compelling reason to reject the intuition that physical punishment of children is morally permissible.

Williams seems to be suggesting that ethical theories have some special burdens that linguistic theories do not have in justifying the rejection of intuitions. Given that

Williams does not discuss justifications for the rejection of linguistic intuitions at any length, he does not explicitly argue for the position that these justifications must differ significantly from justifications for the rejection of ethical intuitions. However, there seem to be two assumptions in his discussion of ethical theories which, if accepted, could be used to distinguish the kinds of legitimate justification for discarding linguistic intuitions from anything that could count as a legitimate reason for discounting ethical intuitions.

The first is Williams' apparent assumption that, in criticizing ethical judgments, ethical theories must work in isolation from other theories. On Williams' account, ethical theories provide tests for determining right or wrong actions without recourse to psychological, sociological or historical explanations for ethical judgments. Perhaps Williams assumes that critique based upon ethical theory must be isolated from psychological, sociological or historical explanation for judgments because he believes that, typically, ethical theories have not called upon psychological, sociological or historical explanation in critiques of ethical judgments. One context in which he seems to indicate that he believes that ethical theories do not typically use social scientific explanation of judgment in the service of critique is when he distinguishes "the most potent" critiques of existing ethical beliefs and attitudes which are based upon demonstrations that the attitudes rest upon "myths or falsehoods" about what people are like from ethical theories (which presumably can function as critiques of existing beliefs and attitudes) which are more "elaborate, thoroughgoing and ambitious" structures. He says that, in considering the kind of critique of existing ethical attitudes and beliefs that an ethical theory provides, he is not concerned with critiques of ethical beliefs that rest upon demonstrations that certain attitudes are based upon

myths or falsehoods (p. 71). Distinguishing these two kinds of critiques may encourage Williams to ignore the possibility that the latter "potent" critiques might be included in or taken to be support for critiques of ethical beliefs based upon ethical theory. Critiques demonstrating that attitudes rest upon myths or falsehoods may make extensive use of psychological, sociological or historical theories about, for example, how psychological or sociological conditions support the maintenance of distorted beliefs about different social groups. On the "performance error" model of justifiably dismissing intuitions that conflict with ethical theories, support for a theory which implies that an alleged ethical intuition is incorrect can come both from the theory's ability to account for many of our ethical intuitions as well as the existence of acceptable non-ethical theories that could provide "potent critiques" of the intuitions the theory dismisses.

As an illustration of the difference between a critique of an ethical intuition based upon an ethical theory alone, and a critique based upon both ethical theory and psychological or sociological claims that bear upon the reliability of the intuition, consider the example of physical punishment of children cited earlier. A critique of the intuition that physical punishment of children is morally permissible which is based upon ethical theory without reference to the reliability of the intuition may run something as follows: If practices for ensuring cooperation cause more suffering than alternative practices that can achieve the same goal, then engaging in these practices is wrong. Physical punishment of children causes more suffering to a child than alternative practices for gaining cooperation, and so physical punishment of children is wrong. On the other hand, a critique of the intuition that punishment of children is permissible that directly questions the reliability of the intuition may invoke the claim

that the belief in the permissibility of physical punishment is influenced by children's dependency on adults. For example, such a critique may claim that this dependency contributes to blindness to the extent of children's suffering by encouraging children to hide their suffering and making it easy for adults to ignore it. Thus, children's dependence on adults can adversely affect adults' ability to take their interests into account impartially, and the reliability of the intuition is questionable on these grounds

There is more textual evidence that Williams assumes that ethical theories cannot call upon non-ethical theories for support in dismissing particular ethical beliefs that conflict with ethical theories. In a discussion of objectivity that follows his dismissal of the linguistic analogy, Williams compares ethical theories with theories in the natural sciences. (pp. 132-155). He claims that ethical theories compare unfavorably with theories in the natural sciences, since ethical theories cannot explain how people might "go wrong" in their ethical beliefs, whereas presumably the natural sciences can offer us "theories of error". (p. 151). But suppose that a defender of a particular theory in the natural sciences offers a "theory of error" which explains why, for example, some apparently disconfirming evidence should be construed as mistaken. It is reasonable to expect that, at least in most cases, this explanation will make use of theories and claims that are not included in the theory being assessed. For example, the theories may come from psychology, physiology or optics. Such a use of theories outside the particular theory being assessed is not considered illegitimate. Indeed, the need to use theories that are not part of the particular theory being assessed is not confined to explanations of error. It is a commonplace that auxiliary hypotheses are needed to derive testable consequences from theories. These auxiliary hypotheses may

be justified on the basis of theories in disciplines separate from the theory being assessed. So direct confirmation of a theory as well as dismissal of potentially disconfirming evidence may depend on the use of theories from other disciplines. If ethical theories must be assessed in isolation from non-ethical theories, then an ethical theory could not make use of an explanation for how it came about that a particular intuition is believed which might give some reason to reject the intuition as ethically incorrect and so some support for the ethical theory which rejects the intuition. But the assumption that ethical theories should differ from theories in the natural sciences (or in linguistics, for that matter) in the legitimacy of using "outside" theories in explanations of error requires a justification, and Williams does not offer any.

A second consideration which might serve to distinguish ethics from linguistics on the justifiability of a theory's rejection of intuitions is discernible in his discussion of Rawls' theory of justice as one example of a contractual style of ethical theory. In considering ethical theories with consequences that conflict with everyday ethical intuitions, Williams twice (pp. 92 and 99) asks why we should give such an ethical theory any authority at all. The question of authority clearly is an important question for Williams to consider, given that the view he argues for in this book is that we have reason to dispense with ethical theories and presumably we have reason to dispense with ethical theories if they can have no authority. The question of whether or not an ethical theory has authority may be taken in two ways. It is either a question about how anyone could be motivated to act in accordance with an ethical theory, or a question about how anyone could have a reason to accept, in the sense of being justified in accepting, an ethical theory. If no one could have a desire to act in accordance with an ethical theory, then the theory would have no authority in the

first sense. This would be a serious shortcoming for an ethical theory, given the assumption that moral considerations do at least sometimes motivate people to act in accordance with those considerations. However, in his discussion of Rawls, Williams seems to have the second question in mind, since he speaks of "the reasonableness of aiming at an ethical theory" and giving "a compelling reason to accept one intuition rather than another" (p. 99). I take it that, on the second interpretation of the question, ethical theories have no authority if we are not justified in believing ethical theories. Determining whether or not we are justified in believing ethical theories involves investigating the justifications offered for ethical theories and assessing their value. If such an investigation led us to conclude that the only remotely plausible justifications were insufficient to warrant belief in ethical theories, then ethical theories should not have any authority at all.

In the early chapters of his book, Williams argues that attempts to justify ethical principles "from the outside" - without any recourse to pre-theoretical ethical beliefs or assumptions - do not succeed. He then turns his attention to ethical theories that do not attempt justification from outside of ethics, but rather begin with or build upon at least some pre-theoretical ethical beliefs or intuitions. For Williams, the question of the authority of these ethical theories is why we should give any authority to ethical theories if they conflict with pre-theoretical ethical beliefs. This suggests that he thinks that there is some special problem for the justification of ethical theories when the theories conflict with pre-theoretical ethical beliefs. However, the fact that a problem of justification of belief arises when a theory conflicts with pre-theoretical beliefs is not something which is peculiar to ethics. Ethical theories are not the only theories that conflict with widely-held beliefs, and indeed Williams acknowledges this

He explicitly compares aspirations for an ethical theory which is critical of some of our beliefs to aspirations for scientific theories:

The natural understanding of an ethical theory takes it as a structure of propositions which, like a scientific theory, in part provides a framework for our beliefs, in part criticizes or revises them. So it starts from our beliefs, though it may revise them. (p. 93).

If a theory advocates revision of pre-theoretical beliefs for which there is some presumption, then a justification for this revision is in order, whether the theory is ethical or non-ethical. It is surely legitimate to ask this much of an ethical theory, especially one whose critical aspirations are parallel to the goals of a scientific theory. However, if more should be required of an ethical theory in the justification of revisions of beliefs, then it is up to Williams to argue for why this should be so.

In his discussion of Rawls (which I will comment on in some detail), Williams seems to be assuming that general epistemic considerations cannot be appealed to in defending an ethical theory's authority to discard the ethical intuitions of some people. I take it that a (questionable) consequence of this assumption is that characteristics we generally consider to count in favor of a theory do not count in favor of an ethical theory that contradicts the ethical intuitions of some people. For example, an ethical theory's comprehensiveness, its coherence with other intuitions and theories or the fact that the theory that is inconsistent with a particular intuition is part of the simplest overall account of ethical (and non-ethical) belief cannot count in favor of a theory and against a particular intuition (where acceptance of the theory dictates such a dismissal). One possible explanation for this assumption is that Williams believes that we could never be motivated to act in accordance with an ethical theory that

contradicted some of our ethical intuitions. If appeal to epistemic considerations could not play a part in justifying the dismissal of an ethical intuition, then this would distinguish ethics from linguistics. It doesn't seem as though candidate linguistic theories cannot appeal to epistemic considerations in rejecting particular linguistic intuitions. For example, sentences or phrases that are extremely long or complicated, such as those sentences or phrases that have multiply embedded phrases, may be judged unacceptable by speakers of a language yet counted as grammatical by linguists. Noam Chomsky offers the following example in Aspects of the Theory of Syntax:

The man who the boy who the students recognized pointed out is a friend of mine.⁸

Stephen Stich describes a general rationale for classifying sentences speakers find unacceptable such as the one above as grammatical:

...sentences may seem odd because they are simply too long and complicated. If the grammarian suspects that ...[this] explain[s] speakers' rejection of a sentence, he may classify it as grammatical...The motivation for separating [intuitive] acceptability and grammaticality is *broad theoretic simplicity*. It is simpler to generate an infinite class including the acceptable sentences than it is to draw a boundary around just those sentences which rank high in the several tests for acceptability. But in thus choosing the simpler task we must assume that some further theory or theories will account for those grammatical sentences which are unacceptable. And we must also assume that the new theory combined with a grammatical theory will together be simpler than any theory attempting directly to generate all and only the acceptable sequences. In short, we are venturing that the

⁸ Chomsky, p. 11

best theory to account for *a//* the data will include a grammar of infinite generative capacity.⁹

I take Stich to be appealing to epistemic considerations in claiming that the theory which is itself the simplest and/or can be combined with other theories to provide the simplest account of all the data is the best theory.

Williams believes that there is one answer to the question of how an ethical theory can give a compelling reason to accept a judgment which is countenanced by the theory and conflicts with some intuitive judgments. He claims that the aims and methods used in constructing Rawls' theory of justice exemplify an account of ethics which provides reason to accept an ethical theory with counterintuitive consequences. On Williams' understanding of Rawls, the account does this by making explicit its method for resolving conflicts between intuitions and also by incorporating certain assumptions about the people whose intuitions are being systematized by the theory. On this understanding of Rawls, the reasons for accepting an ethical theory with counterintuitive consequences are not the same kinds of general reasons we might have for accepting a linguistic theory with counterintuitive consequences.

...Let us assume that there are some people who, first, are resolved to reach agreement on important ethical questions, and indeed are more strongly resolved to reach agreement than they are to express different ethical conceptions of the world. They are irreversibly committed to living closely together in one society. Moreover, it is agreement they are resolved to reach, and they would not be content to end up with the mere domination of one set of beliefs. Next, they see this as a task that requires them to arrive at publicly stateable principles. Last, they want this process to govern the

⁹ Stephen Stich, "Grammar, Psychology, and Indeterminacy", in Ned Block (ed.), Readings in the Philosophy of Psychology 2 (Cambridge, MA: Harvard University Press, 1981), p. 211.

discussion of problems that will arise later from the principles they agree upon, such as conflicts between them. In these circumstances, it is reasonable for them to aim at an ethical theory, and it is also reasonable for them to use a method that tries to save as many of their intuitions as possible, while at the same time it produces a rational structure of principles that will help make clear what intuitions have to be dropped or modified. An obvious way to do this is to modify theory and intuitions reciprocally until they roughly fit one another. [T]he method is the one Rawls recommends...of trying to arrive at what he calls *reflective equilibrium* between theory and intuition. (p. 99).

Williams does not regard epistemic considerations as providing reason to accept an ethical theory as conceived by Rawls. This is made obvious in a later passage in which Williams dismisses objections to Rawls' method for arriving at an ethical theory that stem from concerns about whether or not the intuitions the theory does accommodate are correct. He claims that the correctness of the intuitions is irrelevant. For Williams, the important issue is whether or not the intuitions that constitute the basis of the theory and the prior ideals that motivate the attempt to develop the theory actually are the intuitions and the ideals of the people to whom the theory is to apply (p. 102). Thus, the one compelling reason to accept an ethical theory when it conflicts with certain ethical beliefs is that to do so helps insure the maintenance of other basic ethical beliefs and practices shared by people who wish to live closely together in a society that works in a particular way expressive of these basic values.

But we needn't think that this is the only compelling reason (or even a compelling reason at all) for accepting the consequences of a particular ethical theory when some of them are at odds with our own pre-theoretical beliefs. There is a compelling reason more in line with the kind of reason we might offer for believing a linguistic theory

with some counter-intuitive consequences. We simply might believe that the ethical theory is correct and the conflicting beliefs are mistaken, perhaps because the ethical theory offers a consistent, comprehensive, detailed account of ethical judgments, the complications of which we hadn't considered in coming to certain isolated ethical decisions about particular cases. Suppose that, for example,¹⁰ we consider a set of cases in which we are asked if it is right to kill one person to save several others and another set in which we are asked if it is right to allow one person to die (when attending to that person would prevent his death) in order to save several others. The former cases involve cutting up one healthy person and distributing organs to people with diseases of the appropriate organ, and the latter involve apportioning doses of medicine in which saving the life of one particular person always takes several times as much as saving the life of any of the others. Suppose that we believe that killing the one person in the former set of cases is never right, and letting the one person die in the latter cases always is right. Suppose further that we firmly believe that we have these different responses to these kinds of cases because killing is morally worse than letting die. Suppose then that we were asked to consider an ethical theory from which it follows that killing is not morally worse than letting die. The ethical theory maintains that it is wrong to harm others, and we are equally responsible for harm we could prevent and harm that we directly cause. This theory may be consistent with a wide range of our ethical judgments, significantly including our failure to distinguish ethically between, for example, cases of poisoning the food of hospital patients which results in death from cases in which patients are simply not fed at all, also resulting in death. The theory does not dispute distinguishing the original sets of cases, but rather

¹⁰ This example of accepting a theory with counter-intuitive consequences comes from arguments put forward by John Harris, in his Violence and Responsibility (London: Routledge & Kegan Paul, 1980), pp 1-66.

disputes that the cases should be understood as illustrating that letting die is morally preferable to killing. This view further squares with our failure to distinguish two other cases, which would be ethically distinguishable if the view that killing is morally preferable to letting die were true: We are presented with a case of two people, X and Y, dying from a snakebite. The only antidote to the snakebite is extract of human heart, and the only spare human heart around is in the healthy body of a person A. The taking of this extract will kill A. We judge that taking the extract and killing A in order to save X and Y is morally wrong. But taking the extract is likewise wrong in a case in which A is not healthy and requires daily insulin injections which only we can give him. If we simply fail to give him his injections, he dies and we can use his heart to save X and Y. In this case, we simply let A die to save X and Y and yet we judge this to be morally indistinguishable from the case in which we take the extract from a healthy A.

Perhaps the more vastly counterintuitive an ethical theory is, the less likely it is that we would feel compelled to adhere to its consequences for the reason that it provided a consistent, comprehensive and detailed account of ethical judgments. However, in the absence of an enormous gap between pre-theoretical beliefs and theory, there could be such a reason. Moreover, the ethical theory may incorporate or be consistent with the findings of other theories (e.g., psychology, sociology, economics) in a way that bears upon beliefs that conflict with the theory and supports abandonment of these beliefs.

My appeal to epistemic considerations bearing upon explanatory coherence as support for an ethical theory presupposes that ethical theories can be true. If ethical theories could not be true, then perhaps the compelling reason Williams cites approvingly would constitute the only reason for accepting an ethical theory.

Williams does not believe that ethical theories can be true, but he does not argue for this position until a later chapter. In a book which purports to be an argument for dispensing with ethical theory which is largely aimed at convincing those who are unsympathetic, Williams is simply helping himself to too much in making an initial presumption that ethical theories cannot be true.

Williams' description of Rawls' account of ethical theory does suggest that there is one genuine difference between the resolution of conflicting intuitions by appeal to linguistic theory and the resolution of conflicting intuitions by appeal to ethical theory. Perhaps we can *use* both ethical theory and linguistic theory to resolve conflicts between intuitions in their respective domains by citing the theory as providing the authoritative answer to an ethical or linguistic question in dispute. But ethical theories also (unlike linguistic theories) may be in part *about* resolving conflicts. Their subject matter may be the right way to resolve interpersonal conflicts, including conflicts stemming from different ethical beliefs. There is no comparable subject matter for a linguistic theory. This could be a basis for claiming that ethical theories are required to resolve conflicts, but linguistic theories are not. Williams may think that the fact that ethics, but not linguistics, can have conflict resolution as a subject matter makes a difference between the two in what can count as reasonable grounds for accepting a theory's consequences when they conflict with our own intuitions. When conflict resolution is a subject matter, we might understand a theory to at least sometimes advocate dropping an ethical intuition simply for the sake of resolving a conflict rather than, as in the case of linguistics, because we have some reason to believe it is unreliable or incorrect. Our grounds for accepting the judgment that the ethical intuition should be dropped could be that we may simply happen to

believe that resolving a given conflict or resolving conflicts generally in a particular way is more important ethically than some other ethical consideration that gets overridden when we apply the theory that describes right conflict resolution. For example, we may happen to believe that the promotion of cooperation and stability and the avoidance of violence are so important ethically that, in situations in which people hold conflicting beliefs, these values can be cited as ethical justification for doing things that might otherwise be considered wrong (e.g., tolerating the publication of propaganda).

However, this difference does not affect the legitimacy of appealing to epistemic considerations to support an ethical theory with consequences that contradict certain ethical intuitions. For Williams' argument to exclude epistemic considerations from the justification, he would need to claim that it is reasonable to accept an ethical theory about conflict resolution which may advocate doing things that you consider to be wrong *only* if you accept the values (e.g., stability, cooperation, avoidance of violence) that abiding by the theory is supposed to promote and the acceptance of these values does not depend upon epistemic considerations. But at this point Williams offers us no reason why epistemic considerations could not count as reasons for accepting the values to which an ethical theory of conflict resolution appeals. Judgments about these values and their priority over other values may simply be part of the best overall ethical theory, where the best theory is the most comprehensive and coherent account of ethical judgments. If we accepted the values of cooperation, stability and non-violence for this reason, epistemic considerations would play a role in our acceptance of a theory of conflict resolution whose consequences conflicted with our ethical intuitions.

Conclusion

Williams' dismissal of the possibility that an ethical theory can be modelled on linguistics is questionable. To begin with, two relatively minor points mar his account of linguistics and so throw doubt upon his dismissal of the analogy. The question of whether or not an internalized set of rules can explain either our linguistic judgment or our ethical judgments is best viewed as not yet settled. Moreover, different interpretations of what a linguistic theory is about leave open the question of whether or not linguistic theories are simply an account of the rules internalized by speakers, so that doubts about whether or not there could be any analogous rules accounting for ethical beliefs and whether or not even if possible such an account could constitute an ethical theory need not lead us to abandon the linguistic analogy.

More important points are that first, regardless of what a linguistic theory is about, we needn't take a proposed analogy between ethics and linguistics to imply that an ethical theory is a psychological theory about how people make ethical judgments. In addition, contrary to Williams, I believe that the role that the notion of a performance error plays for linguistic theory can have some bearing on the question of when dismissal of an intuition conflicting with a theory is legitimate. This suggests some possibilities for analogous dismissal of intuitions that conflict with ethical theory, perhaps by appealing to psychological theories that have a bearing on factors influencing our capacity to make moral judgments. Finally, the analogy does not leave us without the possibility of having a compelling reason to adopt an ethical theory

when it has consequences that are contrary to some of our pre-theoretical ethical beliefs

2. Objective Knowledge and Ethical Theory

In section 1, I argued that Williams' rejection of the linguistic analogy rests in part upon the claim that certain epistemological considerations (e.g., explanatory coherence) cannot provide us with a compelling reason for accepting an ethical theory that contradicts our pre-theoretical judgments. If the claim is true, ethics should be distinguished from linguistics or any other science, since explanatory coherence can provide us with a compelling reason to accept linguistic or other scientific theories that contradict pre-theoretical judgments, since explanatory coherence can be taken to be some evidence that a theory is true. According to reflective equilibrium, which is the account of justification of ethical theories that prompts Williams' consideration of the linguistic analogy, the coherence of an ethical theory significantly consists, in part, of coherence with considered moral judgments. Williams clearly does not believe that the fact that an ethical theory is coherent with considered moral judgments provides us with a reason to believe that the ethical theory is true. Two possible separate grounds for his position can be found in the text. First, we do not have reason to believe that considered moral beliefs are true, so coherence with those beliefs cannot be evidence of truth. Second, ethical theories fail to cohere with other, non-moral judgments, and coherence with moral judgments is insufficient by itself to be evidence of truth.

At one point in his discussion, Williams seems to accept the view that coherence with considered moral judgments does not provide us with a compelling reason to believe that an ethical theory is true, because of doubts about the truth of considered moral judgments (p. 102). The considered moral judgments with which ethical theories are said to cohere, according to Rawls' account of reflective equilibrium, are limited to those of people within certain kinds of (modern, Western) societies and so their

reliability is open to question. Because of this doubt, he believes that compelling reasons for accepting ethical theories cannot be of the same sort as compelling reasons for accepting linguistic theories. He concedes that coherence with considered moral judgments may provide us with a compelling reason to accept a moral theory, but this reason does not rest upon the claim that the theory is true. In part 2a, I argue that since Williams himself grants that there can be pre-theoretical ethical knowledge, he is not in a position to argue that coherence with considered moral judgments cannot provide any reason to believe that an ethical theory is true on the grounds that we have no reason to believe that considered moral judgments are true. In a chapter on objectivity, he claims that we can have some ethical knowledge, and does not show that this knowledge does not extend to the considered moral judgments that can serve as evidence for an ethical theory.

Williams also claims that ethical theories cannot meet a different epistemological requirement that scientific theories can meet, namely, the requirement that a theory be part of an empirical explanation of how we came to believe the theory. Thus, ethical theories fail to cohere appropriately with non-moral judgments about coming to believe in ethical theories. This alleged failure of ethical theory might support the claim that we do not have reason to believe that ethical theories are true, and thus support the claim that coherence with moral judgments cannot provide us with a reason to accept an ethical theory that contradicts our pre-theoretical judgments. However, Williams does not argue for the legitimacy of this epistemological requirement, and his grounds for asserting that ethical theory cannot meet the requirement are obscure. In part 2b of this section, I point out some of the burdens Williams has in making these claims in light of recent discussions of these issues.

2a. World-Guided Substantive and Non-Substantive Ethical Judgments

Williams claims that there is no good reason for maintaining that we can come to believe ethical theories because of the way the world is, independent of our beliefs (p. 152). If there is no such reason, then there is no compelling epistemological reason to accept an ethical theory. However, Williams does not rule out the possibility that there can be non-theoretical, objective ethical knowledge. He grants that there can be agreement on ethical judgments which is guided by how things are, or agreement which is "world-guided". I believe that his concession that there is some objective ethical knowledge can be used to argue that objective theoretical ethical knowledge is possible, since coherence with judgments we have reason to believe are true is some evidence of truth and ethical theories can cohere with the objective ethical knowledge he grants. Williams' discussion fails to rule out this possibility in a convincing way, and so fails to show that we have no reason for maintaining that we can come to believe ethical theories because of the way the world is.

Williams claims that such ethical knowledge as there is is not to be found in the application of concepts typically found in ethical theories, for example, the concepts "right", "good" and "best". It is rather to be found in the application of what he calls "thick" or "substantive" concepts such as "coward", "lie", "brutality" and "gratitude". Both Samuel Scheffler¹¹ and Warren Quinn¹² have discussed the difficulty, if not

¹¹ Samuel Scheffler, "Morality Through Thick and Thin: A Critical Notice of *Ethics and the Limits of Philosophy*", *The Philosophical Review* 96 (1987) pp. 195-209.

¹² Warren Quinn, "Reflection and the Loss of Moral Knowledge: Williams on Objectivity", *Philosophy and Public Affairs*, (May 1987) pp. 195-209.

the impossibility, of giving an account of Williams' distinction between substantive and non-substantive ethical terms that is both consistent with his usage throughout the book and reasonable to maintain. For example, Scheffler points out that Williams' discussion seems to imply that non-substantive ethical concepts are the most general ethical concepts, and only these ethical concepts appear in ethical theories. Given the examples of substantive concepts that Williams offers, it is dubious that ethical theories only make use of non-substantive concepts. Concepts that seem to have fairly specific content, such as "consent" and "promise", regularly appear in ethical theories. Williams also claims that judgments using non-substantive concepts require a good deal of reflection, and non-systematic ethical thought of highly traditional societies does not include any judgments of this type. Quinn questions the claim that the notion of "good", which Williams classifies as non-substantive, cannot appear in the judgments of those who do not engage in systematic ethical thought and who are members of highly traditional societies.

Whatever the difficulties in Williams' distinction, there do seem to be some features of the sets of examples he gives of each kind of concept that we might tentatively accept. The examples of non-substantive concepts he invokes in the course of this argument seem at least to have a higher degree of generality than the substantive concepts he invokes. The non-substantive concepts apply to a wider range of acts and people than the substantive concepts apply to. For example, it may be true that most acts of gratitude are right, but it is not true that most right acts are acts of gratitude. It is important for Williams' argument and it seems reasonable to claim that comprehensive ethical theories invoke ethical concepts of the higher degree of generality, whether or not they also invoke ethical concepts of lesser generality, and whether or not ethical concepts with the greater degree of generality also sometimes are used when comprehensive, systematic ethical theorizing is not engaged in

In certain situations, Williams claims that applications of ethical concepts that are less general than "right" or "good" could count as objective ethical knowledge. Convergence on the application of such concepts could be "guided by the world" (p. 141). Williams invites us to suppose that members of a society in which there is minimal reflection on the use of substantive ethical concepts agree in cases of application of these concepts. If the resultant agreed-upon judgments that, for example, an act is brave can be true, the judgments will count as objective knowledge because the judges "have mastered these concepts and can see the personal and social happenings to which they apply" (p. 143). I take it that what Williams intends by stipulating that the judges have "mastered the concepts" is something beyond the claim that the judges apply substantive ethical terms accurately. Earlier, Williams claimed that substantive terms have "complex conditions of applications" which those who use the terms have beliefs about (p. 95). I venture that Williams takes ethical knowledge to require that the judges have some understanding of features an act or person has in virtue of which a concept applies to the act or person. The judges must also recognize these features of particular occurrences of acts. The agreement in application, the conceptual and perceptual abilities of the judges, and the fact that whether or not the judgments are made depends on the accurate perception of personal and social happenings lead Williams to claim that these judgments are guided by the way the world is and are worthy of candidacy for objective ethical knowledge.

However, Williams claims that theoretical ethical judgments that involve the most general ethical concepts cannot be candidates for objective ethical knowledge, or world-guidedness. He claims that their abstractness and generality preclude world-guided application (p. 152). There are several possible defenses of this claim suggested by the text. First, claiming that the abstractness and generality of certain ethical

concepts precludes their world-guided application might suggest that abstract and general concepts do not apply in virtue of any features or properties of things in the world. However, it seems unlikely that Williams would maintain this position, since he claims that science can be "a systematized, theoretical description of how the world really is" (p. 135) and presumably such a systematized, theoretical description includes abstract and general concepts. So, for Williams it seems that while it is not true that the application of all abstract and general concepts cannot be world-guided, it is true that the application of abstract and general ethical concepts cannot be world-guided

Perhaps the application of abstract and general ethical concepts cannot be world-guided because abstract and general ethical concepts do not apply in virtue of any properties or features that acts or people actually have. However, if the application of less general, substantive ethical concepts can be world-guided, then we may have reason to believe that the application of general ethical concepts can be. If application of substantive ethical concepts can be world-guided, then substantive ethical concepts apply to acts and people in virtue of features that these acts and people actually have. It is plausible to claim that a general ethical concept applies to an act just in case the act has at least one of a set of features which is sufficient for the application of a less general concept. For example, certain types of acts may be wrong (which I take the liberty of classifying as a general ethical concept) if the act involves any violence which is not needed to attain the goal for which the act is performed, which is a feature of an act to which the concept "brutality" applies. If a general ethical concept applies just in case at least one of a disjunction of features sufficient for the application of a substantive concept, this would seem to be some reason to believe that general ethical concepts apply in virtue of features that acts and people have, since substantive ethical concepts apply if acts have such features

If a general concept applies to an act just in case the act has at least one of a set of features sufficient for the application of a substantive concept, then Williams' claim that knowledge consisting of judgments using general ethical concepts is impossible is not supportable by the claim that general ethical concepts do not apply in virtue of features of acts and people. Perhaps we cannot be justified in believing that the features of an act in virtue of which a general concept applies are combinations of or are common to features in virtue of which substantive concepts apply. One argument for this view is suggested by Williams' claim that substantive judgments that count as objective ethical knowledge do not have implications that are inconsistent with ethical judgments using general concepts (p. 147). Presumably, if the features in virtue of which general concepts applied were so related to features sufficient for the application of substantive concepts, then there would be such implications. For example, the judgment that a particular act is brutal implies that the act had the feature of showing disregard for the well-being of those affected by it, since brutal acts are acts that exhibit disregard for the well-being of those affected. If wrong acts show disregard for the well-being of those affected, a brutal act is a wrong act, and a judgment that an act is brutal is inconsistent with a judgment that an act is not wrong. Williams denies that judgments using substantive concepts can have implications that contradict judgments using general concepts because he believes that this requires that anyone who makes a substantive judgment that is inconsistent with a non-substantive judgment is also making a non-substantive judgment, even if the person does not use non-substantive concepts (p. 147). However, this is not required in order to maintain that judgments involving substantive concepts can have implications that are inconsistent with judgments using non-substantive concepts. A judgment may have implications that a person who makes the judgment does not accept. So the claim that the features in virtue of which non-substantive concepts apply are not related to features of substantive concepts is not supported by the argument that if there are the

implications between substantive and non-substantive judgments we might then expect, we are committed to the dubious view that anyone who makes a substantive judgment is also making a non-substantive judgment

Williams concedes that there is some world-guided agreement using specific ethical concepts. He can have no quarrel with the claim that people seem to agree on at least some ethical features of situations. The judgments on which there is agreement could provide some reason to believe ethical judgments using more general concepts if these judgments are justified at least in part on the basis of substantive judgments. Hence agreement on more general judgments would be world-guided at least to the extent that their justification depended upon more specific judgments which Williams himself concedes can be world-guided. According to reflective equilibrium, the justification of any judgment depends upon its coherence with other judgments we have reason to believe. These more general judgments are judgments that we have some reason to believe are true, then. But non-substantive judgments applying the concepts "right" and "wrong" constitute some of the evidence for ethical theories. These judgments can be the considered moral judgments with which an ethical theory coheres, according to reflective equilibrium. Williams' own concession about substantive ethical judgments then seems to support the claim that there can be compelling epistemological reason to accept an ethical theory.

2b. Ethics and the Explanatory Requirement

Williams describes a distinction between scientific and ethical theory that he wishes to defend as follows:

The basic idea behind the distinction between the scientific and the ethical, expressed in terms of

convergence, is very simple. In a scientific inquiry there should ideally be convergence on an answer, where the best explanation of the convergence involves the idea that the answer represents how things are; in the area of the ethical, at least at a high level of generality, there is no such coherent hope. The distinction does not turn on any difference in whether or not convergence will actually occur, and it is important that this is not what the argument is about. It might well turn out that there will be convergence in ethical outlook, at least among human beings. The point of the contrast is that, even if this happens, it will not be correct to think that it has come about because convergence has been guided by how things actually are, whereas convergence in the sciences might be explained in that way if it does happen (p. 136)

Williams takes the distinction to be related to traditional, though he believes somewhat mistaken, views about distinctions between facts and values which "motivate some version of the feeling (itself recurrent, if not exactly traditional) that science has some chance of being more or less what it seems, a systematized theoretical account of how the world really is, while ethical thought has no chance of being everything it seems" (p. 135)

If we have good reason to suppose that agreement in science is or can be guided by how things actually are whereas agreement in ethics cannot be, then it may seem we have reason to doubt the possibility of arriving at justified true beliefs in ethics which does not equally hold for science. If agreement is not guided by how things actually are, we might be tempted to suppose that it is guided by prejudice, superstitions, mere expression of group preferences or false beliefs, all of which would disqualify what is agreed to as a candidate for knowledge. Williams does not rule out the possibility that such problems can arise in science, but he alleges that there is a certain in principle possibility for science but not for ethics to demonstrate that it is guided by "how things actually are":

...We can select among our beliefs and features of our world picture some that we can reasonably claim to represent the world in a way to the maximum degree independent of our perspective and its peculiarities. The resultant picture of things, if we can carry through this task, can be called the "absolute conception" of the world. In terms of that conception, we may hope to explain the possibility of our attaining the conception itself, and also the possibility of other, perspectival, representations...The substance of the absolute conception...lies in the idea that it could non-vacuously explain how it itself, and the other perspectival views of the world, are possible. It is an important feature of modern science that it contributes to explaining how creatures with our origins and characteristics can understand a world with properties that this same science ascribes to the world (pp 138-140)

Williams suggests that at least for science the possibility of objectivity - or the possibility of coming to agree on beliefs that represent "how things actually are" - depends upon the possibility that what we believe could itself be part of an empirical explanation of how we came to have the belief. He later claims that ethical theories are not part of empirical explanations of our ethical beliefs (p. 150). If Williams is right, theoretical ethical beliefs do not meet the conditions for objectivity that scientific beliefs can meet.

Williams' view relies on controversial claims. First, he claims that we are justified in believing that a theory is true only if we have some reason to believe that it could be a part of an empirical explanation of how we came to have belief in the theory. It seems that we have to have a positive reason to believe this (that is, some idea of what that explanation would be, rather than simply having no reason to believe that such an explanation could not be forthcoming), given the fact that he remarks that it is an important feature of modern science that it contributes to such an explanation. He offers no argument for this claim, and he owes a defense of it since it is not obvious that there is such a requirement for the justification of theory. As Williams construes

the requirement in terms of the "absolute conception", it is quite a feat to achieve, and he speaks of it much more as a hope than as a reality. If this requirement is too stringent, it will rule out theories as unjustified that we clearly count as justified, and on these grounds may be rejected as part of an account of justification. For example, Williams himself believes that it is difficult to see how mathematical theories are part of the explanation of how we come to have mathematical beliefs (p. 152). Mathematical theories could only be part of an empirical explanation of how we came to believe the theories themselves, and so (according to the requirement), we can only be justified in believing mathematical theories to be true, if the entities invoked in mathematical theories were such that we could causally interact with them. To some, this may seem to be a perfectly appropriate requirement for being justified in believing that a theory is true, since according to a causal theory of knowledge, we can only know about things with which we can have causal interaction. Indeed, the causal theory of knowledge and the claim that, if numbers exist, they are abstract objects with which we cannot interact causally leads Paul Benacerraf to conclude that there are no numbers.¹³ If a less stringent requirement that would not exclude mathematical theories about numbers as unjustified provides us with a reason to believe that theories that meet it are true, and can rule out theories that are clearly unjustified, then we may have reason to prefer a less stringent requirement.

Examples of less stringent requirements for the justification of a theory are first, that we are justified in believing the theory that explains spontaneous beliefs and is not inconsistent with other justified beliefs¹⁴ and second, that we are justified in believing the theory that explains beliefs we have independent reason to believe are

¹³ Paul Benacerraf, "What Numbers cannot Be", *Philosophical Review* 74 (1965) pp. 47-73.

¹⁴ This account of justification is advocated by William Lycan in his *Judgment and Justification*, (Cambridge: Cambridge University Press, 1988), pp. 157-177; 207-213.

true and is not inconsistent with other justified beliefs. The explanatory power of theories counts for their justification, and the requirement that theories not be inconsistent with other justified beliefs is needed to rule out the consequence that we are justified in believing any claim that explains a given phenomena regardless of our other beliefs. An example offered by Williams of such claims with explanatory power that are nevertheless unjustified are claims about magical influence (p. 145), which contradict our scientific beliefs about causality. According to the second requirement, one kind of justified theory is a theory that is consistent with other justified beliefs and can explain reliable observations. Since mathematical theories figure in the explanation of observations, mathematical theories can be justified on this requirement.

The second requirement might seem to be in effect no less stringent than the requirement that a theory must be part of an empirical explanation of how we came to believe the theory. There are at least two different construals of the requirement that the theory explain reliable observations, depending upon whether we interpret "observations" here as observings or observeds. When construing observations as observings, the requirement that the theory explain reliable observations stipulates that a theory must explain the fact that we make these observations, or that we come to have these observational beliefs. Explaining the fact that we have certain observational beliefs helps explain the fact that we come to believe certain theories in attempting to account for these observational beliefs. As I discussed in Paper One, this is how Fodor interprets the requirement that a theory must explain its evidence. On Fodor's view, if a theory's evidence consists of observations or intuitions, it must explain observings or intuitings rather than observeds or intuiteds. I argued in Paper Two and earlier in this chapter that this interpretation may be one of the grounds for Daniels' and Williams' rejection of the linguistic analogy. Gilbert Harman likewise

takes the confirmation of a theory to rest in the theory's ability to explain observings - the occurrences of the observational beliefs that constitute its evidence. However, as I have argued earlier, the requirement that the theory explain reliable observations need not be construed as requiring that the theory explain observings rather than observeds. On the latter construal, the theory's ability to explain just the facts gleaned by observation, rather than the occurrences of observations, counts as evidence for the theory. In meeting either of the less stringent requirements, then, ethical theories need only explain either the contents of moral judgments or other non-moral judgments, be they intuiteds or observeds, rather than be a part of the explanation for why the judgments were made.

Even if we were to grant the requirement that theoretical truths must be part of an empirical explanation of how we come to have these beliefs, Williams provides no clear account of why theoretical ethical beliefs fail the requirement. To see what burdens such an account of justification can take on, we might consider a more lucid defense of the claim which is offered by Harman and some criticisms of it. Harman¹⁵ claims that moral facts do not explain the occurrence of any moral beliefs. If he is right, the truth of a moral theory could not be part of an explanation of how we came to believe the theory, and so Williams' position would be supported. Harman defends his claim by way of examples. He asks us to imagine ourselves confronted with the sight of youngsters enjoying themselves as they pour gasoline on a cat and set it on fire. We judge that what they are doing is wrong. Harman claims that no fact about the wrongness of the act explains our judgment that it is wrong, since we can explain the judgment completely in terms of the non-moral facts of the situation and psychological

¹⁵ Gilbert Harman, The Nature of Morality, (New York: Oxford University Press, 1977) pp. 3-23

claims about our moral beliefs. We judge that the youngsters' act is wrong because we see them inflict intense suffering for the sake of amusement and we believe that the infliction of intense suffering for the sake of amusement is wrong. Nothing about the truth of our moral beliefs is relevant. Thus, the truth of any moral theory with the consequence that needless infliction of suffering is wrong does not enter into an explanation of our moral judgment that that particular act is wrong, nor then should we expect the truth of any such moral theory to enter into an explanation of our belief in the theory.

To help us see why the fact that needless suffering is wrong is irrelevant to the explanation of our judgment that the act we witnessed is wrong, Harman invites us to consider how different a case is in which it is clear that assuming the truth of a judgment is relevant to explaining the judgment. A scientist, seeing a vapor trail in a cloud chamber, exclaims "There goes a proton!" Assuming that there in fact was a proton going through a cloud chamber and causing a vapor trail is relevant to the explanation of why the scientist who saw the vapor trail in the cloud chamber made the judgment that there was a proton. Protons are such that they behave in certain ways that scientists who are well-versed in the ways of protons can detect their presence. So a well-trained scientist's belief in the presence of a proton can be caused, in part, by the presence of the proton. Thus we can explain the scientist's judgment by assuming the truth of the judgment. Harman claims that in this case, but not in the ethical case, it is "reasonable to assume something about the world over and above assumptions" about the scientist's psychology, or set of beliefs.¹⁶

¹⁶ Harman, p. 17.

Harman is not claiming that there is a difference between the scientific and the ethical case, because, while there are scientific facts, there are no moral facts and thus moral facts are explanatorily irrelevant. Rather, his claim is that, supposing that there are moral facts, they would be irrelevant to the explanation of moral judgments, whereas scientific facts clearly are relevant to the explanation of moral judgments. David Brink¹⁷ argues that the cases Harman presents do not illustrate any differences between ethics and science in the legitimacy of appeals to facts beyond psychology. While there is an explanation of a moral judgment which does not refer to moral facts, but only to facts of psychology and other non-moral facts, this does not show that a moral fact does not enter into the explanation of moral judgments. The explanation of the moral judgment without reference to the moral fact is incomplete. The answer to why we or those who taught us believe that the infliction of suffering for the sake of pleasure is wrong surely is part of the explanation of why we believe that this particular act is wrong. If the infliction of suffering for the sake of pleasure is wrong, this could be why we believe that it is wrong. Likewise for the scientific case, facts about the presence of a trail in a cloud chamber and beliefs about proton behavior, rather than facts about protons, may be an explanation for a scientist's belief that there is a proton in a cloud chamber. But a full explanation of any accurate judgment may refer to facts about proton behavior that the scientist has come to believe.

Nicholas Sturgeon¹⁸ argues that there are many examples of cases in which we use moral facts to explain moral judgments about character and behavior. Among the moral facts are facts about character. Facts about character explain behavior from which we infer character, thus facts about character can explain judgments about character.

¹⁷ David Brink, Moral Realism and the Foundations of Ethics (Cambridge: Cambridge University Press, 1989) pp. 185-186.

¹⁸ Nicholas Sturgeon, "Moral Explanations" in David Copp and David Zimmerman, eds., Morality, Reason, and Truth (Totowa, N.J.: Rowman and Littlefield).

For example, we believe that Hitler was morally depraved because Hitler was morally depraved. We read or hear reliable reports of Hitler's actions. Those acts could only have been performed by someone who in fact was morally depraved. We believe this, and judge Hitler to have been morally depraved.

Sturgeon's example points to how the less stringent requirement of simply explaining any judgments we have independent reason to believe (consistently with other judgments) may be met by ethical theories. These judgments need not be either moral judgments or non-moral judgments about the occurrence of moral judgments. Because character explains behavior, a moral theory from which it follows that Hitler was morally depraved helps explain non-moral judgments about Hitler's actions, which we have independent reason to believe. This is important for two reasons. First, Harman denies with little argument that possible candidates for explanation by moral facts can be non-moral facts other than the non-moral facts about the occurrences of moral observations. Second, if Sturgeon's example is persuasive, it supports the claim that ethical theories can meet the less stringent requirements for justification than the one Williams proposes. If ethics can meet less stringent requirements, the claim that there is an alternative to Williams' explanatory requirement which captures theories that Williams' requirement cannot capture is not a criticism of his requirement which is idle from the standpoint of defending ethical theory. In fact, Harman takes the trouble to deny (albeit without any argument) that ethical claims could meet the less stringent requirement because he believes that meeting that requirement could constitute justification for believing that the moral claims are true.

In defending the legitimacy of ethical theory against Williams' position, the projected fruitfulness or ultimate ineliminability of ethical explanations need not be argued for. Williams claims the distinction between ethics and science on explanatory

grounds as an important component of his position against ethical theorizing. As such, he has the burden of defending the explanatory requirement itself by showing that justified theories can meet it and that less stringent requirements are inadequate. He also owes an account of why he believes that ethical theories, in contrast to scientific theories, cannot meet the requirement.

Williams has thus not argued persuasively that coherence with considered moral judgments does not provide us with a reason to believe that an ethical theory is true. He does not show that we have no epistemological reason to accept an ethical theory that contradicts pre-theoretical judgments and that thus the linguistic analogy fails to suggest any reason to accept an ethical theory that contradicts pre-theoretical judgments.

Williams' rejection of the linguistic analogy suffers from at least two separate shortcomings. First, some of his arguments are based upon a construal of the implications of a linguistic model which we need not accept, given that we have a plausible alternative. The subject matter of linguistic theorizing need not be construed as the internalized set of linguistic rules rather than the abstract structures of natural languages. Second, as I have discussed in this section, his remaining argument must be buttressed by a demonstration that ethical theories do not meet acceptable epistemological standards. Williams does not provide that demonstration and we have some reason to be sceptical of the claim.

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