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Bastian Reichardt
University of Bonn

DISAGREEMENT, COGNITIVE COMMAND, AND THE INDEXICALITY OF MORAL TRUTH

Abstract. Moral Relativism can be considered an attractive alternative to realism because relativists can make good sense of cultural and societal disagreements by seeing them as faultless. However, we can show that this advantage is made possible by systematically disagreeing with moral phenomenology. Relativists make a substantial distinction between intercultural and intracultural discourses which turns out to be incoherent. This can be shown by making use of Crispin Wright's notion of Cognitive Command.

Keywords: relativism, metaethics, cognitive command, truth in ethics, disagreement.

Although John Mackie claimed that his relativist argument is not as important as the argument from queerness,[1] moral relativism is a widespread alternative to moral realism and constructivism which has one of its most profound advocates of our days in Gilbert Harman.

Mackie's argument can appropriately be used as a starting point to develop central thoughts of the relativist account in moral theory more generally and from a more abstract point of view than Mackie intended. The argument from relativity begins with the observation that obviously there are variations in moral systems among different cultures and different epochs. To use Mackie's example, imagine two cultures which have divergent opinions about monogamy and polygamy: within one culture people regard the monogamist way of life as the right one, while people in another culture claim that men have a right to marry several women (or even *should* do so). Now, Mackie weighs two alternatives for the correct way to explain this phenomenon: The divergent moral opinions among different cultures may *either* be traced back to a collective failure in recognizing an objective moral order *or* they are the result and the expression of different ways of life. Since the first explanation consists in the implausible assumption that we collectively fail to gain knowledge of an independent moral realm, Mackie

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draws the inference to the best explanation and assumes that moral codes are reflections of culturally relative ways of life.[2]

1. Indexical Relativism and Faultless Disagreement

To understand the significance of Mackie's argument, we have to distinguish two varieties of moral relativism and see how they are related to each other.[3] Moral relativists make use of a first-order and a second-order approach. The existence of divergent moral opinions among different cultures and epochs forms the basis of first-order relativism:

> *First-Order Moral Relativism*: Different societies, cultures, groups of persons etc. have different moral opinions on the very same state of affairs. Additionally, within one society, culture, group of persons etc. the moral opinion on a given state of affairs differs from one time to another.

In this first-order approach moral relativism captures the phenomenon that serves Mackie as an example, i.e. the fact that different cultures have different opinions about the rightness or wrongness of polygamy. This approach, however, is not the metaethically relevant challenge absolutist conceptions of moral discourse have to meet. The existence of this form of moral disagreement is—as Mackie puts it—"in itself merely a truth of descriptive morality, a fact of anthropology".[4] The real challenge for an absolutist view of moral truth like constructivism (or realism) is formulated on the second order which is essentially a semantic statement about truth in moral discourse:

> *Second-Order Moral Relativism*: The different ways of life among various societies, cultures, groups of persons etc. constitute different moral frames of reference. A moral assertion is true or false relative to these very frames of reference.

Second-Order Moral Relativism is a statement about the indexicality of moral truth.[5] A sentence like "Polygamy is morally wrong" is not true *simpliciter* but rather true relative to a given moral frame of reference and false relative to another one. By indexing moral truth relativists do not assume that moral disagreements are contradictions. If a moral sentence is true relative to one frame of reference and false to another one, then people from these different cultures do not contradict each other. Just like the sentence that an object is moving might be true relative to one frame of reference

and false to another one is not a contradiction but a valid consequence from the special theory of relativity.[6]

Arguments for moral relativism often take one of the following two shapes: One might see First-Order Moral Relativism as an argument for the metaethically relevant relativism on the second order[7] or one might argue for moral relativism because one has accepted a global version of alethic relativism which claims that the truth of all judgments is a relative matter and that the relativity of moral truth follows from this more general assumption. In what follows I will restrict myself to the first of these strategies in order to show the argumentative connection of First- and Second-Order Moral Relativism. However, at the end of this section we will hopefully see that moral relativism loses its appeal as an alternative to moral constructivism because relativists cannot account for genuine normative features inherent to the notion of disagreement. To show this I will develop an argument which is motivated by a thought experiment Gottlob Frege proposes against psychologism in the philosophy of logic.

Second-Order Moral Relativism does not simply follow from First-Order Moral Relativism. An important argumentative brick to establish relativism on the second order consists in the assumption that the fundamental disagreements—which are described in First-Order Moral Relativism—cannot be rationally resolved. However, before we can investigate such an argument for moral relativism based on disagreement it is important to note that it is far from obvious of what kind the disagreements between various cultures are. Over what do different cultures actually disagree and do these disagreements outweigh the agreements between those cultures? As Mackie noticed, there may be fundamental agreements over *basic* moral principles like "It is morally good to be honest" or "Torturing innocent people is morally wrong".[8] Disagreements may then result from different *interpretations* of such principles in various contexts. From the assumption that two different societies agree that you should not torture innocent people it does not follow that it is impossible for a specific person to be tortured in one society but not in the other—simply because the two societies may have different views on the matter who has to be considered as innocent.[9] The significant form of disagreement for relativism has to be on this level of interpreting more basal moral standards since the respective interpretations result from a culture's specific way of life which establishes the frame of reference within which moral evaluation takes place.

The relativist's assumption that moral disagreement is not rationally resolvable amounts to the thesis that even under epistemically ideal conditions these disagreements would stand. An argument to explain moral

disagreement under epistemically ideal conditions might take the following form: What is morally right and wrong can be derived from assumptions about the basic needs and ends of persons within a society. Due to historical and sociological reasons these needs and ends differ among the plurality of societies in such a way that even if every member of every society would follow the consequences of his or her basic assumptions in a perfectly rational way, then the outcome about what is right and wrong would still be different. Therefore, even among societies under epistemically ideal conditions moral disagreement would obtain.[10] This argument rest on the assumption that the basic needs and ends are themselves not object of evaluation but rather provide the fixed basis of deliberation. Consequently, this view might result in the implausible thesis that moral change and development within a given society is, strictly speaking, not possible because the starting point of moral deliberation always stays the same. However, this pretty simple objection does not stand against relativism. Of course, the relativist is not committed to accept the assumption of unchangeable needs and ends in order to present this kind of argument. A relativist theory might allow that the basis of deliberation becomes itself the object of deliberation. When it comes to moral dilemmas, for example, certain conflicting ends can be weighed against each other. Poring over the question which of these ends is favorable and which has to be discarded does, however, not happen in a reflective sphere which is free from any assumption. The other needs and ends and certain established opinions remain in charge and provide the basis for a deliberation over those conflicting ends. Therefore, relativists make use of the fairly plausible assumption that *every* basic need or end can be scrutinized but *not all at the same time*.[11]

Second-Order Moral Relativism can be seen as a way to capture the non-reducibility of moral disagreement by indexing the notion of moral truth. Disagreements must therefore be seen as *faultless differences of opinions*.[12] Accordingly, moral relativism is a theory about the indexicality of moral truth which rests on the assumption that disagreements about what is right and wrong are not rationally resolvable.

Relativists are not committed to accept ontological implications of moral sentences because these sentences do not purport to describe the elements of the naked 'fabric of the world'. Due to this understanding of ontology and moral language relativists rely on the same two fundamental assumptions as constructivists do: (i.) There are *no moral facts existing independently* of the personal standpoint but nevertheless (ii.) moral discourse is *objective*, i.e. moral utterances do not lack truth-values. Hence, moral relativism is a systematic combination of anti-realism and cognitivism. This

is why relativist approaches can be considered as an attractive alternative to realism when one has abandoned the realist's idea of an autarkic moral realm.[13]

2. Cognitive Command

Nevertheless, despite of this consensus in systematic pre-decisions relativists miss a normative feature of disagreement which is captured by other cognitivist approaches like realism or constructivism. This can be shown by an elaboration of Crispin Wright's notion of Cognitive Command which he presents in his seminal *Truth and Objectivity*.[14] As long as relativists cannot account for the normative dimension of disagreement we gain from the notion of Cognitive Command, their theories dash against the peculiarities of actual moral discourse.

Wright characterizes Cognitive Command as a discourse's feature that is a priori that differences of opinion on one and the same state of affairs are explainable only in terms of (i.) different information of the disputants, (ii.) unsuitable conditions, or (iii.) malfunction in reasoning. This means that every disagreement results from a cognitive shortcoming. Every discourse which has this feature at its disposal exhibits Cognitive Command.[15]

According to Wright, the Cognitive Command constraint divides is an essential element of realist discourses but we will see that it is also at work in moral discourses from a relativist point of view—to be more precise: according to relativists, it is at work in *some* discourses (which is exactly the problem). Wright sees the Cognitive Command constraint as a tool to indicate realist discourses because he assumes that cognitivism is a matter of representationalism:

> ...the truth is that the constraint does not reflect a wholly primitive characteristic of the notions of objectivity and cognitive engagement but derives its appeal, at least in part, from a truism to do with the idea of *representation*. For to think of oneself as functioning in purely cognitive mode, as it were, is, when the products of this function are to be beliefs, to think of oneself as functioning in representational mode.[16]

However, it is also possible for anti-realist conceptions to state that a specific discourse (from an anti-realist point of view) exhibits Cognitive Command. The anti-realist simply has to assume that being in a cognitive mode does not necessarily amount to being in a representational mode. If, for instance, the syntactical structure of a given discourse is clear enough to fix the

rules of how to use the expressions in this discourse—as it is in mathematical discourse—than cognitive shortcomings can easily be explained without saying that they result from a failure in representation. Disagreements may then result from malfunction in reasoning. Therefore, Wright claims that Cognitive Command is just one element in an elaboration of a substantial realist theory:

> I do not think that if a discourse exerts Cognitive Command, that immediately takes us all the way to a vindication of an intuitive realism. One can readily envisage the rules of assessment for a particular class of statements being so tightly circumscribed that Cognitive Command was ensured and yet reason remaining to doubt that the statements in question were genuinely representational. Any non-realist about, say, elementary arithmetical statements is implicitly taking just such a view, since it seems impossible to understand how a disagreement about the status or result of an elementary calculation might be sustained without some cognitive shortcoming featuring in its explanation.[17]

Clearly the Cognitive Command constraint can divide between realism and *some* anti-realist conceptions. Emotivism, for instance, is a form of anti-realism which does not exhibit Cognitive Command. In emotivist approaches, disagreements cannot be traced back to a cognitive shortcoming of one of the disputants because being engaged in moral evaluations is, according to the emotivist, no cognitive business at all.

That the Cognitive Command constraint is, however, also at work in some variants of anti-realism becomes obvious when we call to mind that not every anti-realist theory lets loose of a conception of truth—or somewhat weaker: a criterion for correctness of judgments. As soon as there is a measurement for truth and falsity which does not rest in the arbitrary decisions or attitudes of the individual subject, then we have a criterion at hand which indicates cognitive shortcomings. Relativism, indeed, is such a variant of anti-realism in which the distinction between correct and incorrect moral judgments is possible. According to the relativist, correct judgments are those which are in line with the respective frame of reference whereas incorrect judgments are in contradiction with this moral code. If someone makes an incorrect judgment, she must have done something wrong in coming to this conclusion. This means that incorrect moral judgments result from a cognitive shortcoming.

This notion of Cognitive Command forces the relativist to accept two assumptions from which we can draw an inherently implausible conclusion.

1. As we see from the argument for Second-Order Moral Relativism above, the three possible explanations of differences of opinion are, by hy-

pothesis, excluded. Relativists assume that even under conditions which are epistemically ideal—that is, in which everybody has the same information, can assess the same data and is perfectly reasonable—divergent opinions across different societies would still remain. Therefore relativists have to assume that a discourse between two or more societies which do not share the same moral frame of reference (and therefore disagree with each other) exhibits no Cognitive Command at all. In such cases the differences of opinion are not due to cognitive shortcomings but reflect different ways of life.

2. However, relativists have to assume that a discourse within one and the same society exhibits Cognitive Command. If two persons who share the same moral frame of reference disagree over a specific state of affairs then this disagreement is resolvable under epistemically ideal conditions, i.e. disagreements within one and the same society result from cognitive shortcomings. Otherwise the relativist would have to assume that every person exhibits his or her own way of life which constitutes his or her own moral frame of reference. Obviously, this cannot be the relativist's goal because then relativism would lapse into subjectivism.

Now, the relativist has not only to assume that intercultural moral discourses exhibit no Cognitive Command at all whereas discourses within a single culture have this feature at their disposal. Since relativists have to make the two assumptions above due to conceptual reasons, their theoretical commitment can be formulated even stronger: It is *impossible* for intercultural moral discourse to possess Cognitive Command and it is *necessary* for moral discourse within one and the same culture to exhibit Cognitive Command. This means that relativists must assume that there are two kinds of discourses with necessarily different features—intracultural discourse which encompasses a normative dimension and intercultural discourse which misses this dimension. That this is a fairly implausible assumption can be seen by the obvious fact that *there is absolutely no difference in the usage of moral vocabulary* between intercultural discourse and discourse within one society. Between different societies as well as within a single society we entertain both "kinds" of discourses over the same states of affairs, namely the actions of persons, and with the same vocabulary regulated by the same syntactic constraints. Following the relativist's thought that intercultural discourse exhibits no Cognitive Command, i.e. that disagreements in such discourses are faultless, amounts to the thesis *that intercultural discourse actually is no discourse at all.* The relativist has to assume that intercultural dialogues are rather unconnected monologues. The implausible result is that two persons who do not share the same moral

frame of reference and who are arguing over a specific moral state of affairs are—strictly speaking—*not* talking to each other. Hence, relativism amounts to the assumption that moral discourses differ in function although there is no difference in form. Relativists draw a line where moral discourse does not.

3. A Normative Dimension of Disagreement

We can diagnose as this problem's root a misconception of the notion of disagreement. Relativists need to see certain disagreements as faultless. Otherwise there could not be the manifold of moral frames of reference they postulate. But this seems to be a theoretical construction of disagreement which does not match the moral discourse we actually experience and entertain. Faultless disagreements contradict moral phenomenology because they imply that the disputants are not carrying out a genuine discourse at all. Although relativists can explain actual moral disagreement and use this phenomenon as their systematic starting point, they can hardly render the *convergences* in moral opinions across different societies. These convergences are an actuality of moral phenomenology which manifest, most famously, in the development of the human rights over the last centuries. Second-Order Moral Relativism misses this point because it cannot account for a universal normative dimension which is inherent to the notion of disagreement. Conflicting views—within one society or across different societies—raise the irreducibly normative question "who is right?". Persons of all societies share this normative demand for solution when they are confronted with cases of disagreement—moral or other.[18]

Conflicting views over moral states of affairs are not the end of the story. Eventually, this is where our moral practice starts. Which one of two or more conflicting views prevails over the others is not a descriptive matter of power politics but rather a genuinely normative matter which involves moral decisions over the questions whether this or that view is the *right* one or the one that *should* be preferred. Disagreements open up an irreducibly normative dimension.[19] The relativist cannot allow the normative question "who is right?" to come up although it is an essential part of the dialogical structure of moral discourse which cannot be restricted to particular frames of reference. Normative constraints are rather inseparably connected with the constitution of rational beings in general, i.e. with every person despite of all frames. Normativity is, I am tempted to say, the condition of the possibility of establishing moral frames at all.

NOTES

[1] See Mackie, 1977, pp. 36–38.

[2] Mackie's argumentation might be a bit incoherent at this point. On the one hand he assumes that a collective failure cannot be considered a plausible explanation for divergent moral opinions while, on the other hand, his assumption that we systematically err in moral discourse is, of course, a fundamental element of his error theory.

[3] The following outline of relativism is necessarily incomplete. As a philosophical position, relativism has taken too many forms across the millennia which makes it nearly impossible to give a precise definition of relativism.

[4] Mackie, 1977, p. 36.

[5] I am restricting myself to such varieties of relativism which index the notion of moral truth. Of course, there are other varieties which, for example, index the notions 'right' and 'wrong' or make no use of indexicality at all. These latter varieties may be regarded as genuine relativist theories while the varieties I discuss can be seen as a form of contextualism. See Kölbel, 2004a.

[6] See Harman, forthcoming.

[7] See, e.g., Harman, 1975 or Wellman, 1963.

[8] See Mackie, 1977, p. 38.

[9] On this basis one may argue that persons among different cultures share a 'universal minimal morality'. See Walzer, 1994. A somewhat similar account (though with quite different implications) may be a 'Core I-Morality' which is proposed in Harman, forthcoming.

[10] See for a similar reconstruction of this argument Shafer-Landau, R. (2003), p. 221. However, Shafer-Landau does not restrict this argument to moral relativism but ascribes it to anti-realism in general.

[11] Russ Shafer-Landau seems to miss this point in his reconstruction of this argument. See Shafer-Landau, 2003, pp. 221–222.

[12] This means that disagreements cannot be treated as contradictions, i.e. from this form of differences of opinions it does not follow that one person (or society) is necessarily in error. See, e.g., Kölbel, 2004b; Kölbel, 2009; MacFarlane, 2007.

[13] This might be hidden in Onora O'Neill's remark about the placement of constructivism "somewhere in the place between realism and relativism." (O'Neill, 1988, p. 1).

[14] Wright has presented this conception earlier under the name "Rational Command" in Wright, 1988.

[15] See Wright, 1994, pp. 92–93.

[16] Wright, 1994, p. 146.

[17] Wright, 1994, pp. 147–148.

[18] Frege also uses the normative dimension of disagreements to argue against psychologism (a position which, interestingly, can be seen as a sort of species relativism). See the introduction to Frege, 1893. An excellent elaboration of the thought experiment Frege develops there can be found in Conant, 1992.

[19] Huw Price makes a similar point with regard to the notion of truth which he sees as a norm that regulates discourses by providing them with a distinctively normative dimension:

> [Truth] is a norm which speakers immediately assume to be breached by someone with whom they disagree, *independently of any diagnosis of the source of the disagreement.*

> Indeed, this is the very essence of the norm of truth, in my view. It gives disagreement its immediate normative character, a character on which dialogue depends, and a character which no lesser norm could provide. (Price, 2003, p. 164.)

Price takes the notion of truth as the source of normativity in disagreements whereas I assume that "disagreement" is a normative notion on its own.

BIBLIOGRAPHY

Conant, J. (1992). The Search for Logically Alien Thought. Descartes, Kant, Frege, and the *Tractatus*. *Philosophical Topics*, 20 (1), 115–180.

Frege, G. (1893). *Grundgesetze der Arithmetik*. Jena: Pohle.

Harman, G. (1975). Moral Relativism Defended. *The Philosophical Review*, 84 (1), 3–22.

Harman, G. (forthcoming). Moral Relativism Explained. In B. Reichardt (ed.), *Problems of Goodness. New Essays in Metaethics*.

Kölbel, M. (2004a). Indexical Relativism versus Genuine Relativism. *International Journal of Philosophical Studies*, 12 (3), 297–313.

Kölbel, M. (2004b). Faultless Disagreement. *Proceedings of the Aristotelian Society*, 104 (1), 53–73.

Kölbel, M. (2009). Sittenvielfalt und moralischer Relativismus. In G. Ernst (ed.), *Moralischer Relativismus*. Paderborn: mentis.

MacFarlane, J. (2007). Relativism and Disagreement. *Philosophical Studies*, 132 (1), 17–31.

Mackie, J.L. (1977). *Ethics. Inventing Right and Wrong*. London: Penguin.

O'Neill, O. (1988) Constructivisms in Ethics. *Proceedings of the Aristotelian Society*, 89 (1), 1–17.

Price, H. (2003). Truth as Convenient Friction. *The Journal of Philosophy*, 100 (4), 167–190.

Shafer-Landau, R. (2003). *Moral Realism: A Defence*. Oxford: Oxford University Press.

Walzer, M. (1994). *Thick and Thin. Moral Argument at Home and Abroad*. Notre Dame: University of Notre Dame Press.

Wellman, C. (1963). Ethical Implications of Cultural Relativity. *The Journal of Philosophy*, 60 (7), 169–184.

Wright, C. (1988). Realism, Anti-Realism, Irrealism, Quasi-Realism. *Midwest Studies in Philosophy*, 12 (1), 25–49.

Wright, C. (1994). *Truth and Objectivity*. Cambridge/Mass: Harvard University Press.