

## Formulating moral error theory\*

(Response to Tiefensee’s ‘Ought and Error’)

Tiefensee asks whether moral error theory is compatible with standard deontic semantics, from Angelika Kratzer (1977, 1981, 2012), where contextually supplied *ordering sources* rank worlds. Tiefensee’s question is pressing, because she persuasively shows that no ordering source can capture the claims distinctive to moral error theory. A highly simplified dilemma gives the flavor of her rich discussion: does the relevant ordering source rank all worlds as equivalent? If it does, the standard semantics predicts that ‘everything is morally permissible’ is true; if it doesn’t, the standard semantics predicts that ‘something is morally wrong’ is true. Each of those predictions conflicts with moral error theory.

One way for error theorists to incorporate standard deontic semantics is to *extend* it by supposing that ordinary uses carry the distinctive claim (S):

(S) There are objective moral standards.

Many threads run through her argument, but two are especially important. First, she argues that, whatever (S) means, deontic sentences don’t assert, entail, or presuppose it. Second – and “more importantly for [her] purposes” – she denies that claims like (S) “could be simulated within the framework of deontic semantics” (111). In arguing for her second point, she implicitly assumes that (S) is about an ordering source, and leverages her persuasive argument that no ordering source can capture moral error theory.

I just characterized Tiefensee as implicitly assuming that (S) is ‘about’ an ordering source. That characterization is subtly ambiguous, in a way that brings into focus an important ambiguity in Tiefensee’s own argument. (S) can be ‘about’ one ordering source in particular, or it can be about an ordering source by description. (The sentence-type ‘the ordering source I’m thinking about is simple’ is about an ordering source, but not any particular one.) Tiefensee’s argument assumes that (S) must be about some particular ordering source that represents moral error theory – that’s why she takes her persuasive argument to bear on (S) as well.

I suggest, in contrast, interpreting (S) as about an ordering source by description. This interpretation dissolves all Tiefensee’s objections, together with some classic puzzles about moral error theory that lie just below the surface of her discussion.

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## 1 A comparison with positive law

Suppose that I'm a dual citizen, with my primary residence physically located in Australia. Someone could use (\*) to advise me about my tax obligations:

(\*) In American law, you may deduct mortgage interest from your primary residence, but in Australian law you may not.

Given our supposition, 'in American law' and 'in Australian law' must be modifying ordering sources, rather than the location of the house. So where  $g$  captures the demands of American law and  $h$  those of Australian law, (\*) is true only if (a) is true:

(a) You may $_g$  deduct mortgage interest from your primary residence. But you may $_h$  not deduct it

Read 'may $_g$ ' as composing the semantic value of 'may' with  $g$ , with other contextual variables implicit. Now (\*) is about American and Australian law in particular. As a result, (\*) is true iff (b) is true:

(b)  $g$  is American law and you may $_g$  deduct mortgage interest from your primary residence. But  $h$  is Australian law and you may $_h$  not deduct it.

(b) involves singular thought about  $g$  and  $h$ . We might reasonably doubt that what (\*) communicates requires that sort of singular thought. If it doesn't, then (\*) might be used to communicate (c):

(c)  $[\exists x]$  ( $x$  is American law and you may $_x$  deduct mortgage interest from your primary residence). But  $[\exists y]$  ( $y$  is Australian law and you may $_y$  not deduct it)

(b) or (c) are the admissible interpretations of what (\*) might be used to communicate given Kratzer's semantics. They both incorporate descriptions of ordering sources: as having the property *being-[American/ Australian]-law*.

My core response to Tiefensee is that moral discourse *also* incorporates a distinctive description of ordering sources: the property of *being-the-objective-moral-standard*. §2 will explain why we should posit some such property. For now, think of the property as allowing for the formulation of core philosophical claims. For a highly schematic example, an error theorist might hold that if something is

the objective moral standard, then we'd tend to come to agree about its demands. Mackie himself infers that nothing is the moral standard because we *don't* tend to come to agree, suggesting instead that "disagreement about moral codes seems to reflect people's adherence to and participation in different ways of life" (Mackie 1977, 36).

Positing the property *being-the-moral-standard* is perfectly compatible with Kratzerian orthodoxy. Maybe 'killing is wrong' is ordinarily used to communicate a singular proposition about an ordering source  $g$ :

(d)  $g$  is the objective moral standard and killing is wrong $_g$

Or it might be used to communicate:

(e)  $[\exists x]$  (x is the objective moral standard and killing is wrong $_x$ )

These suggestions *cannot* be formally objectionable: one of them will be an exact formal parallel to whatever account of (\*) is best.

Because I'm interpreting error theory as a claim about the property *being-the-moral-standard*, we don't need an ordering source that captures the error theory. An error theorist could allow that  $g$  models the demands of Rossian pluralism, say. Her distinctive claim is instead that nothing, including that Rossian ordering source, is the objective moral standard – again, perhaps because there's nothing whose demands we tend to converge on. So (d) and (e) are both false, because their first conjuncts are false – all, *pace* Tiefensee, without any ordering source that models error theory.

## 2 Properties of ordering sources as indispensable

Tiefensee would object to positing the property *being-the-objective-moral-standard*; she would complain that it "lacks semantic motivation" (108). Nor is she alone – Stephen Finlay (2008) presses similar points, though only implicitly about Kratzer's semantics.

But there is decisive reason for positing this property. Contrast (1) and (2):

(1) You may deduct mortgage interest

(2) In American law, you may deduct mortgage interest

(2) has a narrower range of uses than (1): (2) can *only* be used to describe the demands of American law. We should explain the difference by positing the property *being-American-law* as the semantic value of 'in American law'. Next consider:

- (3) Killing is wrong.
- (4) Killing is morally wrong.

(4) also has a narrower range of uses than (3); (3) can be used to communicate about positive law as well as about morality, but (4) cannot. We should posit a property as the semantic value of ‘morally’ to explain this difference. I’m labeling the property ‘*being-the-objective-moral-standard*’ for continuity with Tiefensee’s discussion, but you can relabel it as desired.

This simple argument succeeds decisively, once we understand the dialectic correctly. On the standard dialectic, error theorists and moral realists agree about a conceptual claim: roughly, if there are moral facts, they’re independent of and more fundamental than our individual evaluative attitudes. This shared conceptual claim distinguishes them from relativists and non-cognitivists.

Tiefensee’s question is thus intimately tied with the question of how to best formulate moral realism given Kratzer’s semantics. I answer by positing a property of ordering sources. Tiefensee’s implicit answer would be different. She’d take moral realists to make direct claims about the ordering source: for instance, a realist who’s a utilitarian would take the ordering source to be the one that captures the demands of utilitarianism.

So Tiefensee implicitly assumes that her problem is a distinctive problem for error theorists but not for moral realists because realists can take moral discourse to be about a particular ordering source – a utilitarian one, say – but error theorists cannot. But this implicit assumption is false. It is, however, widely accepted, and distorts a range of debates even beyond the debates that Tiefensee addresses.

We should reject the implicit assumption first because it creates insuperable problems about attitude reports. Take the use of ‘I believe that killing is wrong’ to describe my moral beliefs. Either I can have singular beliefs about ordering sources like  $g$  or I can’t. If I can have those singular beliefs, Frege’s puzzle then calls out for the property *being-the-objective-moral-standard*. Imagine that the demands of morality coincide perfectly with the demands of positive law in some country – call it *Moralia*. Suppose further that Mary knows about the demands of *Moralia* but mistakenly thinks they’re not the demands of morality. Mary may then believe that killing is wrong $_g$ , because of her beliefs about *Moralia* and also may believe that killing is not wrong $_g$ , because of her beliefs about morality itself. To explain this possibility, we need something that plays the role of a mode of presentation for the ordering source  $g$ : the property *being-the-objective-moral-standard* and *being-the-laws-of-Moralia*, or

concepts that designate those properties. (These properties may not figure in the *semantics*, as §3 discusses in detail.)

Alternatively, we may be unable to have singular beliefs about an ordering source like  $g$ . Then Tiefensee’s implicit assumption would predict fairly trivial truth-conditions for reports of moral belief. Since she doesn’t posit a property like *being-the-moral-standard*, she’d predict that ‘I believe that killing is morally wrong’ communicates just that I believe that  $[\exists x]$  (killing is wrong $_x$ ) – and that prediction is wrong, because I’d also have the latter belief if I believe that killing is legally wrong.

These problems disappear when we posit the property *being-the-moral-standard*. Uttering ‘I believe that killing is morally wrong’ would communicate (roughly) either that I believe that  $g$  is the objective moral standard and killing is wrong $_g$  or that I believe that  $[\exists x]$  ( $x$  is the objective moral standard and killing is wrong $_x$ ). As a result, moral realists can’t just accept Kratzer’s semantics by taking moral discourse to be about a particular ordering source, like a utilitarian one. They must posit a further property; Tiefensee’s implicit assumption is wrong.

The second reason to reject Tiefensee’s implicit assumption is that it would render intelligible metaethical disputes unintelligible. Consider the dispute between a naturalist like Philippa Foot (2001) and a non-naturalist like T.M. Scanlon (2014). Though they happen to disagree about questions in normative ethics, the debate would remain intelligible if they instead agreed on all first-order questions. (Consider Railton and Sidgwick.) If they agreed on all questions, they’d be talking about the same ordering source. If moral utterances just communicate propositions about ordering sources, continued metaethical disagreement wouldn’t be intelligible – it’s not like their disagreement is about the nature of sets of propositions or anything similar. Given a Kratzerian semantics, we can make sense of their dispute only by positing a further property *being-the-objective-moral-standard*, and taking them to disagree about its nature; Perl (2020) argues for this point in more detail.

Moral realists thus have decisive reason to posit the property *being-the-objective-moral-standard* once they accept Kratzer’s semantics. Because error theorists and realists agree in their conceptual claims, decisive reasons for realists are *eo ipso* decisive reasons for error theorists too.

### 3 Presuppositional error theory

A core advantage of Kratzer’s semantics is that it elegantly explains why we’re willing to infer (5) from (6):

(5) You must not deduct mortgage interest.

(6) It’s not the case that you may deduct mortgage interest.

Her semantics for ‘may’ and ‘must’ guarantee that, for any ordering source  $x$ , you must <sub>$x$</sub>  not deduct mortgage interest iff it’s not the case that you may <sub>$x$</sub>  deduct mortgage interest.

Tiefensee might worry that my suggestions abandon this elegant explanation. On my suggestion, properties like *being-Australian-law* are incorporated into what’s communicated. So it seems like my suggestion predicts that utterances of (6) in conversations about Australian law communicate (6<sub>bad</sub>):

(6<sub>bad</sub>) It’s not the case that  $[\exists y]$  ( $y$  is Australian law and you may <sub>$x$</sub>  deduct mortgage interest)

(6<sub>bad</sub>) would be bad. It abandons Kratzer’s elegant explanation, since (6) and (5) no longer have the same truth conditions. (6<sub>bad</sub>) would be true if Australia is lawless, but (5) would be false.

Fortunately, though, there is a better option: ordinary utterances of (6) communicate (6<sub>good</sub>):

(6<sub>good</sub>)  $[\exists y]$  ( $y$  is Australian law and it’s not the case that (you may <sub>$x$</sub>  deduct mortgage interest))

(6<sub>good</sub>) retains the elegance of Kratzer’s explanation. It’s impossible for (6<sub>good</sub>) to be true while (5) is false. Moreover, (6<sub>good</sub>) is a highly plausible candidate for what’s communicated. In a conversation about Australian law, a speaker who assertively utters (6) seems to be taking the existence of Australian law for granted. So even if (6<sub>bad</sub>) were what’s *semantically expressed*, competent speaker-hearers would still interpret utterances of (6) as *communicating* (6<sub>good</sub>). That inference is the only way for what’s semantically expressed to cohere with what’s taken for granted. On this better option, the proposition that  $[\exists y]$  ( $y$  is Australian law) is a *presupposition* of uses of (6).

I say similarly that ordinary moral utterances, like ‘killing is wrong’, presuppose that  $[\exists x]$  ( $x$  is the objective moral standard), or that  $g$  is the objective moral standard. I’ll focus on the existential option, purely for concreteness. Utterances of (7)/(8) would then communicate (7<sub>c</sub>)/(8<sub>c</sub>):

(7) Killing is wrong  $\rightarrow$

(7c)  $[\exists x]$  (x is the objective moral standard and killing is wrong<sub>x</sub>)

(8) Killing isn't wrong  $\rightarrow$

(8c)  $[\exists x]$  (x is the objective moral standard and killing isn't wrong<sub>x</sub>)

We should focus on questions about what ordinary utterances communicate, rather than on what's *semantically expressed*. For one thing, the property *being-the-moral-standard* is introduced in part to solve Frege's puzzle. And resources for Frege's puzzle may not be semantically expressed even if they're part of what's communicated, as Russellians like Soames (2002) would insist. Focusing on what's communicated rather than what's semantically expressed allows us to abstract away from important but here irrelevant questions.

Now Tiefensee does anticipate an appeal to what's presupposed. She objects that such appeal introduces extra "formal baggage" (111), like non-classical trivalent logic. Her objection arises from a Strawsonian construal of what's presupposed as what's necessary for determinate truth-values. But her objection puts the formal horse before the empirical cart. Suppose that Mary says (9) and Billy says (10):

(9) John stopped dancing.

(10) John didn't stop dancing

If I know that John has never danced, I should think that what Mary communicates and what Billy communicates are both *false*. No need for anything non-classical: both utterances communicate in part that John was dancing, which is false.

Any adequate account of (9)/(10) solves the problems for moral error theory. Stalnaker (1973, 1974) is of course the launching pad for the contemporary literature. He starts with a conjunctive semantics for (9), where it semantically expresses that John was dancing and John isn't now. He thus holds that (10) semantically expresses that it's not the case that John was dancing and John isn't now. He adds that a speaker who utters (10) ordinarily presupposes that John was dancing earlier. Because that's what the speaker presupposes, competent speaker-hearers will take an utterance of (10) to communicate that John was dancing earlier and is dancing now – that's what we infer from the semantic value of what's expressed together with what the speaker presupposes.<sup>1</sup>

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<sup>1</sup>Mandy Simons (2003) has luminous explanation of this point.

We’ve known since the 1970s that a Strawsonian approach is facially plausible only for some constructions; indeed, Stalnaker *advertised* his pragmatic account as offering a unified account that captures both the cases where a Strawsonian account is plausible and the cases where it’s not (Stalnaker 1973, 542). Though some contemporary linguists – like Danny Fox (2013) – do develop a neo-Strawsonian account, they simply *stipulate* away the problems that concern Tiefensee. (And moral error theory would be straightforward to stipulate given Fox’s approach.<sup>2</sup>)

Much more importantly, though, moral error theory is also compatible with all *constructive* accounts of presupposition. Stalnaker’s gives pride of place to the attitude of speaker-presupposition. I earlier suggested that speakers who use (6) ordinarily presuppose that Australia has laws; I was implicitly combining Kratzerian orthodoxy with Stalnakerian orthodoxy.<sup>3</sup>

Other constructive accounts of presupposition rest on work by Craige Roberts (2012), about questions under discussion and what’s not-at-issue. This rival approach replaces Stalnaker’s own account of when a speaker presupposes a proposition with an account centered on what’s not-at-issue in the conversation (Tonhauser, Beaver, Roberts, et al. 2013). They again assume a conjunctive *semantics* for the target constructions, and use facts about what’s not-at-issue in conversations to explain why competent speaker-hearers will interpret ordinary utterances of (9) as presupposing that John was dancing. In conversation about Australian law and in ordinary moral discourse, speakers would plausibly take the existence of Australian law/ the objective moral standard as not-at-issue: for them too, ordinary uses of (7)/(8) would communicate (7c)/(8c).

Dynamic account developed from Irene Heim (1983) are the main contemporary rivals to the Stalnaker/Roberts-inspired approaches; for those accounts, sentence meaning consists in context change potentials. Presupposition triggers are associated with a distinctive constraint, here written with a ‘ $\delta$ ’ operator; (9) is associated with

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<sup>2</sup>It’s a deep mistake to worry about how the stipulation would go, because there are so many options. Again, though, a toy example might be about an ordering source  $g$  and rest on the possibility of convergence:

$$\text{killing is wrong} = \begin{cases} \textit{True} & \text{if } g \text{ forbids killing} \\ \textit{False} & \text{if } g \text{ doesn't forbid killing} \\ \# & \text{if we don't tend to converge} \end{cases}$$

<sup>3</sup>Are there problems here if the property isn’t semantically expressed? No: he himself emphasizes additional commitments, besides what’s semantically expressed, can be presupposed (Stalnaker 1973, 452); compare Soames (2009, 86–91)



the CCP  $[\delta(\text{John was dancing}) \text{ and John isn't dancing}]$ . Truth is derivative in the dynamic setting – but the approach will still predict that (9) is true only if John was dancing. Moral realists should similarly hold that ‘killing is wrong’ is associated with the CCP  $[\exists x]$  ( $\delta(x \text{ is the objective moral standard})$  and  $\text{killing is wrong}_x$ ). On this approach, ‘killing is wrong’ is true only if  $[\exists x]$  ( $x$  is the objective moral standard), and ‘killing isn’t wrong’ is also true only if  $[\exists x]$  ( $x$  is the objective moral standard) – and that’s all that an error theorist need insist on. (A dynamic theorist might take the semantics for modals to include an argument-place for a property  $F_{\langle\langle\langle et \rangle t \rangle t \rangle}$  of an ordering source  $g$  (as about American law, or morality, or ...):  $[[\text{must}]] = [\delta(g \text{ is } F_{\langle\langle\langle et \rangle t \rangle t \rangle}) \dots]$ )

Moral error theory thus doesn’t require anything non-classical. Ordinary utterances of (7)/(8) communicate something like (7c)/(8c).

(7) Killing is wrong  $\rightarrow$

(7c)  $[\exists x]$  ( $x$  is the objective moral standard and  
killing is wrong $_x$ )

(8) Killing isn’t wrong  $\rightarrow$

(8c)  $[\exists x]$  ( $x$  is the objective moral standard and  
killing isn’t wrong $_x$ )

And error theorists can argue that, in each, the first conjunct is false.<sup>4</sup> No need for anything non-classical: ordinary utterances of (7) and (8) both communicate something classically false. And no need for any heterodox account of presupposition: they can just incorporate whatever account of ‘stop’ proves best. In fact, Perl and Schroeder (2019) have already show that formulating error theory just as a claim about what utterances of (8) ordinarily communicate crisply solves other important problems, too.

Ronald Dworkin (1996, 2011) and Matthew Kramer (2009) take moral error theory to carry objectionable commitments, arguing (in effect) that moral error theories agree with moral monsters who assert (8). Their argument looks troubling, at first glance. Classical logic seems to compel error theorists who reject (7) to accept (8) – and accepting (8) seems to commit them to agreeing with moral monsters. Presuppositional formulations of moral error theory cleanly answer Dworkin and Kremer. Moral monsters *themselves* assert something

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<sup>4</sup>This argument is compatible even with dynamic approaches, as David Beaver emphasizes, “for the sublanguage without the  $\delta$  operator, the logic is classical” (Beaver 2001, 255).

false by asserting (8), since nothing is the moral standard.<sup>5</sup> This clean presuppositional answer follows immediately from my answer to Tiefensee; understanding the issues she raises advances our understanding of moral error theory.

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<sup>5</sup>Other answers are possible, too; for instance, Jonas Olson (2014) takes ordinary assertions of (8) to conversationally implicate something false. But I say that Kratzer's semantics, properly understood, already answers their objection.

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