

# THE ARGUMENT FROM INTRANSIGENCE FOR NON- COGNITIVISM

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## Abstract

There is a classic disagreement in moral psychology about the mental states that constitute the sincere acceptance of moral claims. Cognitivists hold that these states are beliefs aiming at a correct description of the world; whereas non-cognitivists argue that they must be some other kind of attitude. Mark Eli Kalderon has recently presented a new argument for non-cognitivism. He argues that all cognitivist inquiries include certain epistemic obligations for the participants in cases of disagreement in the inquiry. I will provide additional support for this claim. Kalderon then claims that our moral inquiry lacks the required epistemic obligation and that therefore it must be non-cognitive. I will show that Kalderon's case against the required obligation fails and furthermore provide some evidence for the existence of this obligation. Therefore, his argument for non-cognitivism is not sound and provides no pressure against cognitivism.

## 1. Introduction

In moral psychology, there is a classic debate about the nature of the mental states that constitute our sincere acceptance of moral claims.<sup>1</sup> We can understand the acceptance of moral claims neutrally in the same way as we understand the acceptance of any other kinds of claims – in terms of the agent giving the claims a certain role in her practical reasoning. On this basis, we can provide two criteria for when an agent has accepted a moral claim. First, she no longer thinks that there are sufficient reasons for continuing to investigate whether the given claim is the correct among the relevant alternatives. Second, she now uses the claim as a premise in her further practical and theoretical reasoning (Horwich 2005, pp. 40-1; Kalderon 2005, pp. 5-6). This merely elucidatory notion of acceptance should be common ground for everyone.

aiming at correctly describing the world (Anscombe 1957, §2; Platts 1979, pp. 256-7).<sup>2</sup> Their success is truth, i.e. things are the way the belief represents them as being. If there is enough evidence against the truth of a belief, then the belief should weaken or disappear. Moral beliefs would aim at correctly describing the way the world is morally speaking. The acceptance of the sentence ‘torture is wrong’ would thus be a belief according to which the instances of torture have the moral property of wrongness. Non-cognitivists deny this. They argue that sincere acceptances of moral sentences consist in some kinds of attitudes other than beliefs, like pro-attitudes or sets of pro-attitudes towards the described states of affairs (Ayer 1936, ch.6; Blackburn 1998), states of norm acceptance or planning (Gibbard 1990 and 2003), or even make-believe with *sui generis* moral content (Kalderon 2005, p. 112).

It is, however, worth pointing out that classifying current views in moral psychology quickly becomes much more complicated. First, there are views that appear to hold that there are atomic mental states that cannot be classified as beliefs or desires. Instead, the relevant attitudes have simultaneously both belief-like and desire-like features, i.e., they are desires or deliefs (Altham 1986; Kauppinen 2004; McDowell 1978, pp. 18-21; Smith 1994, pp. 116-125). These views would be vulnerable to the argument discussed below because of the belief-likeness of the mental states. In addition, there has recently been a flood of so-called ecumenical views according to which moral acceptance is constituted by having a number of both beliefs and desires.<sup>3</sup> In the classification above, all these views would count as varieties of non-cognitivism because they deny that moral acceptance is simply a matter of having a belief. Therefore, they would not be in the explicit target of the discussed argument. However, I suspect that their inclusion of beliefs as an aspect of acceptance makes them vulnerable to the argument. Showing this would require piecemeal investigation.

Many of the arguments in this debate have created small industries of literature where even the most intricate details are closely examined. Issues such as the practicality of moral acceptance, the Frege-Geach problem, the moral attitude problem, the pattern problem and the location

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<sup>2</sup> Both Platts and Anscombe, and also the later participants of the debate, refer to beliefs and desires as ‘mental states’ or ‘states of mind’ (Anscombe 1957, p. 2, Platts 1979, p. 256). In this context, the latter terms should be understood as catch-all terms that pick out desires, beliefs and other similar attitudes *whatever they are*. Of course, what mental states are, if they exist, is a hotly debated matter in the philosophy of mind.

<sup>3</sup> For potential ecumenical cognitivist views see Copp 2001, Dreier 1990, and Boisvert *manuscript*. For an explicitly ecumenical non-cognitivism see Ridge 2006.

problem are familiar to most ethicists. Still, it is questionable whether definitive conclusions have been reached within these debates for one side or the other. It may be that no knock-down arguments have been presented on either side thus far. In this situation, it is very refreshing to come across a new and original argument that carries at least the promise of proving decisive. Such an argument is presented in Mark Eli Kalderon's recent book *Moral Fictionalism* (Kalderon 2005, ch. 1).

Before I introduce this argument, I wish to emphasise its originality. It should not be confused with earlier similar arguments relating to moral disagreements. Its premise is not the existence of intractable moral disagreements as such, as in the classic arguments of Ayer, Mackie, and Russell (see Ayer 1936, ch. 6; Mackie 1977, pp. 36-8; Russell 1935, pp. 234-55), but the epistemic norms which guide behaviour in moral disagreements. In addition, its conclusion is not semantic (like Ayer's view that moral claims lack meaning) or metaphysical (like Mackie's error-theoretic nihilism) but rather a view in moral psychology like that advanced by Russell's argument. It is true that some earlier non-cognitivists like Stevenson paid a lot of attention to moral disagreements (Stevenson 1963, pp. 1-9). However, their main aim in this context was to defend non-cognitivism against its critics by providing an explanation of what is going on in moral disagreements. After all, they would not initially seem to make sense if moral terms are used to express attitudes of approval and disapproval.

In this paper, I will investigate Kalderon's argument from intransigence for non-cognitivism and question its success. The argument begins from the idea that all cognitive inquiries include certain epistemic obligations for the participants. Yet, our moral inquiry lacks a crucial one of these obligations and thus cannot be cognitive. I begin from the relevant epistemic norm and the question of why all cognitive inquiries would include it. I then argue that Kalderon fails to show that our moral inquiry lacks this obligation. If I am right, Kalderon's argument for non-cognitivism fails and thus the debate about cognitivism must continue.

## **2. Disagreements about Reasons and Epistemic Obligations**

Let us begin from a certain kind of idealised disagreement about reasons. In these cases, the participants not only disagree about whether a given claim is true or not, but also about which considerations would be reasons for accepting or rejecting it. Here the participants are just as well

informed, i.e., they share equally extensive bodies of the evidence that is relevant to the truth or falsehood of the claim. Nonetheless, they “disagree about its epistemic significance and are internally coherent in doing so” (Kalderon 2005, p. 9). Both parties also know that they are equally well epistemically situated (that is, that they are just as well informed and their bodies of evidence are internally coherent). They just hold different views about whether certain considerations favour believing the original claim or not. Because of this, they come to opposing conclusions about the matter they are investigating. I will refer to the disagreement cases which satisfy the mentioned conditions by capitalising the expression ‘Disagreements about Reasons’.

In order to avoid a likely misunderstanding, it must be pointed out that the described scenarios are idealised only in the sense that the participants are *just as* informed and coherent. Such cases may be very rare, if not non-existent, in actual life. They are not idealised in the further sense that the participants would know *all* the facts which could be epistemically relevant for the given claim. This further idealisation has often been stipulated in the verificationist arguments. Occasionally Kalderon himself adds the condition that the participants in the relevant disagreements must be *fully* informed (Kalderon 2005, p. 9). This addition does no work in the argument. It does threaten to make the argument question-begging, and therefore I will drop it. In the cases in which there were moral beliefs, the ideal participants would by stipulation have all the relevant true ones. In that case, the described disagreement cases would be conceptually impossible. Therefore, an assumption that there are disagreements amongst fully informed moral agents would assume the truth of non-cognitivism.

According to Kalderon, a reliable indicator for whether a given public inquiry is cognitive is whether there is a lax epistemic obligation to inquire further into one’s grounds of acceptance in the inquiry’s Disagreements about Reasons (Kalderon 2005, pp. 20-26). The content of this obligation is a requirement to reassess the significance of the shared body of evidence by re-examining the coherence of one’s earlier beliefs about reasons and by acquiring new relevant information which could hopefully settle the differences in opinion (Kalderon 2005, pp. 19-20).

What is meant by the *laxness* of this obligation? Kalderon contrasts two kinds of epistemic obligations – lax and strict – that resemble the two Kantian types of duties – perfect and imperfect (Kalderon 2005, pp. 16-19). All meaningful inquiries necessarily include certain strict

epistemic obligations. One example of a strict epistemic obligation is the norm requiring us to avoid accepting contradictions. Accepting contradictory sentences is *always* reprehensible because we know *a priori* that a set of beliefs which includes contradictions cannot correctly describe the world.

The fundamental difference between lax and strict obligations is in the way in which the satisfaction of these obligations is to be assessed. With strict obligations it is in every case reprehensible not to comply, whereas, with lax ones, it is never, in any single incident, reprehensible not to comply or even not to be motivated to do so. This is because the lax obligations to do certain kinds of acts are merely derivative obligations from strict obligations of quite another type. These more fundamental strict obligations do not relate to the performance of certain kinds of act, but rather to being permanently committed to pursuing some end. The acts of the derivative lax obligations are means for pursuing these ends.<sup>4</sup> It is then praiseworthy to often act in a way that is recommended by the given lax obligation. This is because so acting shows that one really has adopted the good end required by the related, more basic strict obligation. If an agent never acts appropriately with regards to a given lax obligation, then this is reprehensible because it suggests that the agent has not committed herself to pursuing the required end and is thus violating the strict obligation.

We can see why agents in cognitive inquiries would have a lax obligation to inquire further in the relevant Disagreements about Reasons by thinking about the very idea of cognitive inquiry. The constitutive aim of such a social undertaking is to form a shared network of beliefs that correctly describe the world. In this respect, there is a strict conventional obligation for those who participate in the inquiry to be committed to effectively pursuing the end of reaching a network of true beliefs about the subject matter of the given inquiry. Against this background, the attempt of those agents who are just as informed and internally coherent

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<sup>4</sup> I thank Teemu Toppinen for a crucial clarification about the proper objects of the different types of obligations. Unfortunately Kalderon himself is quite unclear on this issue. At times, he speaks of a “lax obligation to inquire further” (Kalderon 2005, p. 21). At other points, the relevant obligation is rather “a lax obligation, i.e., ... a rational obligation *to adopt a certain end* [of ‘further inquiry’]” (Kalderon 2005, pp. 19-20, my emphasis). Elsewhere, the adoption of this end is obligatory (and thus it is a strict obligation rather than a lax one) and the latitude exists only in the “fulfilment of this end” (Kalderon 2005, p. 26 and p. 20). I have done my best to charitably reconstruct Kalderon’s conditional. I assume that other coherent reconstructions are possible. No substantial issues concerning the argument depend on this.

to reconsider their epistemic reasons in the Disagreements about Reasons shows that their minds are ‘open’ in the inquiry set to converge towards true beliefs. Those who did not act in this way and who by default stuck to their beliefs would lack such openness. This would make them less efficient in fitting their minds to the world.

Of course all inquiries involve disagreements about reasons in which the participants are not equally well informed and internally coherent. In these disagreements, the agents are not equally well epistemically situated as in the stipulated cases. It is plausible to think that in these cases both parties do not necessarily have any kind of obligation to inquire further. At most, only the less well informed participant has an obligation to become equally well informed as others in the inquiry if she wants to take part in further investigation. Avoiding this asymmetry grounds the way in which the epistemic situations of the agents in the Disagreements about Reasons were defined earlier.

For the explained reasons of efficiency, the cognitive inquirers then espouse the relevant lax epistemic obligation to inquire further in the Disagreements about Reasons.<sup>5</sup> A lack of a lax obligation within the discourse can therefore be interpreted as a shared, widespread assumption that the purpose of the given ‘inquiry’ is not to pursue truth. It would imply that the community has not undertaken the fundamental, strict obligation to aim at reaching a shared network of true beliefs. This would mean that the relevant mental states of the participants of the discourse would not even count as beliefs – states aiming at truth. Therefore, an inquiry without a lax obligation to inquire further in its Disagreements about Reasons could not be cognitive.

### **3. The Lack of the Lax Epistemic Obligations in the Moral Disagreements**

Kalderon then claims, as an argument for non-cognitivism, that our moral inquiry does not include a lax obligation to inquire further in the Disagreements about Reasons which concern moral claims (Kalderon 2005, pp. 33-7). This obligation would have existed if there were a shared strict obligation in the ‘moral inquiry’ to be committed to the

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<sup>5</sup> There would also be an option for the inquirers to adopt a strict obligation to inquire further in all the Disagreements about Reasons they face. This would imply that an inquirer who did not inquire further in an individual Disagreement about Reasons would always be blameworthy. I suspect that cognitive inquirers realise that satisfying such an obligation is too costly and probably even counterproductive.

pursuit of truth about the subject matter of morality. And, if the jointly undertaken obligation to aim at truth does not exist in our moral community, then, as far as moral acceptance goes, the inherent aim at truth is not an essential feature of these states. Moral acceptance must therefore be non-cognitive.

Kalderon's argument is based on an illustrative ethical Disagreement about Reasons (Kalderon 2005, pp. 34-6). Edgar and Bernice disagree about the moral status of abortion and also about the reasons for its status. Edgar counts the consideration of the embryo being a part of the mother's body as a reason for abortion's permissibility. Bernice, who claims that the Golden Rule makes abortion impermissible, thinks that the former consideration has no weight at all as a reason. The situation satisfies all the necessary conditions for a Disagreement about Reasons. Both parties remain unflinching in their commitments and views about the reasons. They have no motivation to inquire further. In this situation, the intransigence and lack of motivation of both participants to inquire further appears to be intelligible, i.e., rationally permissible.

For Kalderon the intelligibility of Edgar and Bernice lacking motivation to inquire further into their grounds of acceptance shows that they are not under an obligation to inquire further in their ethical Disagreements about Reasons (ibid.). And this generalises – we are supposed to find it intelligible that we may lack motivation to re-examine the grounds for our views in each individual ethical Disagreement about Reasons. Because this would not seem to be intelligible if there was a lax obligation to inquire further, that intelligibility is supposed to show that the lax obligation to inquire further in the ethical Disagreements about Reasons does not exist. Further, if the lax obligation does not exist, then this would seem to be good evidence that the moral inquiry lacks the strict obligation for the participants to be committed to the pursuit of a network of true moral beliefs. Therefore, moral thought in general is not aiming at truth and thus cannot be cognitive. The non-cognitivists finally win by a knock-down argument.

#### **4. Epistemic Obligations in the Moral Disagreements Defended**

I believe that this argument against the required lax obligation fails because the rational permissibility of Edgar's and Bernice's lacking any motivation to inquire further in their Disagreement about Reasons is

compatible with their being under a lax obligation to inquire further into ethical Disagreements about Reasons generally. This is shown by the fact that, even if Edgar and Bernice *recognise and comply with* the lax obligation to inquire further in the Disagreements about Reasons in moral cases generally, their lack of motivation to do so in their individual Disagreement about Reasons described by Kalderon would be rationally intelligible. There just is no conflict between not having the motivation in this situation and complying with the allegedly existing obligation. Therefore, the intelligibility of their lack of motivation cannot show that they are not under a lax epistemic obligation to inquire further.

To see this, let's return to broadly Kantian imperfect duties, which have an identical normative structure with Kalderon's lax epistemic obligations. One imperfect duty is that of beneficence to help those in need. We can think that this lax obligation is based on a strict obligation to be committed to pursuing the end of reducing human suffering. There is latitude in pursuing this end. The strict requirement for having this end does not create a requirement to help others constantly even if there is always someone in need.

One plausible way of understanding how Kantians can create this latitude is to think that the lax obligation of beneficence – the obligation for taking the means to the required end of reducing suffering – can be captured as a requirement to satisfy a long disjunctive normative principle (Stratton-Lake 2000, pp. 108-9). That is, in order for one to satisfy the imperfect duty of beneficence, one must occasionally give money to Oxfam, or food for the homeless, or do charity-work, and so on. Yet this disjunctive principle, derived from the required end of reducing human suffering, does not make any one of the described acts or motivation for them required. Not being motivated to do any one of the beneficent acts for which there is a lax obligation is rationally permissible as long as one satisfies the disjunctive principle by performing enough of its other optional acts. One is given latitude by being allowed to pick and choose *how* to be benevolent. Therefore, from the rational permissibility of having no motivation to give money to Oxfam, one cannot deduce that there is no imperfect duty of beneficence.

Let us now return to the relevant lax epistemic obligation. If this obligation is a Kantian lax requirement to inquire further which is derived from a strict obligation to be committed to the pursuit of truth, then we can also see the former obligation as a requirement to comply with a normative disjunctive principle. If one is required to adopt the end of pursuing moral truth by inquiring further in the Disagreement about



Reasons in moral cases generally, then one can show that one satisfies this requirement by inquiring further often enough in the ethical Disagreements about Reasons one faces. So one should, at least every now and then, reconsider one's views and one's grounds for them in the ethical Disagreements about Reasons one faces about, for instance, abortion, euthanasia, or the Iraq war. If one does this, it shows that one has adopted the end of pursuing a network of true moral beliefs together with others.

However, again, complying with the lax obligation to inquire further in the ethical Disagreements about Reasons by satisfying some of the disjuncts of the principle does not make inquiring further, or even being motivated to do so, a requirement in any single Disagreement about Reasons. One can have proven that one has committed oneself to the joint pursuit of moral truth if one has inquired further in the Disagreements about Reasons concerning Iraq and euthanasia. If one has done that, then the obligation to be committed to the pursuit of true moral beliefs and the corresponding disjunctive principles do not require one to be motivated to inquire further in the Disagreement about Reasons concerning the moral status of abortion.

This means that Kalderon's case against the relevant lax epistemic obligation is under-described. Edgar's and Bernice's lack of motivation to inquire further in their Disagreement about Reasons concerning the moral status of abortion is perfectly rationally permissible, even if they are under a lax obligation to inquire further in the ethical Disagreements about Reasons generally. This is true if they pursue the end of converging on a network of true moral beliefs by inquiring further into their grounds of acceptance in the other ethical Disagreements about Reasons they face. Because of this scenario, Kalderon's case against a lax obligation to inquire further in the ethical Disagreements about Reasons fails.

## **5. The Evidence for the Existence of the Lax Obligation to Inquire Further**

In order to show that there is not such a lax obligation, Kalderon needs to first describe a suitable group of imaginary agents who are *never or hardly ever* motivated to inquire further in any of the suitable ethical Disagreements about Reasons they face. By doing so, he then needs to prompt in us the intuition that this pattern in their moral-epistemic behaviour is rationally permissible and not reprehensible. This would

show that we think that we do not take ourselves to be under a lax epistemic obligation to inquire further as required by the truth of cognitivism.

In addition, Kalderon cannot merely state that to lack any such motivations ever is rationally permissible without threatening to beg the question. The worry here is that saying that to lack any such motivations is rationally permissible just is another way of saying that there is no lax obligation for the moral agents to inquire further in the ethical Disagreements about Reasons generally. For this reason, Kalderon needs some independent evidence for the non-existence of the relevant obligation than the mere statement that it is rationally permissible not to inquire further in the Disagreements about Reasons concerning moral issues. This means that he really would need to manage the task described in the paragraph above.

Furthermore, the burden of proof with regards to the relevant lax obligation also seems to be on Kalderon and his non-cognitivist side. They need to manage the task set above before the cognitivists need to try to prove the existence of the relevant lax obligation. This is because there is some evidence suggesting that we do *not* find it rationally permissible that an agent is never motivated to inquire further in the ethical Disagreements about Reasons.

Consider how we describe persons who never inquire further or reconsider their stances in the ethical Disagreements about Reasons and the persons who often do so. We call the former arrogant, complacent, inconsiderate, insensitive, dogmatic, stubborn and cocky, and use the opposite, positively valenced words such as open-minded, considerate, thoughtful and respectful for the latter. It is true that we may call some person, for instance, brave if she stands behind her views on some particular moral issues she feels strongly about. But, this intuition does not seem to extend to someone who never takes the conflicting reason-judgements of others in moral cases to give her any motivation to reconsider. The point is that with these thick terms we express our reactive attitudes towards the others' moral-epistemic behaviour. By uttering them, we show our resentment or admiration for others' behaviour over time in the Disagreements about Reasons in the moral debates.

Someone might object that these terms are not used to evaluate the moral-epistemic behaviour of others but rather that they are *moral* assessments of their character. In response to this objection, we can say first that it should not be a surprise that our moral practice includes

particularly moral terms for reacting to the failures of satisfying the epistemic obligations of this practice. Other practices also include such practice-specific notions. Further, we use many of these same words for describing persons who do not inquire further in the non-moral Disagreements about Reasons to flag that they have not complied with the relevant lax obligation. This supports the idea that we are reacting to epistemic norms that can generally be found through cognitive inquiries.

The intuitive reactive attitudes which can be expressed with the above terms seem understandable only if we in fact do recognise and enforce a lax obligation to inquire further in the Disagreements about Reasons in the ethical cases in our moral community. They seem to be reactions just to the fact that an agent has or has not done what the epistemic obligation in our moral community requires. If having such an obligation is a necessary requirement for having a cognitive inquiry by being instrumental to the pursuit of moral truth, then our moral inquiry would satisfy this condition. Therefore, moral acceptance could be, given this requirement, cognitive. So, until a strong case is made that actually, contrary to the evidence of our reactive attitudes, the relevant obligation does not exist, the argument from intransigence for non-cognitivism fails.

## 6. Conclusion

If Kalderon's argument for non-cognitivism fails, then it is tempting to ask, could the existence of the lax obligation to inquire further in the ethical Disagreements about Reasons perhaps be used to vindicate cognitivism instead? Unfortunately, there is at least no easy way of doing this. Kalderon's argument has the form of *modus tollens*:

1. If moral inquiry is cognitive, then there is a lax obligation to inquire further in the ethical Disagreements about Reasons.
2. There is no lax obligation to inquire further in the ethical Disagreements about Reasons.

Therefore:

3. Moral inquiry is not cognitive but non-cognitive.

My aim has been to argue that the second premise is likely to be false – there is a lax obligation to inquire further in the ethical Disagreements

about Reasons – and thus Kalderon’s argument is not sound. This means that the conditional of the first premise does not provide an inference ticket for us to the antecedent being false like Kalderon wants. However, sadly, it is also the case that we do not get an argument for the opposite conclusion. From the truth of the consequent of a conditional one cannot infer the truth of the antecedent, i.e. cognitivism in this case.

Another way of putting this thought is that the conditional presents the obligation to inquire further in the ethical Disagreements about Reasons as a necessary but not sufficient condition for the moral inquiry to be cognitive. The non-cognitivists can accept that our moral inquiry satisfies this condition. They can agree that there is a lax obligation to inquire further in the ethical Disagreements about Reasons, but can claim that this does not suffice for the vindication of cognitivism. I suspect that some of the more sophisticated card-carrying non-cognitivists, like Simon Blackburn, would grant that there is a lax obligation to inquire further in the ethical Disagreements about Reasons, but say that such an obligation is not to be explained by a shared commitment to the cognitive nature, the aim at truth, of our moral inquiry but rather by the social, action-co-ordinating role of morality. This means that, if we want to end the debate, then, once again, we need to return to the old arguments for and against cognitivism and non-cognitivism or to come up with altogether new ones.

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