Moralities

The Case for a Social Constructivist Metaethics

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CONTENTS

Part I

A social constructivist metaethics explained

'We are committed to it as something presupposed by the terms of our discussion, for our concern is with social arrangements for continued existence, not with those of a suicide club.' (Hart 2012, 192)

1. Locating the social constructivist claim

i) <u>Questions and answers</u>

The main questions to be discussed in what follows are these: 1) what is a morality, and what are moralities?; 2) what do moralities actually do, and what might we reasonably hope they can do for us?; 3) what does it mean to say that moralities are constructions or artefacts, and why should it be thought helpful to think of the construction of moralities as importantly social?; 4) are moralities irreducibly plural, or is there such a thing as 'morality' (in a honorific or singular sense) to which they all aspire, or that we are entitled to postulate as a singular criterion for their normative reality, adequacy or correctness?; 5) is a social constructivist metaethics consistent with the undeniable historical ambitions of moral thought and judgement to achieve genuine truth and objectivity? The aim of this work is not to give a conclusive or comprehensive answer to these questions. It is to make a significant contribution to gaining a better understanding of them.

The most important thought explore in tis work is the idea that *morality is a social construction.* In the chapters that follow this claim is developed and subjected to critical scrutiny. There are several reasons for thinking that this is currently a sensible project to pursue. On the one hand, the idea that morality is a social construction is quite familiar and not obviously so absurd as not to be worthy of interpretation. On the contrary, the idea of social construction is very much a creature of the times, and one that has been the focus

important and controversial discussion in recent philosophy of social science and public policy, sometimes on topics that are directly relevant to the resolution of metaethical disputes. In spite of this, the idea of social construction does not have a comparatively central place in contemporary Anglophone metaethics, and it is worth asking why this is so. After all, the actual moralities we know about are obviously in a descriptive sense contingent social and historical products of human development and activity, conceptually articulated in different ways as a result of human experiences and reactions to a wide variety of natural, social and historical facts. On the other hand, the idea that morality 'itself', or what moral thought is 'about', is a human construction or artefact is faced with a number of difficulties that might be thought to render the project of defending a social constructionist metaethics entirely hopeless from the start. It is therefore worth asking what the most important of these arguments are and to evaluate their respective strengths and weaknesses. The second part of this work is devoted to the discussion of a representative sample of such arguments. The upshot of that discussion will be that in their canonical form these arguments fail for one or more of the following three reasons, namely by: a) being misdirected at a social constructivist metaethics; b) being well-directed at a social constructivist metaethics but not a problem in the way alleged; or c) being well-directed at a social constructivist metaethics and a problem in the way alleged, but not for a social constructivist metaethics in particular.

In the broadest terms, the purpose of this work is to give a schematic outline of what a minimally plausible social constructivist metaethics might look like. In giving this outline, the aim is to give both a descriptive adequate and a normatively plausible account of a distinctive domain of human evaluative or normative thought that is pre-theoretically recognizable as 'moral'; not only in terms of the ideals or abstractions it variously projects, but also in terms of the natural, social and psychological facts from which moral thinking

inevitably departs in the course of critically reflective and substantially moralized experience. It is an attempt to understand the domain of moral thought in terms of the idea of a human, and socially constituted, artefact; hence as a human and social construction; where the fact of being constructed does not in principle rule out there being better or worse ways for the construction to be carried out in any given circumstances; nor that there is – at least in some cases - a single, or non-disjunctive, way that the construction ought to proceed or end up with respect to some given question to which it gives rise. In other words, the social constructivist metaethics discussed in this work is not a species of moral 'skepticism'. Yet nor is it a robustly 'realist' form of metaethics, at least in the way that the idea of realism has recently been construed by some defenders of realism in metaethics. Before going on to articulate this view, however, it is necessary to say something about how the primary object of study is to be characterized for the purposes of the discussion that follows.

ii) 'Moralities' and 'morality'

In offering working definitions for the key the terms 'morality and 'moralities' I proceed in the following way. I am not looking for an exhaustive and precise definition that is said to apply across all times and places where human beings have been said to engage in moral thought and action. What I am looking for is schematic definition that can be further specified or qualified as need may arise during the course of addressing specific questions about the nature and status of moral claims in different contexts of thought, reflection or utterance. I am looking for a definition that is descriptively plausible, in that it does not arbitrarily rule out as examples of moralities the most common practices of judgment that have historically been associated with paradigmatic instances of moral thought and action (including in the history of moral philosophy). I am also looking for a definition that does not close down

controversial normative and philosophical questions by ruling them out as either not being moral questions 'strictly speaking' (as in: 'what does a good human life consist in?'), or as not really pertaining to moral thought as a normative pursuit (as in: 'a natural and comparative history of moral systems'). In proceeding in this way, I shall not be overly concerned if my definition of 'moralities' is considerably wider than those of many philosophers currently writing on the subject (such as a 'narrow' definition of the distinctively moral in terms of deontic notions like 'obligation', 'responsibility', or blame' (see e.g. Williams 1985; Scanlon 1998; Skorupski 2011)). I shall be content so long as the relevant definition meets the following two criteria, namely that: a) the features it attributes to moral thought are such as to give rise to the theoretical challenges addressed in this work; and b) any areas of thought that could reasonably be considered outside the scope of the 'moral', but are included under my definition, are such as to also give rise to the theoretical challenges implicitly referred to in a).

For present purposes, a satisfactory working definition of 'morality' should avoid the following two defects. On the one hand, it should avoid defining moralities exclusively in terms of the paradigmatic features characterizing the moralities of early, or so-called 'primitive', societies only; or the 'proto-moralities' inhabited by humanity's ancestors in some distant evolutionary past. To adopt such a definition is likely to encourage the development of a meta-ethics that is as critically impoverished as the societies in question were morally impoverished (as judged from the perspective of the present, of course). There are traces of this danger in the formulation of some versions of contemporary evolutionary ethics and metaethical naturalism, which sometimes thread a fine line between making empirically plausible observations about the sociobiological 'templates' from which our moral thought has developed and implausibly assigning those 'templates' a criterial status as

defining the essence of moral thought and its correctness conditions even in their most developed and conceptually sophisticated manifestations (see e.g. Ruse 1985; Prinz 2007). On the other hand, a working definition of 'moralities' should avoid defining moralities in terms of some extrapolated ideal of ultimate improvement or correctness, such as Kant's 'Kingdom of Ends' or Augustin's 'City of God'; and thereby excluding from discussion much (if not most) of the practices of practical reflection that have historically made up the substance of actual human moralities. Of course, there is nothing wrong in principle about the extrapolation of moral ideals on the basis of a prior conception of the 'nature' of morality (in the singular) as an object of critical thought (c.f. Gert 2002/16). Yet any such ideal is arguably best understood as a limiting case of moralities, not the 'essence' of morality as such.

In what follows, I shall sometimes be using the terms 'morality' and 'moralities' interchangeably. This is a potential source of confusion. I therefore need to say something, however briefly, about that use. By 'moralities' in the plural, I shall normally refer to historically located social practices and systems of thought (actual or possible), conceptually articulated by their participants in substantially moral terms, e.g. by the employment of paradigmatically moral concepts, such as better and worse people; characters or states of affairs (where this includes both such paradigmatically 'thin' concepts as *good* or *bad* and paradigmatically 'thick' concepts as *deep* or *shallow*); concepts of *right* or *wrong* actions, duties or privileges; and concepts relating to the *reactive attitudes* such as praise and blame; honour or shame, as commonly employed in philosophical theories of moral thought, as well as in pre-theoretical moral thought and practice itself. To say that moralities thus defined are *socially constructed* is partly to make the obvious point that participants in social practices have a crucial role to play not only in shaping the structure and content of those practices, but

also in shaping the structure and content of the concepts they employ by means of which to think about them, including the relations of these concepts to each other (c.f. Williams 1985; Wong 2007). This is not to say that those participants (and certainly not all of them) always have a significant role to play in self-consciously shaping the structure and content of their moralities. Moralities and the moral concepts on which they depend can arise, and arguably have arisen, through natural, social and historical (including economic and technological) processes over which individual participants have had little or no control; about the nature of which they may have had little understanding; and the development of which they have been largely unaware at the time. (Consider, for example, the various transformations involved in thinking about privacy, sincerity or ownership in the age of the Internet and the potential these transformations currently have for recasting how people will conceive of these matters in the future.) As a matter of fact, however, moralities do sometimes take shape as a result of self-conscious construction and development, for example when their participants reflect critically on what the structure and content their morality should be, and on how best to interpret and extend their existing moral concepts to new and hitherto unforeseen circumstances (c.f. Dworkin 2011). One paradigmatic example of such reflection (although it has arguably been less historically influential than some of its main proponents have hoped) is the systematic reflection on the nature of morality found in systematic moral theory and metaethics itself, as manifested in philosophical 'outputs' such as the present work.

By 'morality' in the singular, I shall normally refer to either one or the other of the following things. First, and most obviously, I shall sometimes use 'morality' to refer to one among a given set of actual or possible moralities. Second, I shall sometimes use 'morality' to refer to that cluster of natural and social phenomena that different moralities all exemplify, namely a set of conceptually articulated social practices the core marks of which include the co-

ordination of individual and collective agency within and across social groups; the protection or promotion of the aims and interests of members of those groups; and the conceptual articulation of those practices in substantially moral terms. Human 'morality' in this sense comprises all the human moralities; past present and future.[1] Third, I shall sometimes use 'morality' in the singular to refer to the content of moralities at some critically robust, or 'ideal' limit of enhancement (including - assuming this something a social constructivist metaethics can make coherent sense of - the ideal limit of correctly representing 'the moral facts'). In principle, the use of 'morality' so understood allows for talk about morality in the singular as the ideal limit of one or more moralities, separately or together; potentially including the idea that there is *one* single, true, morality to which all actual (or even possible) moralities can be regarded as aspiring to realize, and which all moral thought can therefore in an extended sense be interpreted as being 'about' (see e.g. Dworkin 2011; c.f. Wong 2007). On the whole, however, I shall avoid this particular use of 'morality' in the singular. There are two main reasons for this. The first is that, in spite of its undeniable and important role as a regulative ideal in much of moral and philosophical thought, the idea of a single true morality will play at best a secondary role in the articulation of the social constructivist metaethics discussed in this work. The second is that, the coherence and attractiveness of the idea of a single true morality notwithstanding, the central role of this idea in the history of moral philosophy has tended to be a cause of distortion in our theoretical understanding of the role of social construction in moral thought. The main challenge here is not only to duly adjust our normative aspirations to our descriptions of the historical phenomenon that human morality is, but equally to duly adjust our description of that phenomenon to the historical reality of people's variable normative aspirations. Thus, it should not be assumed at the outset

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[1] For reasons I have already alluded to, I refrain at this point from distinguishing more precisely the domain of 'morality' from other normative domains, such as 'the aesthetic', 'the epistemic', 'the legal'. or 'the prudential', and so on.

of enquiry, and will not be assumed during the course of this work, that actual moralities all embody an aspiration to reflect a single true morality; nor will it be assumed that they ought to do so.

2. The many constructivisms

<u>i) Social construction and critique</u>

In his widely influential study *The Social Construction of What?* Ian Hacking provides a critical account of social construction as that idea has been applied to the analysis and criticism of key aspects of the natural and social sciences in recent decades, and also of the way this idea is often understood in contemporary society more widely (Hacking 1999; see also Kukla 2000; Haslanger 2012). This use of the idea of construction, as indeed the very idea of construction on which it is based, is on the face of it quite different from the way in which the idea of construction has tended to be understood in contemporary metaethics. This does not mean that there are no interesting connections between these different areas of thought. In fact, quite the opposite is true. It will therefore be worthwhile to set out the basic elements of Hacking's conception of social construction, and then relate it to the main concerns in the present work.

In his book, Hacking writes:

'Social construction work is critical of the status quo. Social constructionists about X tend to hold that:

(1) X need not have existed, or need not be at all as it is. X, or X as it is at present, is not determined by the nature of things; it is not inevitable.

Very often they go further, and urge that:

(2) X is quite bad as it is.

(3) We would be much better off if X were done away with, or at least radically transformed.' (Hacking 1999, 6)

The standard precondition of 'constructionist work' is an appearance, or widely shared assumption, of inevitability:

(0) In the present state of affairs, X is taken for granted; X appears to be inevitable. (Hacking 1999, 12)

In the case of moralities as discussed in the present work, Hacking's identification of the core of what he calls 'constructionism' applies roughly as follows.[2]

With respect to (1), the social constructivist metaethics discussed in this work agrees with the first sentence, but with an emphasis on the second disjunct. Moralities are contingent historical products that not only could have been different than they are, but actually have

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[2] For historical reasons, Hacking prefers to use the label 'constructionism', reserving the term 'constructivism' for the philosophy of mathematics. This preference may sit well with Hacking's own priorities but it does not sit so well with standard usage in metaethics. I therefore prefer to stick with the word 'constructivism' in what follows.

been, and are very different, in different times and places (c.f. Prinz 2007; Wong 2007). Regarding the first disjunct, the point is not so much that humans need never have evolved to acquire moralities (which could be true), but that with respect to any given morality (which it is natural for a given speaker to refer to as 'morality' in the singular), it need not have existed; and so is not historically inevitable. With respect to (2), the absence of that inevitability (which is something that has historically been noted by a long list of philosophers, including David Hume, Adam Smith, Friedrich Nietzsche, Bernard Williams, Richard Rorty, and others) amply suffices to make moralities a target for social constructionist analysis and critique insofar as the 'point' of such analysis is to reveal the contingency and contestability of something that may initially have been thought of as necessary, inevitable, or fixed. It is undoubtedly true that morally serious thinkers across a wide range of times and places have experienced morality as 'binding' them necessarily. And the long tradition of moral philosophers, including Immanuel Kant and other philosophers of a Rationalist persuasion, who have construed moral demands as obtaining as a matter of rational necessity is hardly just an idiosyncratic or anachronistic invention of nerdy post-Enlightenment academics. The constructivist claim that 'morality' is not 'determined by the nature of things' is very much in the spirit of the constructivist explanatory project in metaethics, assuming that 'the nature of things' is interpreted so as to contrast with 'things as contingently constructed by humans' by means of the acquisition, development and critical application of moral and other normative concepts.

With respect to (2) and (3), these claims need to be treated differently depending on whether we are talking about the phenomenon of 'morality' as such (in the singular), or any given historical instantiation of that phenomenon in particular (in the plural). With respect to the latter, the affirmation of either (2) or (3) is very plausible, but hardly controversial. Nietzsche

might naturally be associated with such a view, but so would liberal criticism of feudal moralities, or a latter-day feminist or Marxist critique of economic oppression or patriarchy. The straightforward denial of (2) and (3) thus understood would mean that serious moral criticism is impossible, which is absurd. There is no implication, either from the perspective of a social constructivist metaethics nor from the perspective of most other forms of moral 'antirealism' (or even moral 'error theories') that morality as such is a really a bad thing, or that it ought to be replaced with something else (such as talk of individual self-interest or content-neutral utility (see e.g. Joyce 2001).) This is not to suggest that this view has never been held. It most certainly has, in the form of what has recently come to be called 'abolitionism' about moral discourse (see e.g. Garner 2007; Joyce & Garner 2018). Yet moral 'abolitionism' is neither a straightforward, much less an obvious, implication of a social constructivist metaethics. On the contrary, the endorsement of a social constructivist understanding of moral thought and practice is one potential way of diagnosing what goes wrong in some arguments for abolitionism (and other more or less radically antirealist, or error-theoretic, views), while simultaneously taking as seriously as they deserve to be their various challenges to the apparently most problematic aspects of the epistemological or metaphysical aspirations of moral claims (c.f. Lillehammer 2013; 2019). In order to do full justice to this thought, however, it is necessary to explore the nature and prospects of a social constructivist metaethics in more detail. The challenge of moral abolitionism will then be further addressed in the second part of this work.

Hacking distinguishes between different constructionist projects with respect to how radical their attitude is toward the relevant object of construction (Hacking 1999, 19-21). First, a '*historical*' constructionist primarily emphasizes that X is a contingent upshot of historical events. The social constructivist metaethics discussed in this work agrees with this claim as

applied to individual moralities. It stops short of that claim with respect to 'morality' in the singular, not because of a doubt about the claim to contingency but because the term 'history' as standardly used may be too narrow to capture some of the natural developments that have originally given rise to human moralities (as indicated by the term 'the natural history of morals' as that is used in the human sciences more broadly (c.f. Prinz 2007)). Second, an *'ironic'* constructionist makes the point that what has been thought of as an inevitable part of the world or 'our conceptual' architecture', could have been quite different, but we are nevertheless in some sense 'stuck with it' (Hacking 1999, 19). This view, which Hacking associates with the pragmatism of Richard Rorty (see e.g. Rorty 1989), is consistent with a social constructionist metaethics, but is not entailed by it. First, and foremost, a social constructivist metaethics is not committed to the 'being stuck with it' element of 'ironism' as applied to any individual morality. As will become clear during the course of this work, a social constructivist metaethics can, and arguably should be, committed to radical social critique. Secondly, the 'inevitability' or otherwise of our moral 'conceptual architecture' is an issue very much open to debate, depending on how deep or important we think having a highly developed moral sensibility is for human beings, either as we know them or as they may be transformed by future developments. Third, a *'reformist'* constructivist asserts that moralities are quite bad as they are and therefore need to be reformed, even though we may have no idea of what it would be like to live without them. The reformist, thus understood, is a proponent of radical critique. Once more, this position is consistent with the social constructivist metaethics discussed in this work, although it is not entailed by it. Finally, the position that Hacking labels as *'unmasking'* constructionism asserts that the *function* of the ideas contained in X is not what it seems. In particular, the specific claim that characterizes the unmasking constructivist is that the true function of X is external to the content of X claims, and therefore also to the standard truth, validity or correctness conditions associated

with such claims as articulated in X-specific (e.g. substantially moral) terms. Another label

for unmasking, and the one that has caught on in the metaethical literature in recent years is

'debunking' (c.f. Lillehammer 2003; Joyce 2005; Street 2006). A constructionist unmasker is

a debunker. I shall return to the issue of debunking explanations of moral claims and their

relationship to a social constructivist metaethics in the second part of this work. To anticipate

those claims here: I shall agree that taking a social constructivist view of moralities and the

moral claims they embody provides a potentially powerful tool in the unmasking (and so

debunking) of some substantial moral claims (and potentially some entire moralities). At this

level of analysis, a plausible social constructivist metaethics could therefore also in principle

be, in Hacking's terms, 'rebellious' (as in arguing for radical change), or even 'revolutionary'

(as in arguing for abolition or replacement). In the end, however, I will stop short of the claim

that the endorsement of a social constructivist metaethics would carry with it the further

commitment of supporting a debunking explanation of 'morality' in the singular (or moral

thought *as such*). At this level of analysis, the social constructivist meteathics discussed in

this work is closer to that of Hacking's 'reformist', but with substantial elements of 'ironism'

(although not Rorty-style 'ironism') sprinkled in. I shall briefly return to this issue towards

the end of this work.[3]

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[3] In deciding 'where do you stand on social construction?' Hacking proposes an informal checklist, comprising the following three items: #1 *Contingency*; #2 *Nominalism* (by which Hacking means some form of ontological reductionism); and #3 *External explanations of stability* (Hacking 1999, 99). Hacking suggests that we score ourselves from 1 to 5 on each item on the list (with 5 indicating maximum allegiance) in order to map out our overall assessment of some constructionist programme. One significant feature of this test is that the it makes the case for any given social constructionist programme both a) *multi-faceted*, and b) a matter of *degree*. As fun as it might be do to so, I don't propose to take up Hacking's invitation here, although I am happy to recommend it as an exercise for the reader.

It is a noteworthy fact that the topic of morality (or ethics) plays a negligible part in Hacking's influential study of social construction. Neither 'morality' nor 'moralities' figure on his initial (and quite long) list of things that have historically been thought of as socially constructed. Hacking does, however, note the pioneering work of Kantians in appealing to some idea of construction, as exemplified in his case by contemporary work on ethics and practical reason by philosophers such as Onora O'Neill (see e.g. O'Neill 1989. Like Hacking's crew of constructivist characters, 'Kantian' constructionists also understand their work as being rationally self-critical. They do not, however, tend to describe the philosophical work of the constructivist as playing an 'unmasking' role in the potentially subversive sense that Hacking seems to have in mind. Nor are Kantian constructions paradigmatically either social, or contingent.[4] To this extent, 'Kantian constructivism' in metaethics is arguably 'competitor' view to the social constructivist metaethics discussed in this work, although not one that will be further discussed except in passing.[5]

ii) <u>Social constructivist metaethics and other social constructions</u>

Morality is only one domain of thought about which some social constructivist claim could be made. Perhaps the most promising examples of socially constructed objects of thought are

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[4] O'Neill arguably stops some way short of the strongly individualist accounts found in the work of some Kantians writers on this topic, such as Christine Korsgaard (See e.g. Korsgaard 2009).

[5] Of the constructivist views in philosophy mentioned by Hacking, the one that arguably comes closest in spirit to the social constructivist metaethics discussed in this work is that of Michel Foucault (see e.g. Foucault 1984). Unfortunately, there are problems of 'translation' that affect the relationship between Foucault's research programme and the one pursued in this work that make a detailed discussion of Foucault's programme both unrealistic and unwise in the present context.

located among the amorphous class of human norms and conventions about which competent participants of which will normally make no claim to necessity or universality on their behalf. To take just one example, the existence of the norms and values underpinning the game of football is a contingent effect of human beings having invented the various games falling under that name. The various kinds of football, such as what Americans call 'Soccer'; American football; Rugby (Union and League); and Australian rules football, both overlap and differ with respect to the norms and conventions in question, but do so in a way that is recognized by most participants as being importantly 'sui generis', and therefore not in competition with respect to the way that football, 'as such', 'really ought to be'.[6] In this way, games like football are interestingly different from at least some moralities, a number of the most familiar to philosophers of which (such as some instantiations of post-Enlightenment Christian morality) make exactly such universalistic and modal claims on their own behalf. This is not to say, however, that different forms of football are completely static with respect to the norms and conventions that either define or characterize them at any given time and place. Like all social practices, games are subject to historical development and change, some of which could quite intelligibly be thought of as substantial 'improvements' on their own terms (such as when the rules of 'soccer' were amended in the 1980's to avoid the 'killing' of games by outfield players passing the ball to their goalkeeper, who would then handle in order to waste time.) Yet moral norms and values are not generally thought of as essentially 'conventional' in the way that the norms and values of many sports are; either by their participants or by those who theorize about them.[7]

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[6] The thought of such ground level normative 'disagreement' between different kinds of football is clearly intelligible, e.g. in the context of informal banter, but is very far from being an *a priori* constraint on understanding what football 'really is'.

[7] C.f. Joseph Raz (1999), who writes: 'Conventionalism is essentially conservative. The social dependence of value is not. It allows for radical criticism of social practices' (Raz 1999, 211). And again: 'The social dependence of value has nothing to do with the

The case is in some ways similar with other socially created products, or 'artefacts', such as works of art and different art forms (c.f. Raz 2003). Like different games of sport, artistic activity is productive of different 'genres', each with their own internal norms and values that allow their participants to define genre-specific excellences, over and above the various features that art forms must share in order for there to be any point in classifying them together as such in the first place. (I shall return to this qualification in the context of moralities in due course.) In contrast to sporting games, however, art forms have historically displayed two features that distinguish them from many games and that make them more like moralities in philosophically relevant respects. The first is the extent to which the norms and values inherent in both the development and persistence of art forms are frequently hotly contested among their participants to the point that the identity and boundaries of those art forms are themselves subject to deep and self-reinforcing contestation. Consider, for example the varieties of formal discipline that have been associated with what goes by the name of 'poetry', or the vast range of things that go by the name of 'sculpture'; and the heated debates the classification of such works have been subject to at certain points in history for the purposes of evaluation, institutional organization and financial support. The second difference is the extent to which art forms have historically been combined or separated (as in musical theatre or the symphonic overture), and have sometimes merged into new art forms (such as opera, or the 'happening'), where at each point of change or differentiation there is an identifiable 'moment' of creative and normative tension that points far beyond the domain

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affirmation of social practices as reasons for their own validity…. They [i.e. social practices] are necessary for the existence of values. But they are not their justification. They are part of the sustaining background.' (Raz 1999, 210). I shall have more to say about the connection between Raz's view of social practices and the social constructivist metaethics discussed in this work in due course.

of convention to deeper norms and values with apparently universalising scope (e.g. as exemplified by 'Dada' and other forms of revolutionary, or 'transgressive', art in the Twentieth Century). Of course, it is consistent with a social constructivist account of these values that there are better and worse (or right and wrong) answers to the question how any given art form should be practiced, extended or interpreted at any given time and place. Yet on a social constructivist account, the art form 'itself' will be understood as essentially creative and dynamic with respect to the truth, validity or correctness of any normative claims these answers embody. In other words, according to a social constructivist account there is no metaphysical or transcendentally prior basis for the truth, validity or correctness of these claims than what is embodied in the content and aspirations of the historically contingent social practices from which they arise.[8]

A potentially more illuminating analogy for moralities as understood along social constructivist lines is the domain of laws and legal institutions. There are several reasons for taking the analogy with work in recent legal philosophy as a starting point for the development of a social constructivist metaethics. After all, according to a social constructivist metaethics, moralities are essentially social artefacts for the regulation of behaviour, in much the same way that actual laws and legal systems are said to be according to some standard works in the philosophy of law (see e.g. Hart 1961/2012; especially the 'Introduction' by Leslie Green therein).

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[8] The point in this paragraph is not restricted to clearly definable social practices, such as art forms. It arguably also applies to norms and values with a more informal (and also potentially moralized) content, such as norms of what we know of as 'real friendship' (*facebook*?), or 'real love' (deep and enduring infatuation?) for which an analogous social constructivist account could be articulated.

Any explanatory analogy between moralities and legal systems has to be articulated against the background of a number of crucial dis-analogies between these areas of thought. Here I shall mention four such dis-analogies, each of which is directly relevant to the idea that either law or morality is, as an object of thought, in some sense a social construction. A first potential dis-analogy is that even quite sophisticated moralities are not inevitably based on the workings of public institutions with sources of explicit legislation, communication or enforcement in the way that many sophisticated legal systems are. A second potential dis-analogy relates to what we should say about cases where moral judgement extends beyond the range of mutually agreed procedures of articulation, authorisation and control in the way that moral argument of often continues in the absence of any mutually recognized criteria for their common resolution (criteria that sophisticated legal system either have, or aspire to have). A third potential dis-analogy relates to an aspect of moral philosophy that has been somewhat lost from view in the 'mainstream' literature on metaethics in recent decades, namely the question of how to make sense of the origin and authority of moral (as opposed to legal) norms and values in the absence of one or more identifiable legislators (whether divine or secular). A fourth potential dis-analogy relates to the fact that when 'external' (or 'extra-legal') questions are asked about the legitimacy or authority of legal systems, one obvious fall back (and one that is often appealed to by legal philosophers) is to appeal to a common morality as a potentially 'external' and legitimating narrative. In the case of moralities, there is comparable or uncontroversial 'extra-moral' fall-back narrative available; and the ones that have historically had most traction (e.g. 'human nature', 'practical reason', or 'rationality') are ones in terms of which it has been notoriously difficult to legitimate morality as a whole, and certainly to legitimate it *a priori*, or as a matter of necessity (see e.g. Williams 1985). In one crucial respect, this makes the task of articulating a plausible form of social constructivist metaethics more difficult than the task of formulating a plausible form of social

constructivism about law. Indeed, when approached with these dis-analogies in view, the epistemological and metaphysical credentials of moral claims are arguably more rather than less mysterious than the epistemological and metaphysical status of legal claims. If this so, the historical project of grounding the normative authority of law in the normative authority of morality (a project that has been a highly influential in recent jurisprudence) is shown to be problematic in a way that does not always receive the attention it deserves (but see e.g. Dworkin 2011).

Bearing these potential dis-analogies in mind, the remaining similarities between law and morality implied by taking a social constructivist view of both areas of thought remain sufficiently close to merit further scrutiny, if only to make explicit the ways in which the social constructivist metaethics discussed in this work does not entail an interpretation of moral norms and values as contingent social constructions in exactly the same way that laws are said to be contingent social constructions according to paradigmatic versions of social constructivism in legal philosophy.

According to the 'positivist' interpretation of law associated with H. L. A. Hart, standard legal systems (analogy: moralities) are defined by two sets of rules, namely a) *primary rules* that specify norms of prohibition, entitlement and facilitation on matters beyond the content of law itself (e.g. laws against theft, rights of movement and rules of contract), and b) *secondary rules* that specify how to abolish, change or create new laws (e.g. removing the death penalty; expanding the suffrage or imposing an environmental tax), thereby authorizing some agents or institutions (e.g. a monarch or parliament) to exercise control over the legal system itself. On this view, what the law 'is' (analogy: a morality) is given by the content of the primary and secondary rules of some relevant legal system, and is consequently

vulnerable to change, development, integration and separation in all the obvious ways that conceptually sophisticated social practices have historically allowed. In its most elementary formulation, what the law is on this view (analogy: what morality is) is a question of social and descriptive facts about the contingent features of any given legal system at a particular place and time, as constructed by participants in the relevant social practices broadly agreeing on and generally applying primary and secondary rules in more or less determinate ways. On a standard 'positivist' view, there is no further question (descriptively speaking) of what the law (analogy: a morality) 'really' is. What the law 'ought to be', on the positivist view, is a substantially normative question of political morality that is (subject to a number of caveats shortly to be discussed) fundamentally an 'extra-legal' matter, and so beyond the domain of law (analogy: morality) itself.

This 'thumbnail' description of the positivist conception of law contains a number of valuable points of comparison with the account of the nature of moralities embodied in the social constructivist metaethics discussed in this work.[9] Each of these points relate to the way in which moral considerations may enter into the description of legal systems on a positivist account. In fact, there are at least three ways that moral considerations may enter into the description of legal systems on the positivist account that are of particular interest from the perspective of a social constructivist metaethics.

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[9] The value of this comparison is logically independent of the truth or falsity of legal positivism; although some of the points I am about to make about how a social constructivist metaethics might go about describing the relationship between law and morality actually turn out to be in tension with legal positivism in its canonical form, and could therefore potentially be read as an indirect argument against it.

First, and as pointed out by Hart, a legal system can (and arguably sometimes does) explicitly appeal to moral considerations in the specification of its primary or secondary rules (c.f. Hart 1961/2012). Thus, a primary rule relating to honesty in economic transactions could make explicit or implicit reference to what morally competent persons would normally expect. Alternatively, a secondary rule could make the resolution of conflicts between primary rules subject to the best moral judgement of a legal or religious representative, or by God himself (as revealed in moral intuition, for example.) It is an interesting question what (if anything) the analogous source of appeal either is, or could be, in the various moralities with which we are familiar.

Second, in judging or deciding what the law 'ought to be', all relevant stakeholders (both legislators and those on whose behalf they legislate) are likely to be exercising their moral judgement and thereby (further) constructing their own political morality in legalistically specific terms, with all the implications of publicity, explicitness, precision and systematicity that articulating, communicating and implementing a legal system inevitably entails. It follows that, on at least one way of developing a social constructivist metaethics, law understood as a social construction is *a proper part* of morality understood as a social construction (or the legalistically formulated extension thereof); thereby making a morally justified legal system a proper part of a given morality (c.f. Dworkin 2011).[10]

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[10] Of course, for a legal positivist, a legal system that fails to conform to sound moral norms and values would still have to be classified as 'law'; this being one of the main bones of contention between legal positivists (such as Hart) and their moralistic critics (such as Dworkin).

Third, and as described by Hart (1961/2012), one of the main distinguishing features of law as opposed to morality is that legal systems are definable in terms of a finite (if extensible) set of hierarchically arranged rules, whereas the moral norms and values which these rules can sometimes be said to express or be answerable to have not universally tended to be ordered in such a systematic way, or even been subject to explicit formulation and agreement as such.[11] This initial comparison between legal and moral 'systems' might initially be thought to show that the moral norms and values of a given society have the status of a 'proto-legal' system, the formulation and systematization of which would be a sign of moral progress or enhancement. If so, the efforts of moral philosophers to develop systematic moral theories and systems (such as Utilitarianism or Contractarian Deontology) might be interpreted as attempts to contribute to this progress by articulating a comprehensive and universally applicable 'moral law', of which a sound legal system would be the 'institutional' (or 'political') part. It is arguably not too far-fetched to suggest that this is how some moral philosophers (perhaps Kant (on behalf of rationalism), or Bentham and Sidgwick (on behalf of utilitarianism)) have historically conceived of their task; even if not (as conceived by them) on social constructivist terms.

As tempting as this description may be, it is subject to a number of limitations; of which the following three the most significant for present purposes. The first is that it is a substantially moral question whether all moral thought, in all times and places, should aspire to the kind of complexity, systematicity and structure associated with even minimally sophisticated legal systems (see e.g. Williams 1985). There is certainly an intelligible case for the claim that not

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[11] There are likely to be historical complications here because we cannot safely assume that what we currently think of as the 'boundary' between 'morality' and 'law' will survive intact as we trace the social practices of different societies across historical time. Consider, for example the different ways in which the idea of what is 'private', or 'personal' has been differently understood in different times and places.

all moral issues, such as norms of legitimate expectation in informal communication, should literally be legislated on in the paradigmatic sense associated with the idea of a modern legal system with its formal procedures of authorization, legitimacy and sanction. This point is logically independent of the case for a social constructivist metaethics in particular, although the truth of social constructivism does imply the absence of any antecedently given metaphysical domain of moral laws and principles to which actual moralities must be thought to aspire on pains of falsehood, invalidity, or incorrectness.

The second limitation is that insofar as morality is conceived of as a normative (and extra-legal) court of appeal for adjudicating the content of legal systems, any asymmetry of justification that obtains between law and morality is most reasonably thought of as placing law at the mercy of morality and not the other way round. It cannot therefore be assumed that a morality would necessarily improve in every relevant respect to the extent that it becomes more, rather than less, like a systematic and rigorously articulated legal system. The very reasonable temptation to think otherwise could possibly derive from the reasonable conjecture that legal systems have historically developed from unsystematic, or primitive, moralities and have thereby promoted moral progress by taking an increasingly systematic and rigorous form. Yet whatever the actual historical record is in this regard, it is equally the case that some of the most dogmatic, inflexible and ultimately pernicious moralities have historically taken the form of sophisticated and explicitly rule-governed systems with 'secondary rules' assigning virtually unlimited discretion either to supernatural agents or, by way of surrogate, to their self-appointed earthly representatives. Indeed, some historical moralities that we should be very pleased to see the back of have actually been *morally* 'primitive' precisely because of the presence in those moralities of clearly specified secondary rules of authorization and the like (c.f. Nietzsche 1887/1967).

A third limitation is that, however systematic and comprehensive we may want our moral systems to become, the entire set of moral norms and values they embody will never be a proper part of law. If anything, a maximally systematic and comprehensive morality would at most have a legal system (and hence 'law') as a proper part.[12] Thus, to the extent that the paradigmatically moral and legal norms and values of a society cannot be distinguished with respect to the degree to which they are explicitly and systematically formulated, it is arguably less misleading to describe the 'morality' of the society in question as having two 'parts': one specifying the legislated norms and values that regulate social behaviour and that are formally administered by a set of dedicated institutions (such as Church councils, parliaments or courts), and the other as specifying the generally accepted informal norms and values that regulate behaviour in the absence of such dedicated institutions (e.g. in the form of common expectations, informal discipline, or 'reactive' attitudes); these parts together making up the comprehensive 'morality' (or 'ethics') of the society in question. In that case, it is not very illuminating to describe the normative status of law as asymmetrically dependent on something 'external' or conceptually 'prior' to it and separately labelled 'morality'. Instead, the normative status of 'legal' and 'non-legal' norms and values are more realistically describable as symmetrically dependent on each other, and as being part of a socially dynamic and holistically evaluable worldview. According to the social constructivist metaethics discussed in this work, therefore, the exact relationship between law and morality is interpreted as at least partly a substantially normative question, the resolution of which is

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[12] A legal system could no doubt in principle include a *de dicto* provision that any moral proscription or prescription should acquire the status of law, thereby ensuring co-extensionality between morality and law; but that is clearly not the same thing. Nor is it a common or desirable feature of existing moralities.

predictably subject to on-going contestation (whether moral and otherwise) in different times and places.[13]

iii) Social constructivist metaethics and other forms of *moral* constructivism

The social constructivist metaethics discussed in this work differs in crucial ways from a number of related views that also go under the name of 'constructivism' in moral and political philosophy. Among these, the social constructivist metaethics discussed in this work should be distinguished from at least the following well-known constructivist views. (This is not intended as a complete list.) First, the social constructivist metaethics discussed in this work should be distinguished from a number of constructivist views in recent moral and political theory. Such views include John Rawls's seminal 'theory of justice', in which a substantial conception of social justice is 'constructed' from substantially normative materials, including a conception of persons equipped with a sense of justice, and a theory of social choice in conditions of uncertainty (Rawls 1971; 1993; 1999). It also includes T. M. Scanlon's 'contractualist' theory of the morality of rights and duties, in which a conception of the morally permissible and obligatory is 'constructed' from substantially normative materials, including a conception of what reasonable individuals committed to find fair principles for the mutual regulation of their behaviour could reasonably reject (Scanlon 1998). Thus understood, neither Rawls's and Scanlon's theories constitute a social constructivist metaethics in the sense at issue in the present work, as opposed to substantial attempts to establish quite specific moral and political conclusions, based on the justificatory potential of a rational procedure of construction that already makes use of substantially moral

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[13] For a somewhat different use of the analogy between morality and law for broadly constructivist purposes, see Shemmer 2012, 174-8.

and political claims, as well as (at least on a charitable reading) substantial assumptions about relevant natural and socio-economic circumstances.

Some of Rawls's early writings could possibly be interpreted as approaching the kind of social constructivist metaethics discussed in this work.[14] Yet what Rawls is primarily doing in constructing a conception of justice – at least in his more mature work - is to argue for a substantially normative conclusion from a set of minimally controversial, but substantially normative, premises. The effectiveness of this argumentative strategy is in principle neutral with respect to the metaethical interpretation of its status, e.g. whether we think of it along conventionally epistemological (see e.g. Brink 1989) or practical (see e.g. Rawls 1999) lines. Hence what Rawls is providing in his seminal paper 'Kantian Constructivism in Moral Theory', for example, can charitably be read as a substantial moral and political argument, conjoined with a logically optional constructivist interpretation of what he is doing (and why he is doing it).

Having said that, the combination of Rawls's moral and political arguments with a constructivist interpretation of their metaethical presuppositions is far from unmotivated. For example, Rawls is quite explicit that he intends to avoid appealing to a set of basic rational intuitions in the process of construction, presumably because he open to skepticism about the existence or availability of any such things. Hence, although a rational intuitionist may consistently appeal to such intuitions in the course of moral and political argument, this

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[14] See e.g. the early essays in Rawls 1999, where Rawls writes that 'the objectivity or the subjectivity of moral knowledge turns, not on the question whether ideal value entities exist or whether moral judgments are caused by emotions or whether there is a variety of moral codes the world over, but simply on the question: does there exist a reasonable method for validating and invalidating given or proposed moral rules and those decisions made on the basis of them?' (Rawls 1999, 1)

option is one that Rawls would seem to prefer to avoid on his own terms. For Rawls, as a constructivist, there is justificatory value in avoiding the appeal to any premises the vindication of which requires appeal to the authority of claims that are somehow 'prior to', or otherwise not included in a set of widely shared, or 'common sense', moral and political beliefs or commitments. What the presentation of Rawls's argument arguably masks, however, is that the same advantage could in principle be claimed by a rational intuitionist who wished to argue for a morally substantial conclusion along the same 'constructivist' lines. After all, the fact that you believe that some area of moral knowledge can be grounded in a set of self-evident rational intuitions does not entail that it is appropriate to appeal to them during the course of every moral argument. Rawls, however, seems to be bound by the internal consistency of his constructivist project to avoid any such appeals. Hence, there arguably remains a better 'theoretical fit' between his constructive procedures and some form of metaethical constructivism that what obtains between his constructive procedures and rational intuitionism. Be that as it may, constructing a theory of justice does not imply being a constructivist about the metaphysical status of claims about justice.

Nor does being a constructivist about the metaphysical status of claims about justice imply a commitment to construct a theory of justice in a 'Rawlsian' sense. Producing a complex theoretical edifice modelled on a rational decision procedure is, indeed, one way in which a conception of justice can be constructed. Perhaps it is even the best, or most intelligent way of doing so. Yet it is hardly the only way, nor the way in which the bulk of moral and other normative concepts have historically been constructed according to the social constructivist metaethics discussed in this work. Perhaps there are some historical approximations to this kind of elaborate theoretical construction, as exemplified by some of the world religions and the work of their master theorists. Yet not all sensible moral thought can be assumed to be a

simple offshoot of this kind of theoretical construction. For example, Rawls's highly idealized construction of justice in *A Theory of Justice* (1971) assumes a stable and well-ordered society that is isolated from its neighbours; an assumption that is obviously false of most of the historical circumstances in which moralities have historically been constructed. It is also a further (and substantially moral) question whether we should even *aspire* to construct our moral concepts along the lines exemplified by the Rawlsian paradigm in moral and political theory. Whether we should aspire to do so or not, a Kantian construction of justice along Rawlsian lines is in any case just one particular (and highly idiosyncratic) example of what it might mean to argue sensibly about justice if the social constructivist metaethics discussed in this work were true.

The situation is in some ways similar with respect to the early writings of T. M. Scanlon, although in his later writings Scanlon has explicitly distanced himself from the kind of social constructivist metaethics developed in this work, at least in its global form (C.f. Scanlon 1982 vs. Scanlon 2014)) In his *Being Realistic About* Reasons, Scanlon defines 'constructivism' about a given area of thought as follows:

'A constructivist account of a subject characterizes the facts about that subject by specifying some procedure through which these facts are determined, or 'constructed' (Scanlon 2014, 90).

This definition of constructivism is not equivalent to the way in which constructivism is understood in the present work. This is primarily because of the centrality of the notion of 'procedure' in Scanlon's definition; a notion which – although it arguably captures the sense

in which 'construction' has been understood in much of recent moral and political philosophy – is too narrow for the purposes of the present inquiry. Regardless of how the process through which human beings have developed the capacity to make modally robust and reflectively stable judgements involving moral concepts is best described, it is definitely not best described as one in which people either designed, or designed and then followed, a 'construction procedure' in any interesting sense.

Scanlon identifies three different ways in which the correctness of substantially normative judgements can be 'independent of us' on a constructivist account (Scanlon 2014, 93-95). The first is by being 'judgement independent', in the sense that the judgements in question are ones we can be mistaken about. Any plausible version of metaethical constructivism should allow for judgement independence thus understood. The second is by being 'choice independent', in the sense that the standards for assessing such judgements 'do not depend on what we, collectively, have done, chosen, or adopted, and would not be different had we done, chosen, or adopted something else' (Scanlon 2014, 94). As will have already been clear during the course of my discussion of Hacking's view above, it is not at all clear that a plausible constructivist account of some normative subject matter should necessarily aspire to choice-independence in this sense; although it is plausible that some substantial moral judgements actually do carry this aspiration. The third way for the correctness of judgements to be independent of us identified by Scanlon is being 'independent of what we are like', in the sense that their truth-value is insensitive to all facts about our nature, constitution, or contingent features of either ourselves or our circumstances. In this sense, no plausible constructivist account of moral thought (or, indeed, any plausible account of moral thought whatsoever) should make the truth *too* strongly independent on us. After all, at least some

moral judgements must be partly sensitive to the social and historical context of the individuals and groups to whom they apply.

The social constructivist metaethics discussed in this work agrees with Scanlon when he says, about practical reasons, at the end of his discussion of constructivism that:

'… the domain of practical reasons is not a unified subject matter like the domain of sets, the content of which we should expect to be determined by the overall principles characterizing this domain. This does not mean that we should lack confidence in the particular conclusions we reach about reasons for action, but only that our confidence… is a matter of confidence in those particular conclusions rather than a general confidence that all questions about reasons have determinate answers' (Scanlon 2014, 104).[15]

The social constructivist metaethics discussed in this work is also in broad agreement with Scanlon when he says the following:

'How then do we come to know particular non-derivative truths about such things as reasons? My own answer is that we do this simply by thinking carefully about what seems to us to be reasons' (Scanlon 2014, 102)[16]

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[15] It is possible that Scanlon is mistaken in drawing this contrast with 'the' domain of sets. I take no view about this matter here.

[16] Scanlon also writes that 'our thinking about reasons depends on too many disparate starting points that are not constructed from other reasons' (Scanlon 2014, 101). The point seems to

Scanlon might also well be right that confidence in our judgements about reasons for action does not depend on our confidence in either a general, systematic, or even axiomatizable theory of such reasons. Where the social constructivist metaethics discussed in this work departs from Scanlon's view is in denying that a constructivist account has to offer a 'process' of construction of judgements about reasons from a set of judgements that is logically independent of such judgements. The social constructivist metaethics discussed in this work therefore stops short of endorsing the *letter* of the following claim about the determinacy of judgements about the reasons, even though it is consistent with its underlying *spirit*:

'Our confidence that statements about reasons have determinate truth values… depends on our confidence in the results of this process in particular cases rather than on some general account of reasons of the sort that… a global constructivist theory… would provide' (Scanlon 2014, 104)

The difference between Scanlon's view and the social constructivist metaethics discussed in this work is most clearly brought out by considering why Scanlon refuses to attach the label 'constructivist' to any account of reasons that has the following form: '*p* is a reason for *x* to do *a* if the judgment that it is such a reason would be among *x*'s evaluative judgments in reflective equilibrium *if the judgements x made in arriving at this equilibrium were sound*'

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be that we should have no confidence in the claim that all the truths about practical reasons are derivable form some unified, or axiomatizable, theory of reasons. This is another issue on which the social constructivist metaethics discussed in this work would agree.

(Scanlon 2014, 103). Scanlon says that thus understood, 'this is not a constructivist account of reasons, since the steps involved in carrying out the process in question would involve making judgments about what is or is not a reason' (Scanlon 2014, 103) Without wishing to endorse the constructivist account described by Scanlon in this passage (which is meant to do duty for a possible way of reading Sharon Street's view of the matter (c.f. Street 2008; 2010), it will be objected on a social constructivist's behalf that the need to make reason judgements in the course of the relevant 'process' is not really a problem for a social constructivist metaethics as such. Indeed, according to the social constructivist metaethics discussed in this work there is no strong case for trying to have it otherwise, apart from a prior attachment to an idiosyncratic and theoretically optional form of conceptual reduction project.

Scanlon might object that, apart from the boring issue of who owns the label 'constructivism', the view under discussion 'is not itself an account of the *subject matter* of practical reasons at all', and so fails to be a genuine 'competitor view' (Scanlon 2014, 103). This is, however, an extremely misleading way of articulating what is at issue between different kinds of constructivist (and not only because it is quite obscure what it actually takes for something to be an 'account' of something in the first place, and why no adequate 'account' in philosophy should ever be thought to be circular). It is an extremely misleading way of articulating what is at issue between different kinds of constructivist for two reasons. First, to say - as so-called 'relaxed realists' like Scanlon do - that the truth of reason judgements is irreducible but without substantial metaphysical implications is not so much to offer a 'thin' explanation of the subject matter of practical reasons as to refuse to offer an account of that subject matter at all. Second, the social constructivist metaethics discussed in this work actually provides an alternative, and no less explanatory, account of what it takes for a set of normative judgements to have a 'subject matter'; namely for a contingently

developed practice of normative classification to issue in judgements that have reflectively stable and counterfactually robust application conditions. In the final analysis, it could well turn out that the distance between this view and the 'relaxed realism' of Scanlon and his theoretical allies is paper-thin, amounting to no more than a 'distinction without a difference' (c.f. Lillehammer 2013).[17] This does not, however, mean that the distinction is not worth pointing out, insofar as the social constructivist metaethics discussed in this work actually purports to offer an explanation of the subject matter of normative claims that a 'relaxed realist' view, such as Scanlon's, flatly refuses to provide.[18]

The difference between Scanlon's position and the social constructivist metaethics discussed in this work ultimately boils down to a difference in how we conceive of what it is for a domain of normativity, such as the object of moral thought and judgement, to be a construction. Scanlon seems to think that the domain in question is a construction just in case the truths in that domain can be generated from another set of truths by means of some explicitly describable and normatively sound procedure. This would be the kind of process that would appear in a theoretical reconstruction of the common sense understanding of the relevant domain by philosophers such as Scanlon himself (or Christine Korsgaard, or John Rawls, or Sharon Street). On the social constructivist metaethics discussed in this work, the domain in question is a construction just in case that domain has, in fact, been generated by the emergence of a set of concepts for the regulation of thought and behaviour, where the truths of the relevant domain might or might not be possible to generate from another set of

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[17] C.f. Ronald Dworkin: 'Or constructivism?... None of these labels fits exactly… because each is stained with the mistaken assumption that there are important philosophical questions about value that are not to be answered with value judgements' (Dworkin 2011, 11)

[18] A parallel argument could me made about the view defended in Parfit (2011) and, less obviously, Dworkin (2011). It would arguably be a mistake, however, to extend the same argument to Skorupski (2011), given the explanatory ambitions embodied in his distinction between 'spontaneity' and 'receptivity'.

truths by means of some explicitly describable and normatively sound procedure of reconstruction. Furthermore, there could in principle be no explanatory, or otherwise informative, way of describing the process of construction in question without making use of the constructed concepts themselves. Thus understood, the basic claim embodied in the social constructivist metaethics discussed in this book is is that the emergence of the normative concepts in question is both *contingent* and *ontologically creative*. The social constructivist metaethics discussed in this work therefore disagrees with Scanlon when he demands of a plausible form of constructivism that it does not 'involve or depend on substantial claims about what reasons people have, but… [that it nevertheless leads] to conclusions about such claims' (Scanlon 2014, 100). In any case, no such account is on the menu as being provided by the social constructivist metaethics discussed in this work.

The downstream effects of this difference between Scanlon's view and the social constructivist metaethics discussed in this work is that there are points on which these views may superficially seem to agree, whereas in fact they do not. The following statement, for example, might initially be thought to identify an issue on which Scanlon's view and the social constructivist metaethics discussed in this work will coincide. Scanlon writes:

> 'Although I think that constructivist accounts of justice and morality have considerable plausibility, I do not believe that a plausible constructivist account of reasons for action in general can be given.' (Scanlon 2014, 98)

The ways in which Scanlon's claim in this passage differ from the social constructivist metaethics discussed in this work are as follows. First, their respective conceptions of

constructivism are different. Where the notion of construction discussed in this work is essentially social, Scanlon's is not (or at least not explicitly so). Second, where the notion of construction discussed in this work allows for an element of circularity in the explication of moral truth, validity and correctness, Scanlon's account apparently does not. Third, the metaphysical implications of not offering a constructivist account of reasons in general are arguably different on Scanlon's account and on the social constructivist metaethics discussed in this work. For Scanlon, reasons in general appear to constitute a *sui generis* domain of 'truths' and 'facts' that escape the explanatory grasp of talk of construction. On the social constructivist metaethics discussed in this work, reasons in general only escape such talk to the extent that they could be said to constitute normative 'bedrock'. They do not escape talk of construction in the sense of existing independently of the contingent emergence of normative capacities and concepts the reflective stability and counterfactual robustness of which provide application conditions for the relevant normative claims. In that sense, reasons for action could in principle be as constructed as moralities are; although this is not an issue that will be seriously explored in this work.

In sum, the social constructivist metaethics discussed in this work has no difficulty sympathetically incorporating first-order constructivist views, such as Rawls and Scanlon's, as explicit and systematic proposals for how some particular aspect of morality or politics can be (further) constructed or developed, given a background of substantial moral and political claims and commitments. The fact that the highly complex and artificial systems of moral philosophers have rarely had the traction in the wider social world to greatly affect the (further) development of actual moralities to which they are addressed does not in any way detract from the intelligibility, legitimacy, or even virtue of the exercise; although it does, potentially, affect how we should understand their intellectual significance and interest.

Yet another type of constructivist view that should be distinguished from the social constructivist metaethics discussed in this work is the global constructivism about normativity and practical reason associated with contemporary neo-Kantians, such as Christine Korsgaard (see e.g. Korsgaard 1996; 2009). On such views, the metaphor of construction is invoked in order to explain the normativity of all reasons for action in terms of what is either constitutive of, or what is delivered as a result of, the reflective exercise of the reasoning capacities of individual rational agents.[19] The social constructivist metaethics discussed in this work is distinguishable from this kind of neo-Kantian constructivism in the following two ways. First, whereas the neo-Kantian view explains the objectivity of reasons, norms and values by appealing to facts about the reflective capacities of rational agents considered essentially as individuals, and therefore logically 'prior' to any form of socialization, on the social constructivist metaethics discussed in this work the relevant construction of reasons, norms or values is irreducibly social from the start.[20] More importantly, whereas the social constructivist metaethics discussed in this work is consistent with the claim that all reasons, norms and values are essentially constructed, it does not entail that view (c.f. Lillehammer 2000; Enoch 2009). This is not to deny that a social constructivist metaethics can consistently be combined with a global constructivist view of all reasons, norms and values. On the contrary, it one part of the aim of the second part of this work to identify a cogent response to what is normally considered the most serious objections to that view.

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[19] Considered as a species of individualist global constructivism, this view is of a kind with recent neo-Humean variants of the same project, as prominently found in the work of Sharon Street, for example (see e.g. Street 2008; 2010; 2012). Street writes: 'The truth of a normative claim consists in that claim's following, as a logical or instrumental matter, from within the practical point of view' (Street 2008, 58; quoted in Lenman & Shemmer 2012, 7).

[20] This is not to deny that a plausible social analogue of Kantian constructivism about practical reason could also in principle be formulated. (See e.g. O'Neill 1989.)

Third, the social constructivist metaethics discussed in this work should be distinguished from the project of constructing the normative force of *moral* reasons, norms and values in particular on the basis of a set of reasons, norms and values claimed to be constitutive of *rationality*, or *pure reason*. Among projects of this kind can be counted the recent attempt by Korsgaard and other neo-Kantians to ground the normativity of a respect for persons in structural facts about what it is for an agent to act for a reason (Korsgaard 2009).[21] The social constructivist metaethics discussed in this work does speak directly to the viability or otherwise of this aspect of the neo-Kantian project. It is therefore neutral with respect to the recently much disputed question whether morality must be 'normative' for any agent, whatever their contingent social or historical circumstances.[22] In its canonical form, to be further articulated in what follows, the social constructivist metaethics developed in this work is consistent with the existence of a fully rational or reasonable individual who is irreconcilably alienated or detached not only from the actual morality of their social group, but also from any minimally demanding morality they are able to imagine.[23]

The promise of a philosophically rigorous guarantee that some form of morality is rationally required (or otherwise 'normative') for all human beings whatever their social and historical circumstances has historically been considered one of the main attractions of neo-Kantian

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[21] This project is crucially different from the aforementioned neo-Humean view according to which whether or not an individual is bound by rationality to respect persons (either in their own case or in that of others) is a contingent function of the contents of their own desires, subject to constraints on sound rational deliberation (see e.g. Street 2012).

[22] Of course, it would also be possible for a social constructivist metaethics to reject both the neo-Kantian and the neo-Humean view, but for independent reasons.

[23] To this extent the social constructivist metaethics discussed in this work has more in common with neo-Humean versions of constructivism. For reasons already explained, however, it is not equivalent to any such view.

constructivism (see e.g. Korsgaard 1996; c.f. Harman 2000). Yet the fact that the social

constructivist metaethics discussed in this work does not guarantee the necessary coincidence

of moral reasons, norms or values with first-personal, partial or other recognizably non-moral

reasons, norms and values is not in itself a conclusive objection to it.[24] After all, it is not as if

our inability to boil all practical questions about the nature and extent of our social relations

down to an issue of 'morality' (or 'ethics') should necessarily be thought of as a symptom of

intellectual disability. On the contrary, the fact that certain kinds of metaethics *do* claim to

guarantee such a necessary coincidence could equally well be considered a potential

objection to *them* (see e.g. Sidgwick 1907; Williams 1985). For example, it is reasonable to

believe that any minimally plausible morality will include norms or requirements that specify

a substantial degree of impartiality. If so, any plausible theory of practical reason (and any

plausible form of metaethics) should in principle be able to make room for the possibility of

at least some fundamentally irresolvable conflicts between partial and impartial goods. Any

theoretical edifice we are likely to recognize as a moral theory, however ecumenical and

flexible, should therefore stop short of accommodating all partial values to the maximum

imaginable extent, at the risk of running contrary to the essentially collective, collaborative,

or communal character of minimally functional human moralities. According to the social

constructivist metaethics discussed in this work, any insistence, argument, or legitimating

narrative to the contrary would have to be diagnosed as a potentially adaptive and self-

reinforcing, but ultimately misguided, philosophical myth (c.f. Joyce 2001).

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[24] C.f. Sharon Street, who writes: 'But it seems to me that we have gone too far if we think it is part of the very idea of morality that its requirements are categorical with respect to *any evaluative nature an agent may have*.' (Street 2012, 55). The social constructivist metaethics discussed in this work is in basic agreement with this view.

iv) <u>Construction, subjectivity and relativism</u>

It might be thought that by excluding any aspiration to offer a transcendental, or otherwise metaphysically robust, legitimating narrative for moral claims the social constructivist metaethics discussed in this work thereby implies a form of crude moral relativism. Indeed, this quite a pressing question, given that this view shares a number of key features with constructivist accounts of morality which are explicitly relativist both in aspiration and content, as clearly illustrated by the 'emotional constructivist' view recently articulated by Jesse Prinz in his book *The Emotional Construction of Morals* (Prinz 2007, 2; 119).

The metaethical view presented in Prinz's book contains elements of both social constructivism and of relativism, as when he exemplified by his claim that '[m]oral facts are like money. They are social facts that obtain in virtue of our current dispositions and practices. They are as real as monetary values and even more important, perhaps, in guiding our lives' (Prinz 2007, 167).[25] Prinz's view is a version of social constructivist insofar as it entails that moral facts are a kind of social fact, made possible by the 'behaviors or coordinated mental states of a social group' (Prinz 2007, 162). According to Prinz, moral facts are 'immanent' social facts'. These are social facts that 'must be continually sustained by the mental practices of a social group. Facts about monetary value are classic examples. The monetary value of a piece of currency depends on social practices… The fact that a

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[25] And again: 'Monetary value is created by us, but it is also a real feature of the world that has an impact on us. I think moral facts are a special kind of construction: they are made by our sentiments, and, once made, they can be perceived'. (Prinz 2007, 168)

particular baboon is the alpha male in a troop of baboons is another example of an immanent social fact. So is the fact that the Democratic Party is more liberal than the Republican Party' (Prinz 2007, 162). 'Immanent' social facts have the property of being changeable by challenging existing and historically received beliefs and conventions. As Prinz notes, 'the mere fact that a rule was devised in the past does not seem sufficient to give that rule force' (Prinz 2007, 163). In other words, moral facts are socially constructed facts; they are not purely conventional facts; but they are 'immanent' facts the existence of which depends on us actually 'keeping things going' in some ways rather than others.[26]

On some crucial points, Prinz's emotional constructivism appears to give an importantly different account of the nature and status of ethical claims from the one provided by the social constructivist metaethics discussed in this work. The main point of difference relates to the normative content and aspirations attributed to moral claims on the two respective views. Thus, at the beginning of his book, Prinz summarizes his metaethical position as follows:

'I will argue that morality derives from us. The good is that which we regard as good. The obligatory is that which we regard as obligatory. The 'we' here refers to the person making [a]? moral claim and the cultural group with which that individual affiliates. If the good is that which we regard as good, then we can figure out what our obligations are by figuring out what our moral beliefs commit us to. Figuring out what we believe about morality is a descriptive task… and one that can be pursued empirically. Thus, normative ethics can be approached as a social science.' (Prinz 2007, 1).

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[26] It is an interesting question, but one which I do not pursue in this work, whether monetary facts are purely conventional in the relevant sense or, given how people actually conceive of monetary value, monetary facts may 'transcend' the purely conventional in interesting (and potentially quite disturbing) ways.

The social constructionist metaethics developed in this work is compatible with at most the first two of these claims. In particular, the social constructivist metaethics discussed in this work stops short of indexing the truth, validity or correctness of moral claims to the individuals who are making those claims in such a way that to discover what is good or obligatory is reducible to a question about what the individuals who are making those claims actually think or feel.[27] No doubt this is one possible way to interpret or make use of at least some apparently moral terms in at least some times and places. Yet from this mere possibility, one should not infer the programmatic claim that this is how moral terms are universally best interpreted as actually functioning at all times and places, or as functioning *well* wherever they do occur. According to the social constructivist metaethics discussed in this work, when making moral claims I may well be giving voice to, or otherwise express, how I feel about things; but I will not *thereby* hold the correctness of those claims hostage to the content of those feelings. Indeed, quite the opposite is often likely to be true. Moreover, at least one of the points at issue in assessing this disagreement between Prinz's version of social constructivism and the constructivist metaethics discussed in this work is the substantially normative (and moral) concern that that thinking otherwise is paramount to endorsing a form of moral narcissism that critical reflection ought to reveal as epistemologically myopic and practically pernicious.

The social constructivist metaethics discussed in this work therefore departs from Prinz's view at this crucial point. The argument for this departure takes roughly the same shape as

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[27] Prinz writes that moral claims, such as "Torture is wrong, no matter what" embody one or more 'hidden indexicals' that function to pick our facts about speaker feelings (Prinz 2007, 199-205).

Prinz's own argument in his book against purely conventionalist accounts of moral facts. Just as the mere fact that a rule was devised in the past is not necessarily sufficient to give that rule normative force (although we may not want to completely rule out that it could be in some circumstances), the fact that something actually happens to be valued is not necessarily sufficient to give it normative force or legitimacy either. In other words, it is possible for someone attracted to a social constructivist metaethics to reject the radical subjectivism of Prinz's account of what the 'immanence' of moral facts consists in, and to do so least partly on substantially normative (including both moral and epistemological) grounds. According to the social constructivist metaethics discussed in this work, the normative force and legitimacy of true, valid or otherwise correct moral claims is taken to reside not in our actual responses, but in actual or hypothetical responses that are suitably *merited* or *sound*. Furthermore, the conditions when responses are, in fact, relevantly merited or sound are most perspicuously specified at least partly in substantially normative (including moral and epistemological) terms.

According to the metatehical view discussed in this work, the question of how to understand the truth, validity or correctness of moral claims is partly a normative (and moral) question, and therefore itself partly a function of social construction. Thus, if relativizing moral truth, validity or correctness to the actual feelings of speakers or the shared feelings of their cultural group (as on the view implied by Prinz's version of social constructivism) results in us having to endorse moral claims that on reflection we consider morally unacceptable, we have good reason to interpret our moral concepts and the claims they allow us to make in such a way as to avoid those implications. Indeed, the social constructivist metaethics discussed in this work is consistent with the idea that human beings as we actually happen to be are inescapably tangled in an ideological network of dysfunctional moralistic ideology the

transcendence of which is currently beyond our grasp. Nothing I will argue in this work could reasonably be taken to show that this claim is actually true. Yet it is a perfectly consistent and intelligible claim for a social constructivist metaethics to make, and not one that is obviously absurd when considered on its own (substantially moral) merits. Either way, it is arguably a theoretical virtue of any metaethical view that it is able to accommodate at least the coherence of this, and similarly aspirational, epistemological claims about our moral sensibility. While the social constructivist metaethics discussed in this work does accommodate the coherence of this claim, it is not clear that the emotional constructivism articulated in *The Emotional Construction of Morals* does.

Having said all that, the social constructivist metaethics discussed in this work does not imply the existence of some sharp or definite alternative articulation of what the truth, validity or correctness of moral claims consists in. On the contrary, it is consistent with this view to maintain an attitude of agnosticism, either with respect to the prospects of formulating such conditions, or with respect to what those conditions are (c.f. Prinz 2007, 235). Moreover, this kind of agnosticism could in principle be both a morally, and an otherwise intellectually, serious attitude to have; either towards our own moral claims, or towards moralities in general. Indeed, from the perspective of the social constructivist metaethics discussed in this work, it is possible to regard the insistence on being able to identify a determinate set of conditions that make moral claims true, valid or correct as being expressive of a misguided willingness to trade the overall (including moral) plausibility of a philosophical view of moral thought and practice for the theoretical (including semantic) simplicity of that theory.

There is another important respect in which the social constructivist metaethics discussed in this work differs from the emotional constructivism in Prinz (2007). As previously noted, the social constructivism articulated in Prinz's book is a form of what he calls 'emotionism'. This view can be 'schematic' formulated as follows (Prinz 2007, 20-21):

(S1) *Metaphysical Thesis*: An action has the property of being morally right (wrong) just in case it causes feelings of approbation (disapprobation) in normal observers under certain conditions.[28]

(S2) *Epistemic Thesis*: The disposition to feel the emotions mentioned in S1 is a possession condition on the normal concept RIGHT (WRONG)

The social constructivist metaethics discussed in this work is consistent with the claim embodied in (S2), although it does not entail it. In fact, the social constructivist metaethics discussed in this work is neutral on the question of whether the responses involved in moral judgement and with reference to which the truth, validity or correctness of moral claims could be defined are best characterized as emotions, or whether they (also) involve some different kind of psychophysical profile. Furthermore, the social constructivist metaethics discussed in this work is neutral on the question of whether the identity conditions of the psychophysical states in question are definable independently of the particular historical context in which they are embodied and the culturally variable terms in which they can

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[28] Elsewhere Prinz has: (S1') An action has the property of being morally wrong (right) just in case there is an observer who has a sentiment of disapprobation (approbation) toward it. (Prinz 2007, 92). And: 'In short, a wrong action is an action against which an observer has a moral rule' (96) See the main text above for an evaluation of those claims by the lights of the social constructivist metaethics discussed in this work.

variously be classified (c.f. Keane 2016). In other words, the social constructivist metaethics discussed in this work leaves it open that not only the nature of moralities, but also the nature of the psychophysical states from which moralities are constructed, are irreducibly social.

In response, it should be noted that Prinz explicitly argues against a version of what he calls a 'sensibility' theory of moral claims, according to which we should understand truth, validity or correctness of moral claims precisely in terms of the responses they can be said to 'merit' (see e.g. McDowell 1998; Wiggins 1998). The view rejected by Prinz under this heading shares a number of aspects of the social constructivist metaethics discussed in this work. It might therefore be thought that the latter view should be rejected for the same reasons that Prinz has rejected the former. In his book, Prinz formulates the 'sensibility' view in question as follows:

(S1-M) An action has the property of being morally right (wrong) just in case observers *deem it appropriate* to have feelings of approbation (disapprobation). (Prinz 2007, 112)

He calls this 'the metacognitive view'. Prinz objects that there is no plausible way of cashing out the relevant notion of appropriateness, except by invoking the notion of *moral* appropriateness, but 'that introduces a vicious circle. Moral concepts *cannot be defined* [my italics] as beliefs about what emotions are morally appropriate' (Prinz 2007, 112).

Yet that all depends on what you want from a definition, i.e. on what happens to be your theoretical purpose. If that purpose is to give an account of the conditions under which a set

of claims that we have some independent ability to pick out in most cases (which we do) are true or correct, then it is not clear that the circularity that Prinz has correctly identified is vicious.[29] Having said that, the social constructivist metaethics discussed in this work does not imply the metacognitive view. What matters from the perspective of this view is not whether we can make sense of 'meriting' with or without appealing to *judgements* of merit, but whether we can make sense of the idea that some moral claims *are merited* and others are not. And this we can, provided we can give some minimally sophisticated and contrastive account of the conditions in which more or less merited moral claims are made.

On a closer reading, Prinz actually appears to agree with this view when he writes:

> 'A psychological response is merited by its cause if (a) it applies to its cause, and (b) if the agent can be held responsible to some degree for having or failing to have that response' (Prinz 2007, 114).[30]

Thus, Prinz explicitly accepta that we can make sense of an object as 'meriting' a response in terms of how observers would respond to that object in conditions where they have soundly deliberated; know or have experienced relevant facts; have relevant working knowledge, and so on. In other words, the contested notion of merit can be made sense of by appealing to our responses in a set of *favourable* circumstances; with or without any accompanying (and so

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[29] This is arguably both McDowell's and Wiggins's view. (See e.g. McDowell 1998; Wiggins 2006).

[30] Elsewhere, Prinz writes: 'We can deliberate more, acquire more facts, expose ourselves to more experiences, and undergo more training' (Prinz 2007, 115)

meta-normative) judgement about merit. Depending on how the details are filled out, Prinz's view can therefore be interpreted as being consistent with the social constructivist metaethics discussed in this work. Of course, there could be different views about what, if any, further constraints to include on the idea of 'favourable' conditions; such as whether they require exercising one's imagination in an empathetic way, or whether the responses of other agents are also relevant. That, however, is a matter of detail. According to the social constructivist metaethics discussed in this boo, it is also a matter that needs to be worked out during the course of substantial, or 'first-order', moral thinking or discussion.

In his book, Prinz objects to the so-called 'ideal observer' accounts of morality that result from specifying favourable conditions of the kind described in the previous paragraph. One of his reasons for doing so is his rejection of some of the conditions that have historically been imposed on such observers by defenders of this kind of metaethical view. For example, Prinz is skeptical about the claim that ideal moral spectators would be maximally impartial (Prinz 2007, 143), and is also suspicious of the claim that they would exhibit 'careful reflection', 'full factual knowledge', or 'disinterest' (Prinz 2007, 143). These are obviously perfectly sensible questions about which reasonable people might agree or disagree, wether on substantially moral or somehow on purely 'extra-moral' grounds. Yet Prinz goes much further than this in his rejection of the ideal observer view. He writes:

> '[I]n making moral judgments, we don't try to accommodate what just anyone would value; we try to accommodate what *we* value, where "we" refers to evaluator and the evaluator's cultural group. If we value democracy and people in another cultural setting

don't, we have little interest in making judgments from their point of view, and little

hope of finding a helpful common ground.' (Prinz 2007, 144)

This is a very strange claim for an empirically sensitive and anthropologically informed philosopher such as Prinz to be making; first, because some people (such as people who devote themselves to cross-cultural travel and interpretation) clearly are extremely interested in looking at the matter from other cultures' point of view; second, because doing so is not just a matter of 'accommodating what just anyone would value' nor merely 'making judgments from their point of view (critical cross-cultural reflection usually requires more than that); and, third, because no plausible metaethics should obviously aspire to shut down the legitimacy of thinking ethically beyond one's own culture as a matter of stipulation. In fact, to do so is arguably to give expression to a highly questionable (and potentially pernicious) kind of parochialism in moral judgement. Prinz complains that 'ideal observer theories, when taken to demand total impartiality, are not accurate descriptions of our goals in moral reasoning' (Prinz 2007, 144). About that particular point, he could well be right. But the question here is not only what our goals in moral reasoning are, as much as what they ought to be (which is itself, in part, a substantially moral question). So when Prinz writes that 'we seek good observation conditions because we want to discern what conforms best to our biases, not because we want freedom from bias' (144), it is possible to agree with him about the non-eliminability of 'bias' (although the talk of 'observers' here is potentially misleading), but to do so on partly normative (including moral) grounds, and therefore not on the basis of some 'purely' descriptive (or other kind of extra-moral) perspective on moral criticism.

Another one of Prinz's complains against sensibility theories is that they endorse what he calls the thesis of 'co-creation'. According to these views, 'the wrong is that which elicits emotions… that occurs in response to something that conforms of fail to conform to a moral rule' (Prinz 2007, 118). Prinz accepts that in this case the circularity embodied in the 'co-creation' thesis is non-vicious, but argues that the 'no-priority' thesis it implies with respect to moral emotions and the properties of wrongness is unacceptable, because it gives us no independent way to distinguish one class of 'response dependent' properties (including moral properties) from another (such as aesthetic properties). His proposed solution is to find 'some way of referring to moral emotions without referring to that which we moralize' (Prinz 2007, 118). Strictly speaking, the point at issue here is moot from the perspective of the social constructivist metaethics discussed in this work. Nevertheless, the explanatory strategy embodied in this view does offer the promise of at least one response to Prinz's complaint. According to this view, what counts as a 'moral' as opposed to an 'aesthetic' value, say, is itself partly a normative question about which competent judges could (and sometimes do) disagree. To insist on distinguishing 'lovability' from 'reprehensibility' in terms of their moral status in purely extra-moral terms is therefore not as much to acquire an explanatory advantage as to take a substantially normative (and partly a moral) stand. The social constructivist metaethics discussed in this work can therefore stop short of rejecting the 'co-creation' thesis and the 'no-priority' view on which it depends to the extent of holding that both the domain of the 'lovable' and the domain of the 'reprehensible' are socially constructed, and therefore subject to substantially normative (including moral) challenge and critique *in medias res*. This is not in itself to deny the existence of prior mental and psychological facts on which the process of construction both causally and constitutively depends. Instead, it is to deny that we should feel compelled by philosophical considerations

to aspire to conduct the construction in question purely on normatively (including morally) neutral terms.

This response still leaves at least one important question unanswered about the relationship between Prinz's emotional constructivism and social constructivist metaethics discussed in this work. This is the question of to what extent, if any, moral facts should be thought of as 'immanent' social facts. After all, defining moral facts in terms of merited responses leaves open the possibility that the facts in question depend for their existence on the continued existence of such responses. I shall return to this important issue at greater length in the second part of this work. With specific reference to Prinz's argument, there are two points that can be made by way of immediate response. First, the merited, or reflectively enhanced, responses referred to by a social constructivist metaethics need not be, nor need they ever have been, actual. Second, as the modal status of those facts depends on the content of those responses and there is a strong case for thinking that merited responses would not favour a restriction of moral truths by what presently existent agents happen to favour, there is a consistent case for thinking that moral facts would not be 'immanent' in the strong sense defined by Prinz. Perhaps they would still be 'immanent' in a different sense, insofar as their practical interest or relevance (and hence, to some extent, their perceived normativity) will obviously depend on the existence of some relevant social practice and a capacity on the part of the participants in that practice for making the relevant kind of moral judgement. Be that as it may, on the social constructivist metaethics discussed in this work the question of whether to think of moral facts as 'immanent', and if so, how, is interpreted as at least partly a substantially normative (and moral) question, on which any strong claim to immanence would reasonably attract our suspicion as being either unduly myopic or parochial.

On close reading, Prinz's emotional constructivism actually allows for the normative criticism of moral norms and values, even if Prinz himself prefers to think of such criticism as taking place from some extra-moral perspective of non-moral values, aims, or goals (Prinz 2007, 288ff). Thus, we obviously have other interests apart from moral ones, such as personal survival or collective coordination. These interests can arguably give us some foothold in evaluating moralities on non-moral, or extra-moral, terms; and thus to acquire the comfort of thinking that what moral thought actually does for us is something we probably want to continue making it do, whatever the natural or psychological causes of our morally articulated pre-moral feelings. To this extent morality is in principle be capable of 'external' vindication. Prinz writes:

'If we remember that morality is a tool and not a window into absolute truth, we can be open to the possibility of moral growth. We would be wise to recalibrate our sentiments regularly with extramoral standards.' (Prinz 2007, 301)

Prinz is quite explicit about the desirability of seeking such an extra-moral vindication of moral thought, for example when he writes:

'Another difference between the account of moral progress that I am advancing and prevailing theories in normative ethics is that I think the standards by which moral progress is judged are not themselves moral standards. It is important for progress that

we can step outside morality. Otherwise, our current values would always dictate our moral preferences, and progress would be impossible.' (Prinz 2007, 304)

It is undeniably true that bringing a wider range of values, aims or goals to bear on our moral thought is a reasonable way to decide on the strength of our continued commitment to existing moral norms and values, either as such or in part; or in certain of its aspects rather than others. Where the social constructivist metaethics discussed in this book differs from Prinz's version of constructivism is in claiming that as the activity of human practical reflection is necessarily bound (or if not necessarily bound, then at least morally and rationally permitted) to be partly 'holistic', there is no special epistemic privilege to be gained by excluding moral values, aims or goals from that process so as to somehow achieve a morally neutral or otherwise purely external vindication of moral thought and practice. There are two separate points to be emphasized here. The first is that there is some question about our actual ability to produce a coherent and plausible evaluation of moral thought and practice in complete independence from substantial engagement with moral thought itself. Part of the problem here is that it is often a contested matter whether we should count a given consideration as substantially 'moral' or not. The second point is that there is some question about why we should even *want* to produce a coherent and plausible evaluation of moral thought and practice in complete independence from moral thought itself. Part of the problem here is that it is not obvious why such a 'non-moral' evaluation should be thought to have any specially privileged normative authority with respect to some alternative evaluation that proceeded partly on moral terms. Either way, the social constructivist metaethics discussed in this work is not committed to the existence of any specially authoritative evaluations of moral thought on such purely extra-moral terms. No such external evaluation of morality will therefore be considered in the pages that follow.

On an even closer reading, it is possible that Prinz might actually agree on this final point as well, when he writes:

> 'In assessing moral theories, as in doing science, we must be holistic. We must keep all of our values in view… [W]hen it comes to the revision of… our grounding norms… all of our convictions, moral and non-moral, are potentially relevant. And, just as extramoral principles might be used to revise morality, moral principles might weigh in as we revise our extramoral values. This holism goes hand in hand with pluralism.' (Prinz 2007, 304)

Taking this statement at face value, it is possible that the remaining appearance of substantial conflict between Prinz's view and the social constructivist metaethics developed in this work is no more than a superficial matter of presentation or emphasis. Alternatively, it may be a question of practicing what one preaches. As Prinz notes, '[b]ecause morality is a construction, it is possible for us to take the reins' (Prinz 2007, 307). In other words, we don't actually have to make the truth, validity or correctness of moral claims depend on what people actually happen to feel, or make our understanding of the critical potential of moral thought be hostage to the idiosyncracies of an account of the success conditions of moral claims in purely extra-moral terms. In any case, according to the canonical formulation of social constructivist metaethics discussed in this work, this is not a project that we need ever feel the urge to engage in. It is now time to consider that formulation on its own terms.

3. A social constructivist metaethics

i) <u>Moralities as social constructions</u>

To say that moralities are social constructions is to say that moralities are the products of a set of historically contingent processes or practices, undergone or undertaken by a variously realizable set of participants whose activity of bringing into being the constructed entities departs from a previously given but variously describable construction base (c.f. Mallon 2013.) The product of construction is a given morality, or set of moralities; otherwise describable as a co-ordinated social practice conceptually articulated in substantially moral and therefore in substantially normative or evaluative terms. The constructing participants of moralities are individuals or groups of individuals (initially 'proto-moral' agents) who participating in a co-ordinated social practice the function and content of which is likely to be broadly isomorphic with the function and content of the moralities in which they result, but which the resulting moralities are also likely to both alter and extend. Prior to the construction of any morality, the practice in question will therefore be describable as a 'proto-morality', by analogy with the way in which the highly organized social practices of creatures apparently lacking in moral concepts, such as some of the higher apes, can be thought of as 'proto-moralities' when compared to human moralities (c.f. Joyce 2005). Following the construction of a given morality, however, what is already a 'moralized' social practice can subsequently generate further moralities, by continuously developing or

otherwise altering the function, content or conceptual articulation of the already existing and moralized practices in question. Any such development on a sufficiently large scale would then be describable as a further construction of morality.

The construction base of a resulting morality can in principle be either moral (as in 'constructed from an existing morality') or pre-moral (as in 'constructed from a proto-morality'). Furthermore, the construction base of any given morality is in principle describable in either normative/evaluative or 'purely descriptive' terms.[31] Yet any plausible form of social constructivism is committed to existence of at least some fundamental explanatory asymmetries between different modes of description of social practices (such as that of the 'moral' on the 'social' or 'psychological'; and that of the 'social' and 'psychological' on the 'biological' or otherwise 'natural' (c.f. Lillehammer 2017a)). Thus, although it is true that there could have been no moralities without the existence of finite organisms depending on each other for co-operation or non-interference, it is not true that there would have been no finite organisms depending on each other for co-operation or non-interference without moralities. Nevertheless, the exact way in which the organisms involved in some process of moral construction conceive of what they are doing (e.g. as human beings who self-consciously exercise their moral, or 'proto-moral', sensibilities) will inevitably play a non-trivial role in producing a given (constructed) result. It would therefore be an impoverished account of the nature of moralities that failed to interpret the process of moral construction so as not to do justice to how that process of construction characteristically

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[31] This will be true even of a morality that is constructed directly from a 'proto-morality', even in the normative/evaluative terms in question would not be reflectively available to the participants in the given proto-morality. Thus, we might describe a proto-morality as being either primitive or arbitrary in drawing various social distinctions (such as in-group/out-group boundaries), or as representing a healthy equilibrium between competing claims (such as being strongly egalitarian across an arbitrarily wide domain of issues).

appears to the agents who are actually undertaking (or undergoing) it, for example by morally competent contemporary humans beings consciously applying and criticising each others' application of moral and other normative concepts. It follows that some paradigmatically reductive models of social construction, such as those which appeal to a decision theoretic framework in which fundamentally disinterested individuals reach agreements on a collective system of co-operation or non-aggression, will be at best a non-compulsory theoretical heuristic when describing historically actual processes of moral construction including, in some parts, our own (c.f. Harman 2000).

It has already been noted that the process of construction does not need to be one of which all the participants are consciously aware as such.[32] There are several reasons for this. First, some of the mechanisms of construction can be, and arguably are, physically embodied as either 'innate', pre-conceptual, or otherwise developmentally instantiated psychological traits, such as emotional tendencies or pre-dispositions to categorize objects and events in the social world as distinctively purposeful, normatively 'valenced', or otherwise relevant to our psychosocial embodiment in some ways rather than others (c.f. McDowell 1998; Prinz 2007; Haidt 2012; Keane 2016). Furthermore, it might be the case (and probably is the case) that moral agents can simply 'find' themselves employing a set of moral concepts that they have inherited, either culturally or individually, as a result of the contingent historical or biological development of their group. Third, the conceptual tools and mechanisms of construction at work in a given context may depend on social factors that have a long history that is largely outside anyone's individual (or even collective) awareness or control (c.f. Wong 2007).

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[32] C.f. David Wong: 'Those who are capable of a reflective articulation and justification of a sophisticated set of moral values and norms and who moreover possess a firm commitment to these values and norms would have to emerge as the *outcome* of a long developmental process, rather than the *initiators*… Such practices need not have grown out of any sophisticated or self-conscious reflection' (Wong 2007, 41)).

Consider, for example, the way in which what is considered 'normal' ways of address are sometimes leftovers of social arrangements that we, in the present, would find deeply uncomfortable or unacceptable were we ever to come to become aware of them. Fourth, the manner in which a morality is constructed (in either of the two ways just mentioned) may generate the appearance in its participants of a degree of inevitability that it does not, actually, have. Consider, for example, the received 'wisdom' about how 'the law', 'market forces', or 'money' are often said to work by various 'experts' on these matters. Nevertheless, it still makes sense to talk about the mechanisms in question as processes of 'construction' to the extent that they are processes that involve the contingent production of conceptually articulated practices by means of how the participants in those practice respond to their social world by classifying it in substantially moral terms, and where the precise manner in which they do so is ascribable to their individual or collective agency in real historical time. As previously noted, one corollary of the claim that moralities are social constructions in this sense is that they could have been different than they actually are and that the agents who participate in the relevant social practices (qua individuals, or qua groups of individuals), can bring about (at least some) such differences as their moralities develop or 'evolve'.

ii) Morality as a social construction

To say that morality (in the singular) is a social construction is to say more than that human moralities (in the plural) are the conceptually articulated products of a social process undertaken by constructing participants, working on a given construction base. It is to say that the 'object' of the resulting body of thought; what moral thought is 'about'; or 'morality

is *as such*', is the causal, conceptual, epistemological and metaphysical product of such a process. The former claim is comparatively innocuous (insofar as anything ever is in philosophy) and does not distinguish morality from paradigmatically objective or realistically understood areas of human thought, such as the explanatory theories produced by natural science, in which the constructive development and choice between conceptual frameworks and terminologies is guaranteed to play a constitutive part even if the object of enquiry is not thereby conceived of as itself being a social construction (c.f. Hacking 1999). In contrast, the latter claim is very controversial and flatly inconsistent with standard formulations of so-called 'robust' metaethical realism, which construe the objects of moral thought as existing independently of any process of social construction, and indeed of any response or activity on the part of any human beings who have been either actually or potentially engaged in moral thought at all (see e.g. Shafer-Landau 2003; Enoch 2011). To this extent, the social constructivist metaethics discussed in this work is a naturally classified as a 'non-realist', 'irrealist', or 'anti-realist' metaethics; although it will be argued in what follows that the sense in which a social constructivist meteathics is correctly classified as either realist or non-realist is subject to a number of qualifications that actually undermine the case for excluding social constructivist views from the class of realist views altogether.[33] The point to note for the moment is that on the social constructivist metaethic discussed in this work, morality is a construction both at the level of 'representation' (or thought) and at the level of 'ontology' (or fact), and that it is the addition of the second of these claims to the first that changes the status of the social constructivist view from the trivial and uninteresting to the non-obvious and controversial.

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[33] C.f. David Wiggins, who writes: 'A particular ethical property, we might say, is to be identified or singled out as the property which the reasonable exercise of the grasp of such and such a concept, as regulated by criticism, hunts down.' (Wiggins 2006, 35)

The controversial status of social constructivism as a non-realist' form of metaethics follows directly from what I shall refer to as the Existence Claim. In its simplest formulation, the Existence Claim states that: *moral norms and values exist only because there are conceptually articulated social practices that recognize, express or otherwise sustain them.*[34] Virtually all the theoretically interesting features of social constructivist metaethics discussed in this work; including its main strengths and weaknesses, arise directly from this claim.[35]

A more precise version of the Existence Claim (and the one that shall be the main focus of the discussion in what follows) states that: *all moral norms and values exist only because there are, or have been, conceptually articulated social practices that recognize, express or otherwise sustain them; either in an actually existing, or in a potentially enhanced form.*[36] This claim, which I shall refer to as the Modal Existence Claim, will henceforth be regarded as the working definition of the social constructivist metaethics discussed in this work, and therefore as capturing the basic elements required on that account for giving an accurate description of the subject matter of moral thought; of moral reality; of moral knowledge; and

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[34] The Existence Claim is formulated here using 'only because', as opposed to 'only if', because it is not being claimed, nor is it being denied, that something classifiable as 'morality' could not possibly have come into existence any other way. This latter, and modally much stronger, constitution claim is not a necessary feature of the social constructivist metaethics discussed in this work, although it is obviously consistent with it.

[35] Critics of a social constructivist metaethics might immediately object that as thus formulated the Existence Claim confuses the existence of norms and values understood as normative and evaluative commitments and practices on the one hand, with norms and values as the 'worldly' correlates that make those norms and values 'correct' (or in which they can otherwise be 'grounded') on the other. Given that it is exactly the philosophical reconfiguration of this distinction on which the viability of the social constructivist meatethics discussed in this work depends, this potentially ambiguous definition will be retained in what follows.

[36] This formulation of the Modal Existence Claim is subject to exactly the same ambiguity identified in the previous footnote and will be retained for exactly the same reasons.

of the truth, validity or correctness of moral claims, as these notions are interpreted on that view.[37]

The Modal Existence claim is intended to apply to all moral norms and values. It follows that there are no moral norms or values (including norms against the torture of innocents for fun or the value of pristine nature) that exist independently of the social practices that give rise to, or sustain them. This claim requires clarification in at least two ways. First, and as previously noted, it does not follow that all norms and values as such depend for their existence on the relevant practices. It is in principle consistent with the Modal Existence claim about moral norms and values that there are non-moral norms and values (e.g. hedonic norms and values) that are either not social constructions, or are not constructions in any interesting sense at all.[38] As formulated above, the Modal Existence itself implies nothing either way. Any norm or value the status of which as such is not captured by the Modal Existence claim would therefore not be classified as a moral norm or value according to the social constructivist metaethics discussed in this work.[39] Second, the fact that all moral norms and values depend

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[37] I take the Modal Existence claim to be consistent with the following generic definition of constructivisms given in Lenman (2012): 'Constructivist views understand correct normative views as… those which are the upshot of some procedure or criterion, where a) that procedure or criterion is one followable or applicable by human beings, where b) that procedure or criterion is *itself characterized in normative terms* [my italics]… and c) applying the procedure or criterion is taken as determining or constitutive of that correctness rather than tracking correctness conceived as prior to and independent of it, and d) where the rationale for our taking an interest in what the procedure or criterion in question delivers is conceived of as speaking to distinctively practical as opposed to theoretical concerns.' (Lenman 2012, 216; c.f. Street 2008, 223). One key issue here is how to understand the notion of a 'procedure or criterion', more of which in the main text.

[38] C.f. Shemmer 2012, who offers a helpful taxonomy of different constructivist views. The question at issue in the present context is not only whether the moralizing process of construction is 'guided by any non-constructed norms' and so is 'independent' in Shemmer's sense, but whether constructivism about norms goes all the way down, and so is 'global' in his sense. (See e.g. Shemmer 2012, 161.)

[39] The possibility that some 'practice independent' values are nevertheless constructed, or otherwise 'response dependent', is one that complicates the interpretation of Joseph Raz's

for their existence on social practices the existence of which is itself a contingent fact of natural and social history does not entail that all moral norms and values are themselves contingent with respect to their modal aspirations or content. First, it could in principle be (and, arguably has been) the case that a social practice develops so as to include a reflectively stable commitment to the maximal counterfactual robustness (and hence, in some sense, the 'necessity') of a given moral norm (e.g. to treat humanity, whether in oneself or others, always as an end, and never as a means only); where neither the modal aspirations ('regardless of circumstances') nor the value-grounding features of that norm (e.g. 'having a capacity for sentience') is considered to depend in any way on the existence of the social practice that has articulated it.[40] Second, there are some, even if minimally specific, norms and values (such as basic norms of social co-ordination and the protection of the basic needs and interests of at least some of its participants) that any sustainable morality is bound to embody, on pains of incoherence or self-defeat (c.f. Wong 2007; Korsgaard 2009; Street 2012). One corollary of this fact is that, contrary to what appears to have been implied in some discussions of this issue, it is consistent with a social constructivist metaethics that some (actual or possible) moralities are subject to 'brute error', and therefore just false, incorrect, or wrong qua moralities *simpliciter* (c.f. James 2012). The social constructivist metaethics discussed in this work is therefore consistent with the claim, historically associated with robustly realist accounts of moral thought, that any minimally plausible metaethics should be consistent with the existence of what Terence Cuneo and Russ Shafer-Landau have labelled the moral 'fixed points'; even if there is considerable room for

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contention in *The Practice of Value* that some, but not all, intrinsic values are 'socially dependent' (Raz 2003). This complication aside, the social constructivist metaethics discussed in this work is consistent with the core claims of Raz's more restricted account in that work.

[40] Of course, the point of its existence will obviously, in most - if not all – cases depend on the continued existence of that practice.

reasonable disagreement about what, exactly, those fixed points are and how we come to

know them as such (see Cuneo & Shafer-Landau 2014).

The Modal Existence claim does not imply that no moral norms and values would 'survive'

the extinction of the social practices on which their coming into existence is conditional.

Thus, it could in principle be true (and arguably is true) that a social practice develops to

include a reflectively stable commitment to the intrinsic value of a given object (e.g. unspoilt

nature), where neither the existence nor the value-grounding features of that object in any

way depend on the continued persistence of the relevant social practice which originally

attributed moral significance to the object.[41] Nor does the Modal Existence claim imply that

can be no retrospectively true, valid, or otherwise correct applications of moral norms and

values to times and places prior to the emergence of the social practice on which these norms

and values having come to exist is constitutively contingent. Thus, it could in principle be

true (and, arguably, is true) that a social practice could develop so as to include a reflectively

stable commitment to the intrinsic *dis*value of a given state of affairs (e.g. the classification of

humanoid life prior to the development of conceptually articulated human morality as 'nasty,

brutish and short'), where neither the existence nor the disvalue-grounding features of that

state of affairs in any way depend on the existence at the time described of the conceptually

articulated social practice that has made it possible to retrospectively judge them from a

morally articulated point of view.[42] The same point applies to human social practices which

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[41] Of course, the point of those values would in most (if not in all) cases depend on the continued existence of the social practice that initially allowed for an interest to be taken in them.

[42] Of course, the point of so judging them might in most (if not all) cases depend on there being some practically relevant contact or continuity between the past and present that either permits or enforces an interest in the judgements in question. This point has potential implications for how much truth there is in the idea that Bernard Williams treats under the label 'relativism of distance' in Williams (1985), and also for Williams's later criticism of

have either (fully or partly) lost, or which have not (fully or partly) acquired, the conceptual

articulation that is definitive of what would currently be recognized as 'mature' moralities. It

is therefore possible, according to the Modal Existence claim, to judge truly, validly or

correctly both of the moral merits of early human societies and of an intellectually

impoverished post-human existence after the impending ecological apocalypse; all after

having taken due account of relevant differences in social and historical context and the

capacity of the participants of the practices so judged to factor in those differences *in medias

res*.

The Modal Existence claim is neutral with respect to whether or not the norms and values

endorsed, expressed or otherwise sustained by any given social practice actually meet the

conditions for moral claims to be true, valid, or otherwise correct. First, and as already noted,

some – if not all – among the norms and values of a given morality could be fundamentally

incoherent or self-defeating with respect to the basic requirements of any minimally

functional morality. Second, some (even if not all) of the norms and values of a given

morality could be reflectively unstable in light of the normative standards of rational

reflection or practical efficacy actually embodied in that morality itself.[43] Third, some (even

if not all) of the norms and values of a given morality could be reflectively unstable in light

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Raz's 'social dependence thesis', according to the canonical formulation of which there is an irreducible (and ultimately inexplicable) temporal asymmetry between the *existence* of values after the extinction of the practices that sustain them and the *non-existence* of the same values prior to the emergence of these practices (Raz 2003). The account developed in the main text departs from Raz's account in holding out the prospects of preserving the symmetry between these two cases.

[43] C.f. David Wong, who writes: 'It… does not follow… that people are simply saying what follows from their adopted moral norms when they make a moral statement. They can be aware that they might have mistakenly adopted the moral norms they happen to have, and they can be aware that others may be mistaken in adopting the moral norms these others have. Having a morality in a reflective and self-critical way means the readiness to be critical about established or accepted norms, whether they are one's own or others' (Wong 2007, 75)

of rationally recognizable standards of moral reflection which, although not presently manifested in that morality itself, would be manifested in some actual or potential enhancement of that morality. One hypothesis defended by Michelle Moody-Adams, among others, is that all moralities, whether actual or possible, would turn out to embody a single true morality in virtue of the basic norms and values they necessarily share in virtue of being human moralities at all (Moody-Adams 1997).[44] Although the social constructivist metaethics discussed in this work does not entail this ambitious claim, it is consistent with it. Either way, the mere fact that some set of moral norms and values forms a part of an actual, and so some historically real, morality does not entail that those norms or values would form a part of any true, valid, or otherwise correct morality; even considered on that morality's own currently accepted terms.

The Modal Existence claim says that moral norms and values depend for their existence on conceptually articulated social practices. This claim requires further clarification along at least three dimensions, insofar as the practices in question are said to be: a) *conceptually articulated*; b) *social*; and c) *plural*.

With respect their *conceptual articulation* (a)), the social constructivist metaethics discussed in this work identifies moralities as dependent on a set of social practices that embody the grasp and employment of recognizably moral concepts (such as *virtue*, *good* and *duty*, and

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[44] C.f. Ronald Dworkin: 'Value judgements are true, when they are true, not in virtue of any matching but in virtue of the substantive case that can be made for them. The moral realm is a realm of argument, not brute, raw fact. Then it is not implausible… that any conflicts we find intractable show not disunity but a more fundamental unity of value that produces these conflicts as substantive results…'(Dworkin 2011, 11)

familiar variations thereof) in a *cognitively articulated* form. To say that moral concepts are employed in a cognitively articulated form is to say that they are articulated in a manner that lends itself to evaluation and criticism as reasonable or unreasonable; sound or unsound; correct or incorrect, and so on. This is not thereby to take a stand on the much debated issue of 'cognitivism' versus 'non-cognitivism' (or 'expressivism') in contemporary metaethics, but simply records the fact that moralities involve individuals and groups who make moral claims for which they give and receive what they themselves take to be good and bad arguments, justifications, or reasons (see Lillehammer 2002a; c.f. Blackburn 1998; Gibbard 2003).[45] Furthermore, the modal existence claim is consistent with, but does not imply, that moral concepts themselves, and so the psychological capacities that underpin their grasp in individuals, are strongly dependent on the contingent and historically variable social practices in which they are embedded (see e.g. Wong 2007). Thus, if the concept of blame, for example, requires for its possession the participation in a distinctive 'blame culture' (see e.g. Williams 1992)), then the attribution to someone of moral judgements attributing blameworthiness will make no sense if the social practice in which that someone is a part does not involve attributions of the distinctive kind of responsibility required for blameworthiness. On the other hand, if the concept of blame requires for its possession little more than the presence in an individual of some kind of 'punitive' response the linguistic characterization of which is neutral with respect to the precise nature of the responsibility or psychological states involved, then the attribution to someone of judgements of blameworthiness will make sense across all social practices in which such 'punitive' responses are correspondingly articulated. In any case, according to the social constructivist metaethics discussed in this work, the correct interpretation of any given moral concept will

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[45] I take no view in this work of which, if any, of these notions has the claim to be conceptually, normatively, or otherwise theoretically basic. For discussion, see e.g. Scanlon 1998.

partly be a function of the historically variable social practices in which it is actually embodied (c.f. Carrithers et. al. 1985; Keane 2016).[46]

This interpretation of the Modal Existence claim has three further implications for how the social constructivist metaethics discussed in this work is best understood. First, in the case of no individual is it actually ever really the case that they self-consciously construct a morality on the basis of their own individual responses (such as punitive instincts) to their social world alone. The morality of any given individual is always, at least initially and in part, a social morality they inherit and into which they are to a greater or lesser extent immersed as they develop their own critical faculties, or their moral aspirations and ideals. Second, the characteristic phenomenology of making moral judgements is – at least in part - one of receptively responding to an existing (and therefore already *de facto* constraining) system of norms and values, as opposed to the self-conscious rational development of something one spontaneously 'wills', or otherwise creates.[47] The phenomenology of 'receptivity' in moral judgement therefore derives both from immersion into an already existing and conceptually articulated social practice *and* from the non-voluntary nature of the paradigmatic (moral or

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[46] On this point, the social constructivist metaethics discussed in this work is consistent with Webb Keane's view in (Keane 2016) that the distinctively 'ethical' character of our emotions is 'only brought into focus through the dynamics of social interaction'. (242); that 'the [individualistically described] sources of specific ethical concepts are underdetermined for meaning' (123); and that 'the descriptions under which people can understand their actions, and the evaluative stances those descriptions entail, depend on aspects of the context that extend beyond the immediate situation in which they occur' (168). What the social constructivist metaethics discussed in this work adds to Keane's view is a distinctively normative interpretation of those claims, according to which the critique of a narrowly individualistic or otherwise reductive description of ethical thought is not primarily intended as a corrective to its predictive or explanatory ambitions alone, but also a corrective to its claim to the exclusiveness, exhaustiveness or privileged status of those ambitions.

[47] In this respect, the social constructivist metaethics discussed in this work departs from some paradigmatically rationalist accounts of the 'autonomous' moral self, as embodied e.g. in the recent 'post-Kantian' literature, the phenomenological aspects of which are therefore also put in question (see e.g. Korsgaard 2009).

'proto-moral') reactions of individuals who make or respond to moral and other normative claims during the course of ethical thought. Third, the 'spontaneous' element of moral judgement partly consists in the extent to which individuals, either alone or along with others, have the ability to assign different interpretations to existing moral concepts; to extend those concepts in ways beyond what has already been done; and (to the extent that this is feasible) *construct* new moral concepts, or new variations of existing ones.[48] What does not follow from the Modal Existence claim is that the most reasonable interpretation of the moral concepts articulated within a social practice is one that assigns application conditions to those concepts that make the truth, validity or correctness of their use depend exclusively on their accurately representing how the participants of that practice may actually happen to think or feel, either individually or collectively. Yet even if the most reasonable interpretation of moral concepts in some particular linguistic community were to connect their correct application to how their users do actually happen to think or feel, there would still be no inconsistency involved in the claim that the moral norms and values embodied in a given social practice could (and sometimes do) include norms and values for the reflective improvement of that practice to the extent of leaving itself open to the large-scale repudiation of the instinctive, intuitive or untutored moral responses that its participants actually display. On the social constructivist metaethics discussed in this work, this is part and parcel of what it means to say that moral thought is substantially *normative* or (as I would say) *aspirational*. According to the social constructivist metaethics discussed in this work, the question of whether such a repudiation would be a moral improvement or not is a substantially normative

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[48] Among examples of such spontaneity are: idiosyncratic conceptions of moral norms and values on the part of unusual individuals; extensions of existing concepts in response to trauma, conflict or social change; systematic reflection and theorizing on large bodies of moral concepts as exemplified by moral philosophers, e.g. in discussions of quasi-medical descriptions of people as 'disabled', 'incompetent', or 'mentally ill'. For a discussion of the contrast between 'receptivity' and 'spontaneity' as it applies to contemporary metaethics, see Skorupski 2011.

(and partly moral) question, and therefore not one that a metaethical theory, whether social constructivist or otherwise, is in the business of closing down on purely extra-moral terms.

With respect to their being *social* (b)), the social constructivist metaethics discussed in this work identifies moralities as depending on a set of practices that are irreducibly collective, along at least two dimensions. First, and as already noted, moralities are characterized by being articulated in terms of concepts the nature of which is to be socially transmitted or shared. Second, the extent to which the idea of a purely individual morality makes coherent sense, it does so only against the background of a set of shared practices and ways of thinking about those practices from which an individual might go on to develop a new, and potentially idiosyncratic, interpretation of how that practice could be changed or otherwise improved (e.g. by a solipsistic individual who forms the belief that their individual interests are the only ones that count.) According to the social constructivist metaethics discussed in this work, the idea of a wholly individualistic morality, created *ab initio*, is not one that has any significant explanatory traction; although a social constructivist metaethics is in principle consistent with the existence of non-moral norms and values (such as the value of pleasure) that might be thought to somehow exist independently of being embodied in any morally articulated social practice. There will not, however, be any further discussion of the plausibility of this view in this work.

With respect to their being *plural* (c)), the social constructivist metaethics discussed in this work identifies moralities as depending on a set of practices that, although they necessarily have a number of defining features in common, have variously emerged and developed at different times and places; sometimes in complete isolation from each other (e.g. on different

continents, planets or even galaxies); and sometimes in conflict, competition or co-operation (e.g. in historical interactions between different 'world' religions (c.f. Wong 2007).) The plurality of actual and possible moralities presents no difficulty for the social constructivist metaethics discussed in this work as a matter of historical, anthropological or sociological fact; although it does present significant challenges to that view with respect to the taxonomy and differentiation of moral systems, in analogous ways to they way in which questions about the identity conditions of 'cultures', 'societies', 'nations', and other dynamic and historically complex social forms become less obviously tractable where different social practices come into contact with each other and (as is often the case) dynamically respond to that contact in sophisticated ways (see e.g. Williams 1972). There might be no uniquely appropriate or non-question begging way of imposing identity conditions on different 'moralities' so as to distinguish them from each other for all salient explanatory and normative purposes. This, however, is not in itself a challenge distinctive to the social constructivist metaethics discussed in this work. Where the plurality of actual and possible moralities does present a distinctive problem for the social constructivist metaethics developed in this work is with respect to the question of how to best understand the function from actual individual moralities to some interestingly unified set of (constructed) ontological correlates in such a way as to give determinate content to the idea that there is such a thing as one or more reflectively robust moralities describable by the philosophical theorist as the object of true, valid, or otherwise correct moral judgement or belief.

There is a plethora of possibilities for how the norms and values of different moralities could in principle be integrated in order to give content to the idea of a true, valid or otherwise correct morality on social constructivist terms. At one extreme is a radical, or 'Protagorean', form of relativism, according to which a true morality exists corresponding to every actual

(or even possible) morality. Few, if any, attempts have been made to defend this view, the implications of which have been regarded by some writers as a '*reductio*' of metaethical constructivism itself (see e.g. Hussain 2012). At the other extreme is a strong, or 'rationalist', form of universalism, according to which a true, valid or otherwise correct morality exists corresponding to the moral norms and values that all moralities (or moral agents) would converge upon, in some set of ideal conditions, or following an open ended process of reflection and discovery. Quite a few attempts have been made to defend this latter view on broadly constructivist terms, although usually not in a *social*, as opposed to an *individualistic*, form (see e.g. Smith 1994). The main drawback of such a 'rationalist' mteaethics from the perspective of the kind of social constructivist metaethics discussed in this work is partly its frequently criticized commitment to the idea that all moralities (or all fully rational moral deliberators) would, in fact, converge in their moral judgements in favourable circumstances. Another drawback is the implicit assumption made by such 'rationalist' views that universal convergence is something to which moralities *ought* necessarily (or in all circumstances we may care to imagine) *aspire to* (c.f. Wong 2007). Located between these two extreme views is a variety of more ecumenical views, including Gilbert Harman's proposal that moral truths should be defined with reference to the norms and values embodied in the morality endorsed by a given moral speaker (and possibly also their audience) in a given social context (Harman 2000); David Copp's view that moral truths should be defined with reference to the collective standards it would be rational for a given society to endorse (Copp 1995); and David Wong's 'pluralistic moral relativism', according to which moral truths should be defined in terms of the norms and values embodied in a given morality, where a core set of these norms and values will necessarily be shared among all minimally functional moralities, but where a penumbra of further norms and values is said to be a function of the distinctive and *a priori*

indeterminate way in the social group endorsing that morality has actually come to interpret the values in question in their contingent historical circumstances (Wong 2007).

On each of the theories mentioned in the previous paragraph (and on other views in the same family) the truth, validity or correctness of a given morality is assigned a substantial degree of determinacy based some kind of constructivist construal that is in principle consistent with the social constructivist metaethics discussed in this work. Yet the Modal Existence claim does not settle which, if any, of these constructivist accounts of truth, validity or correctness to prefer for moral claims. What the Modal Existence claim does entail is that moral truth, validity or correctness is in some minimal way, and at some basic level, a function of the content of historically existing moralities; either as actually manifested, or as enhanced in the light of experience, reflection, or discovery. Thus, whether the content of the morality of a hitherto unknown social group on the other side of the planet; or the content of the morality of a group of extra-terrestrial aliens with superhuman intelligence; or the content of a morality that maximally integrates the overlap of all existing human moralities in our solar system, should be thought of as either decisive, evidential, or entirely irrelevant to the truth of any claim embodied within a given morality (such as your own) is a question which the constructivist metaethics discussed in this work does not, in itself, decide. According to the social constructivist metaethics discussed in this work, the task of articulating a set of truth, validity or correctness conditions for moral claims is in part a substantially moral task, the result of which is therefore itself a product of social construction. This is a task to which systematic moral philosophy can in principle offer deep and non-obvious insights, in an analogous way to how systematic jurisprudence has historically offered deep and non-obvious insights in capturing the truth, validity or correctness of claims about laws and legal systems (see e.g. Hart 1961/2012; Dworkin 2011). Yet for all its universalistic ambitions, the

assumption that the moral business of any morality is equally the moral business of every other morality is a morally controversial assumption that, for all its theoretical attractions, does not follow by from the claim that morality is a social construction.

The Modal Existence claim describes moral thought and practice as variously *expressing*, *sustaining* or *recognizing* the existence of moral norms and values. Apart from requiring participants in these practices to actually have employed the relevant moral concepts, this claim is neutral with respect to the manner in which these concepts are either a) *grasped*, or b) *employed*. With respect to their *grasp* (a)), the social constructivist metaethics discussed in this work is consistent with the multiple realizability of moral concepts in the psychophysical economy of individual thinkers. Thus, it may be a constitutive feature of human moralities that the grasp and employment of moral concepts involves the presence and activation of a distinct set of affective or emotional states, such as anger, shame, empathy, or disgust. To this extent, the social constructivist metaethics discussed in this work is consistent with accounts of moral psychology that explain moral thought and judgement in terms of the expression of emotional states.[49] On the other hand, it may be possible for the defining aspects of moral systems as construed by a social constructivist metaethics to be realized by beings whose psychosocial economy is made up in a very different way (e.g. some form of synthetic or computational surrogate, perhaps invented by future human beings for precisely that purpose). The social constructivist metaethics discussed in this work is also consistent with

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[49] Accounts along these lines have recently been proposed by Gibbard, Greene, Haidt, Nichols, Prinz, and Schweder et. al. (See e.g. Schweder et. al. 1997; Prinz 2007; Haidt 2012).

the existence of moralities (or 'proto-moralities') enacted by members of the theoretical species 'Homo Economicus' (see e.g. Gauthier 1986).[50]

With respect to their *employment* (b)), the social constructivist metaethics discussed in this work is consistent with the multiple realizability within different conceptually articulated social practices of behaviours exhibiting the moral norms and values embodied by it, including explicit and self-conscious judgements in their terms; speech and action implicitly expressing those norms and values; speech and action interpretable as guided or controlled by such norms and values; laws, institutions and functional processes explicitly regulated by those norms and values, and so on. As previously noted, the activity of constructing a morality is something that the individuals involved in it could be more or less involved in; be more or less aware of; or have more or less control over. At one extreme, some moralities may include (and probably have included) individuals who make an explicit attempt to legislate many of the moral norms and values for their group (e.g. a society that includes *de facto* pretenders to the title of the 'Philosopher Kings' (c.f. Wong 2007)). At the other extreme, some moralities may have developed (as some do have) norms and values the exact contours of which are beyond the control or even understanding of many of their members, and where, as a result, a substantial amount of energy is taken up trying to interpret what the norms and values in question actually are, or could reasonably be made to become (e.g. in a society organized around complex systems of property interchange, such as technologically advanced international markets, the nature and enhancement of which transcend the

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[50] The extent to which actual humans beings ought to approximate to the behaviour of 'Homo Economicus' is in part a substantially moral question, and one to which existing moral theories give very different answers.

understanding and control of most (if not all) the individuals who either operate within or externally regulate them.[51]

Finally, the social constructivist metaethics discussed in this work is neutral with respect to the 'cognitive' or 'representational' nature of the mental states expressed in the acceptance or endorsement of moral norms and values. This position of neutrality is grounded in two different considerations. The first is a principle of methodological caution, relating to the prospects and robustness of the taxonomy in which philosophical debates surrounding the dichotomy between 'representational' and 'non-representational' mental states has traditionally been formulated (e.g. whether concepts such as 'natural representation', 'correspondence', or 'natural fact' will have a role to play in a suitably 'mature' science of human life; or whether the 'representational/non-representational' distinction is a terminological relic of an out-dated Cartesian conception of the mind that we have inherited from our philosophical ancestors (c.f. Rorty 1989; 1998; Price 2011). Strictly speaking, this consideration is orthogonal with respect to the social constructivist metaethics discussed in this work, and should therefore not be thought of as an implication of a social constructivist metaethics as such. Analogous considerations apply to the closely related question whether the characterization of the 'object' or 'subject matter' of moral thought is best carried out in terms of some substantial notion of moral 'truth' or 'fact' (as demanded by standard 'representationalist' accounts of moral claims); or alternatively in terms of some alternative idea of 'validity' or 'success' (as suggested by certain versions of Kantian constructivism); or, again, in terms of some 'deflationist' account, according to which theoretical terms such

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[51] Once more, it is a substantially moral question to what extent any given actual morality ought to aspire to either one of these extremes.

as 'truth', 'fact', and so on are interpreted 'minimalistically' (as suggested by some recent 'pragmatist' accounts of moral judgement). (See e.g. Price 2011.) The case for the social constructivist metaethics discussed in this work is in principle neutral with respect to the case for pursuing either one or another of these options in metaethics, or elsewhere.[52]

The Modal Existence claim restricts the content of morality to moral norms and values embodied in existing social practices, either in a historically actual, or in a potentially enhanced form. This modal qualification of the existence claim is formulated to capture at least the following possibilities. One is the possibility of changes in moralities in response to experience, reflection or changing circumstances, where those changes amount to substantial moral enhancements in the norms and values accepted (as judged, inevitably, on substantially moral terms). Most - if not all – existing moralities include both an explicit or implicit endorsement of, and the reflective resources for, such change; for example as manifested by an accepted openness to revise one's judgement in light of what is mutually agreed to be new and relevant information. To work out what morality requires with respect to unforeseen matters of life and death, for example, is at least in part an exercise of what Dworkin and others have described as a normative interpretation of existing norms and values where, according to the social constructivist metaethics discussed in this work, such interpretation will consists partly in the 'projection' of some moral aspiration or ideal onto an indefinitely improving set of historically existing moral commitments (c.f. Dworkin 2011). Thus understood, the social constructivist metaethics discussed in this work offers an alternative

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[52] For a metaethical account that explicitly combines a commitment to constructivism with a commitment to expressivism about moral claims, see e.g. Lenman 2012. According to Lenman, constructivism 'coheres beautifully with the anti-realist moral metaphysics we expressivists like… so expressivism needs constructivism… [and] constructivism needs expressivism'. (Lenman 2012, 224). It is possible that Lenman is right about this. No view will be taken on this here.

constructivist reading of what various philosophers, from Hume to Blackburn, have had in mind when using the metaphor of 'projection' in the context of discussing the objective aspirations of moral and other normative or evaluative claims (see e.g. Lillehammer 2017b.) Another example would be changes in moral norms and values in response to reflection or circumstantial change, where the changes in question involve the endorsement of new norms and values. For example, a collective process of critical reflection on a set of primarily individualistic values could result in the endorsement of a new set of communal values (such as unforeseen arrangements regarding cross-cultural cooperation or exchange). Alternatively, the critical interpretation of a set of shared norms hitherto regarded as purely conventional and arbitrary could result in the endorsement of those norms as morally obligatory (for example where norms of 'etiquette' develop in such a way as to create new moral expectations of decency and rudeness). Most - if not all – existing moralities include both the normative endorsement of, and the reflective resources for, such changes in some form. The possibilities just described imply the existence of an indefinitely large (and morally contestable) gap between the moral norms and values that are actually embodied in actual moralities and the moral norms and values that would be embodied in those moralities on any given reflective development, or enhancement, thereof. As previously noted, one intelligible use of the term 'morality' in the singular is a use intended to capture the content of moralities thus enhanced, or perhaps more specifically the overlap or coincidence between many, or all moralities thus improved. Also as previously noted, the extent to which such an overlap either can, or ought to be, expected is a matter on which the social constructivist metaethics discussed in this work relatively silent.

The extent to which moralities either have developed, do develop, or will develop, in line with the kind of reflective enhancement to which at least some of them have actually been

committed is a matter of historical contingency, the current and future developments of which

it is no business of the present work to either stipulate or predict in advance. On the one hand,

different historical moralities have taken very different positions with respect to the prospects

of their own self-transcendence, transformation, or potential for genuine self-understanding

or transparency. On the other hand, any morality, however sophisticated, is vulnerable to

decay, disaster or destruction for reasons that need have nothing to do with the contents of its

demands or the intellectual efforts of the people who make them. If some moral norms and

values can therefore be described as 'embryonic' in a given morality in virtue of being the

potential result of an enhancement of that morality, the use of this word should not be read as

implying a commitment to some organic theory of historical progress along Idealist, or

otherwise teleological, lines. Nor should it be read so as to classify just any moral norm or

value (however pernicious) that is potentially embodied in a given social practice as suitably

'embryonic' in the relevant (and normatively loaded) sense. If we are nevertheless tempted to

say that some moral norm of value is 'embryonic' in a given social practice, *one* coherent

thing we could in principle be read as to imply by this is that the recognition or expression of

that norm or value would be a result of a significant enhancement of that practice (as the kind

of conceptually articulated social practice it is) and the normative aspirations embodied

within it (if considered as a distinctively moral practice).[53] To say each of these things is

inevitably to describe the potential development of the relevant practice by engaging in

normatively substantial and moral thought. In other words, to say that a given norm or value

is 'embryonically present' in a given social practice on this reading is to say that the

endorsement or expression of that value is something that a moral (and epistemic)

enhancement of that practice might (non-accidentally) produce. Once more, the extent to

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[53] Of course, there is nothing to stop someone from stipulating that some potential deterioration of a morality can 'embryonically' embodied in that morality as well. In the end, the issue is terminological.

which some unique and internally coherent set of reflectively robust and otherwise plausible moral norms and values either can, or ought to be, thought of as embryonically embodied in all actual moralities is a matter on which the social constructivist metaethics discussed in this work is largely silent; although it would probably be a mistake to think that an affirmative answer can be ruled out *a priori*, or on otherwise purely theoretical grounds.

iii) <u>Social construction and reality</u>

According to the social constructivist metaethics developed in this work, moralities are real, existent, and genuine features of our world. Yet moralities are entities or objects (i.e. that to which the concepts embodied in moral thought 'refer') that would not have existed were it not for the contingent social practices that have constructed them (at least not in that form). This 'ontological' claim raises a number of issues of interpretation, at least the following of which stand in need of discussion before going onto address the main obstacles to the social constructivist view in the second part of this work.

First, moral thoughts and practices exist, and there is a wide range of determinate truths to be known or discovered about their history, structure, causal relations and content, in much the same way that there is a wide range of determinate truths to be known or discovered about ant-hills; the reproductive patterns of salmon; the kinship behaviour of monkeys and the gaming behaviour of Scrabble enthusiasts. The application of terms such as 'truth', 'fact', 'property', 'existence' and the like are fully at home at this level of social construction, for which no problematic epistemological or metaphysical problems distinctive to morality need in principle arise. Furthermore, relative to any given normative parameter against which a

given piece of behaviour can be described or evaluated, there are no distinctively problematic issues about how to give content to the idea of behaviour measuring up more or less well to such standards, or any ends they may be assumed to serve. In this way, moralities considered as social constructions are relevantly analogous to legal systems, informal norms of politeness, or the rules and regulations of a social club.

Yet many of the moralities we are familiar with embody quite ambitious norms for their own enhancement, the precise extent and direction of which cannot be fully specified in advance. This is one of the respects in which moralities differ significantly in their normative aspirations from at least some narrowly conventional normative systems, such as certain sporting games. Furthermore, there is a plurality of contested and conflicting ways in which such enhancements could be (and actually have been) conceived, and relative to each of which it may be possible to define a set of more or less determinate standards with reference to which actions, characters or states of affairs can be described or evaluated, but between which the description and evaluations in question will sometimes conflict. This fact about moralities presents a set of distinctive epistemological and metaphysical challenges with respect to how the success conditions of moral claims should be characterized, and the extent to which the aspirational use of 'morality' can plausibly be assigned coherent and non-trivial content. To consider just one case in point, there might be a relatively determinate fact about the content of the social morality a given society would endorse in light of some systematic deliberative procedure based on their general knowledge of the basic economic facts of their social world. Perhaps they would end up accepting some version of 'Justice as Fairness', fo example (see e.g. Rawls 1999)). A different society, starting from a different place and applying somewhat different norms for the evaluation of extant moral claims, might end up endorsing a different social morality. Perhaps they would end up accepting some version of

'Government House Utilitarianism', for example (see e.g. Sidgwick 1907.) Barring some miracle, the reflectively enhanced moralities in question would end up judging at least some cases differently (c.f. Parfit 2011). Any insistence on using terms like 'truth' or 'fact' to describe the success conditions of moral judgements in this kind of scenario would inevitably result in a restricted form of moral relativism. It would be a restricted form of relativism, because all of the moralities in question are likely to share a significant range of norms and values in virtue of being classifiable as 'moralities' in the first place. Yet it will be a form of relativism for all that.

This moderately relativist conclusion could in principle be avoided by building into the characterization of 'morality' in the singular an *a priori* constraint of uniqueness, according to which what morality 'really is' must necessarily be capable of only one single or unique answer or realization (at some arbitrarily high level of generality). The most obvious way to achieve this result is to give an account of the (single, or unique) truth conditions of moral claims in terms of a set of norms or values on which all genuine moralities (and their participants) would either agree, or otherwise converge, in some set of reflectively robust, or otherwise privileged, circumstances (see e.g. Smith 1994). One possible (and likely) result of adopting this convention for talking about moral 'truths' and 'facts' is that in a large number of cases there are not going to be any moral truths for the moral claims in question to capture at all. In that case, we would be committed to classify a large number of believers as failing to have knowledge of moral norms and values in their immediate social world about which they have both the strongest possible and most reasonable conviction. True, there would arguably remain a large number of moral claims that would still qualify as determinately 'true' and in accord with the 'facts' on this view, in virtue of the necessary overlap between all minimally stable moralities. Yet the fact that the vast number of moral believers would not

know which beliefs these are and would have a severely limited limited capacity to 'safely' classify moral norms and values into those that are 'correct' and those that are not, implies that the epistemological status of those believers would effectively be impugned with respect to the truth or falsity of a potentially vast range of their moral beliefs. According to the social constructivist metaethics developed in this work, this is neither the most accurate nor the most explanatorily powerful way way to understand the nature of moral belief and conviction. To capture the way on which the success conditions of moral claims are actually embodied in moral thought and practice where we actually find it, the aspiration of universal convergence on moral judgement in ideal or otherwise favourable circumstances is an idea construed as at best a contingent or local aspiration, and one that is both morally and rationally optional.

Either way, the social constructivist metaethics discussed in this work does not propose some ingenious and potentially revisionary account of the nature of 'truth' as applied to moral judgements (c.f. Wright 1992; Wiggins 1998). Of course, there are alternative accounts of the function of the truth predicate available in the literature, such as the account of 'truth' as a linguistic device for the resolution of disagreement proposed in recent work in the pragmatist tradition (see e.g. Price 2011). Some of these accounts (including the pragmatist account) are consistent with key commitments of the social constructivist metaethics discussed in this work. Yet the overall plausibility of this social constructivist view is not itself hostage to the plausibility or otherwise of such non-conventional accounts of these contested terms. Another plausible alternative - and one that is arguably more reasonable from the perspective of the kind of social constructivist metaethics discussed in this work - is to think of terms like 'truth' or 'fact' is themselves an aspect of social construction, about which substantial normative questions can (and arguably do) arise. According to this view, how we should

interpret the use of terms like 'truth' or 'fact' as applied to moral claims is itself in part a normative (and sometimes a moral) question of adopting a set of robust conventions for thinking about what it is that makes for success in judging and arguing about moral norms and values. It is undeniably possible that the best answer to this question in a given case is inconsistent with some of the most widely supported accounts of the nature of truth and fact in the philosophical literature.[54] It is not, however, a necessary implication of the social constructivist metaethics discussed in this work that this is the form that a plausible account of 'truth' 'facticity' as predicated of moral judgements would take.

A related question raised by the the social constructivist metaethics discussed in this book is whether talk of 'truth' or 'facticity' is the best way to articulate what it is to successfully engage in moral thought and judgement, and so what it is go 'get things right' in making moral claims. (Analogy: what makes for a 'true' anthill, or a 'true' suburban design?) It has recently been suggested by Christine Korsgaard that one useful way to explicate the success conditions of at least some normative judgements is to describe them as having the basic function of presenting solutions to what she calls 'practical problems' (of which how to organize our social world is as good an example as any), the further question of whether to use terms like 'truth' and 'falsity' to classify such success (or failure) being of secondary importance when it comes to understanding what normative thought and judgement is fundamentally about (Korsgaard 2009).[55] This suggestion of Korsgaard's is very much in the

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[54] Suppose it turns out, for example, that truth, as defined by a theory in 'philosophical logic' turns out to be necessarily timeless and single, or to require a correspondence relation between thoughts and reality, where each term is fully explicable without reference to the other.

[55] Korsgaard writes: 'According to constructivism, normative concepts are not (in the first instance…) the names of objects or facts… that we encounter in the world. They are the names of the solutions of problems, problems to which we give names to mark them out as objects for practical thought.' (Korsgaard 2008, 322; c.f. Lenman 2012).

spirit of the social constructivist metaethics developed in this work.[56] Not only is it consistent with the social constructivist metaethics developed in this work that the best way to understand much talk of truth and falsity as predicated of moral judgements is as designating appropriate and inappropriate solutions to practical problems (including appropriate and inappropriate solutions to the question of what the practical problem in question is, and indeed whether there really is any); it is also consistent with the view that the answer to the relevant question will vary across different moralities. Yet the social constructivist metaethics discussed in this book is also consistent with the claim that there is a sense of 'true' and 'false' that is not explicable in this practical way and that in at least some human moralities this sense is operative in such as way as to be irreducible, or *sui generis*. Hence, it is not part of the social constructivist metaethics discussed in this book to deny that to understand the nature and status of moral thought and practice it is necessary to understand the nature of moral truth and facticity.

According to the social constructivist metaethics discussed in this book, the question of how terms such as 'truth' or 'fact' should be understood as applied to moral claims is at least in part a substantially normative (and partly moral) question about the construction of (semantically higher level) concepts for evaluating the application of (semantically lower level) moral terms. The social constructivist metaethics developed in this work can therefore be regarded as more or less successful depending on the extent to which it has the resources to translate a wide range of what may on the surface look like non-moral questions about the nature of moral claims and their relation to the world into substantially normative questions about the terms in which moral thought is best conducted (c.f. Blackburn 1998; Kramer

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[56] Korsgaard, of course, is not a 'social' constructivist in the sense discussed in this work, although she does self-identify as a 'constructivist'. (See previous Footnote.)

2010). At the same time, in order to retain its consistency as a metaethical theory, the social constructivist metaethics discussed in this work must retain the theoretical resources to coherently describe moralities as contingently constructed psychosocial artefacts, as opposed to other kinds of objects or entities for which a social constructivist account is not equally plausible. In order to retain this consistency, it is not a credible option on this view to claim that all talk of truth, correctness, validity, facticity, reality and so on in moral thought is explicable without remainder in terms of the idea of practical solutions to practical problems.

iv) <u>Moralities: actual and possible</u>

Any actual morality is a possible morality. Any merely possible morality could have been an actual morality. It follows that there are possible moralities corresponding to all the ways that moralities could have developed, regardless of whether they actually did develop that way, and even whether they ever came into existence. In light of these basic modal facts it might be tempting to describe moral thought and practice as operating within an independently given possibility space, the presence in which of different moralities, and the status in which of some moralities as potential enhancements of other moralities, obtains as a matter of necessity. If so, it might be thought that questions of moral truth and progress are ultimately explicable in terms of the necessary truths that characterize this possibility space, and hence that the 'normativity', or soundness, of moral norms and values is ultimately explicable in terms of facts that obtain independently of the contingencies of any given social practice, the constructive activities of which are best interpreted on epistemic terms (c.f. Brink 1989). One plausible inference to draw from such a description would be that what has been presented so far in this work as a characterization of a non-reductive social *constructivist* metaethics has

really been the characterization of a version of *robust moral realism* in disguise. It goes without saying that the soundness of this inference would not in any way be terrible or depressing news for the epistemological and metaphysical credentials of moral claims (at least some of which would now be guaranteed the status of necessary and mind-independent truths). Yet given that the social constructivist metaethics discussed in this work has been formulated in explicit contrast to robust moral realism, it is incumbent to explain why, when correctly interpreted, a social constructivist metaethics does not collapse into a robust realist view.

There are at least three considerations militate against the interpretation of the social constructivist metaethics discussed in this work along robust realist lines.[57] First, whereas paradigmatic forms of robust moral realism draw no principled distinction between actual or merely possible moralities with respect to the existence of moral norms and values, the social constructivist metaethics discussed in this work does. Whereas according to the social constructivist metaethics discussed in this work, morality (in the singular, or honorific) is a function of actual, historically embodied, social practices (or enhancements of those practices), paradigmatic forms of robust moral realism are in principle consistent with the existence of moral norms and values not embodied in any actually existing morality (or any enhancement thereof, unless trivially stipulated as being the enhancements implied by the single 'true' morality). To put the point in a different way, while paradigmatic forms of robust moral realism are indifferent with respect to the historical actualization of any given starting point of moral construction, the social constructivist metaethics discussed in this

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[57] Further relevant considerations will be offered in the context of considering objections to that view in the second part of this work.

work is constrained to index the domain of moral norms and values to starting points of construction that are historically actual, or real.

Second, whereas paradigmatic forms of robust moral realism could in principle describe all the possible transformations of one set of moral norms and values into another (and thereby in principle fully describe all possible forms of moral change), their classification of any such transformation as one of moral progress (or its opposite) is ultimately independent of the actualized content of those norms and values (including any associated 'meta' norms and values of sound moral reflection) as they are historically embodied in any existing morality.[58] This claim of independence is one that the social constructivist metaethics discussed in this work must (at least in the sense intended by the robust realist) ultimately deny. To put the point in a different way, on the social constructivist metaethics discussed in this work, the classification of any moral transformation as moral progress is primarily explicable in terms of the norms and values of some social practice of making moral judgements that is historically actual, or real; as opposed to in terms of its achievement of correspondence with some independently specified and ahistorical moral reality.[59]

Third, while talk of about possible moralities (or the necessary possibility of what is either possible or actual) is perfectly consistent and potentially illuminating as far as it goes, it also threatens to draw attention away from some of the most distinctive features of actual moral thought and practice. Among the most central of these features is the fact that moral thought

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[58] This is obviously a truth with qualifications, insofar as any plausible account of moral progress should be sensitive to the contextual (e.g. conceptual, intellectual, technological) parameters in which moral agents necessarily operate at any time and place (c.f. Williams 1985; Wiggins 1999)

[59] C.f. Korsgaard: 'What makes the conception correct is that it solves the problem, not that it describes some piece of external reality' (Korsgaard 2008, 324)

and practice consists in a set of dynamic and creative processes the continuous developmentwhich are both open-ended and (in in some cases) conceptually transformative to a high degree (see e.g. Lillehammer 2017b). One problem with descriptions of complete possibility spaces is that they can give the impression that the normative reality they purport to describe is necessarily static, a-temporally accessible and conceptually stable; thereby ignoring the significance of future contingencies and conceptual change. Another such feature is the (aforementioned) fact that how we should think about merely possible moralities (or distant actual moralities) and potential improvements thereof is itself partly a normative (including a moral) question of how to respond, improve, or expand on (and thereby further construct) moral thought and practice as that is conceived by 'us'. In this respect, the social constructivist metaethics discussed in this work depicts moralities as relevantly analogous to the artistic genres and sporting games with which they were briefly compared above. Thus, while there may be an indefinite number of possible games that constitute variants of Scrabble, the sensible evaluation of Scrabble players is by default hostage to the norms and values that characterize Scrabble as it actually exists, even though it is perfectly consistent (and even reasonable) to suggest that the rules of Scrabble should change, or that we would be better off either inventing or playing a very different game than Scrabble altogether. As with Scrabble, so with moralities; with the important qualification that moral norms and values have historically been characterized as having ambitions to regulate a much larger part of the social domain, and to do so without asymmetric deference to most (if not all) of the other normatively regulated practices in that domain. To the extent that these universalizing ambitions to embody intersectional normative authority would withstand critical scrutiny, either by us or by anyone else, there is no goodreason to think that a fully articulated social constructivist metaethics must collapse into any recognizable version

of robust moral realism.[60] That there are other reasons that speak in favour of giving up on a

social constructivist metaethics in favour of some version of robust realism is a very different

matter, to be discussed further in the second part of this work.

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[60] C.f. Korsgaard: 'Constructivism makes moral concepts like concepts of artefacts. This doesn't make them arbitrary or relative, for there are kinds of artefacts… that all human beings in all human cultures have some version of, and that have to have certain features given the problems that they solve' (Korsgaard 2008, 323).

PART II

A social constructivist metaethics evaluated

'The question whether self-conscious and critical societies are a higher expression of human nature… may be unintelligible – messages sent to the Aristotelian essence centre are, as always, returned unopened to the sender. But we have… a society, and we have values associated with that, and there is no way back.' (Bernard Williams, in Raz 2003, 117)

4. For social constructivism

A *social* constructivist metaethics is a *constructivist* metaethics. It is therefore reasonable to expect this view to deliver at least some of the explanatory advantages that have historically been associated with other forms of constructivism in metaethics. Yet even a cursory investigation shows that these advantages do not straightforwardly transfer to the social constructivist metaethics developed in this work. On the other hand, this view does share a number of explanatory advantages of some non-constructivist views with which it can be usefully compared. Having briefly made the comparisons in question, the discussion that follows will be squarely focused on the intrinsic merits and demerits of the social constructivist metaethics outlined in Part I above.

Constructivist views in metaethics have traditionally been thought to have the following explanatory advantages. First, constructivism has been held to offer a metaphysically modest account of moral objectivity that yields some of the objectivist commitments of 'robust' versions of moral realism, while avoiding the most heavily contested epistemological and metaphysical commitments implied by robust realist views. To the extent that such concerns have historically been a motivation to look for alternatives to robust moral realism, what constructivism purports to offer on this score is a relative advantage, at least on the assumption that the less sparse ontologies offered by robust moral realism are metaphysically non-parsimonious. Without wishing to underplay the significance of this point, this primarily 'ontological' motivation for constructivism is at most a marginal motivation for the social constructivist metaethics developed in this work. As articulated here, is not the sparseness of

a social constructivist 'ontology' (although such a view could in principle be articulated to deliver some of that as well), but rather its ability to make sense of moral thought and practice as a social (and, in the paradigm case, a human) *construction*, or *artefact*.

Second, metaethical constructivist views might be thought to provide a naturalistically intelligible account of how moral claims can be true or false, insofar as the truth-conditions of these claims are understood to be a function of the mental and social activities of the individuals and groups who instantiate practices of moral thought and judgement. This claim is consistent with the social constructivist metaethics developed in this work, with the following caveat: namely that a social constructivist metaethics is not committed to specify either the success conditions of moral claims, or the activities of the agents who make them, in reductively naturalistic terms. Indeed, as articulated in Part I above, the social constructivist metaethics developed in this work forms part of a class of non-reductive constructivist views. Moreover, some of the arguments discussed on behalf of this view in this work are themselves normative (and sometimes moral) in content. Any explanatory advantage claimed on behalf of metaethical constructivism from within a broadly naturalistic perspective is therefore one that the social constructivist metaethics developed in this work will have to assign at best an optional, or subsidiary, role.

Third, some forms of metaethical constructivism might be thought to offer an account of specifically moral normativity that explains (and/or justifies) the authoritative, reason-giving, or rationally inescapable status of at least some moral norms and values. This is because in its most ambitious forms (some of which were discussed in the first half of this work) metaethical constructivism implies that an agent who fails to respond to moral considerations is thereby failing on his or her own terms (e.g. qua rational, or self-constituting, agent.) This

apparent explanatory advantage is only a potential advantage of constructivism in a narrow subset of its possible forms, and is not an advantage that can be claimed on behalf of the version of the social constructivist metaethics developed in this work. |On the contrary, the social constructivist metaethics developed in this work stops well short of endorsing any kind of strong inescapability claim on the behalf of moral norms and values, and some of the commitments that view that will be discussed in the chapters that follow are actually inconsistent with standard formulations of this claim. This is not to imply that the social constructivist metaethics developed in this work has nothing to say about how some moral norms and values could sensibly be thought of as authoritative, reason-giving, or rationally inescapable for a wide range of socially located agents. Yet if that view is at all plausible, this will not be because it captures the necessary authority, reason-giving status, or rational inescapability of moral norms and values, but rather for a different set of socially and psychologically contingent reasons.

Fourth, and already mentioned in Part I above, metaethical constructivism could be thought to avoid a number of difficult problems about the interpretation of moral claims by remaining neutral with respect to their precise semantic content and the cognitive status of the mental states they canonically express. This claim to neutrality has led some commentators to deny that a constructivist metaethics is really a genuine 'metaethics' at all, as opposed to a highly abstract contribution to moral or political debate (see e.g. Ridge 2012; c.f. Kramer 2009). Although this is partly a terminological dispute about who has a claim to key theoretical terms, the following can safely be said in response to this potentially devastating criticism. Most of what is said on behalf of a social constructivist metaethics in this work is either consistent with most standard views about the semantics and psychology of moral judgement, or can be reformulated without cost so as to reveal its consistency with these views. For that

reason, the social constructivist metaethics developed in this work does, indeed, have relatively little to contribute to many of the most hotly contested issues in contemporary metaethics. There are, however, two important exceptions to this claim. First, the claim that morality is a social construction or artefact is a paradigmatically metaethical claim on most standard ways of drawing the boundaries of metaethics. Second, on more than one occasion during the course of this work the purported semantics of at least some moral claims is interpreted as normatively contestable, in the sense of suggesting that people may want to think, speak and otherwise use moral terms in a different way than they are said to do on a range of standard accounts (e.g. of a 'robustly' realist or an 'error-theoretic' variety (c.f. Lillehammer 2013)). Both of these claims are located at the heart of the social constructivist metaethics developed in this work. Indeed, the endorsement of these two claims is arguably the two most noteworthy consequences of accepting it.

Bearing these four alleged advantages of metaethical constructivism in mind, one of the recurrent tropes in this work is that constructivist accounts, in most of their orthodox manifestations, have historically failed to speak to what is one of the most basic facts about moralities, namely that they are contingently existing and socially embodied systems of mutual adaptability and accommodation, brought into existence and maintained by finite and mutually dependent individuals and groups that live in conditions of scarcity and risk. To think plausibly about moralities as any form of construction, one has to think of them as essentially *social* constructions. It is primarily because of manner in which it aims to capture this particular feature of moral thought and practice that the social constructivist metaethics developed in this work can be said to be distinctive in comparison to some of its more orthodox constructivist competitors.

As previously suggested in Part I, once this view is taken seriously a number of other controversial issues in contemporary metaethics begin to take a different shape. Consider, for example, the idea that some distinctively human emotions are constitutive of moral judgement (c.f. Prinz 2007). While this claim is obviously consistent with a social constructivist account (of which Prinz's account can be regarded as one), a social constructivist could also in principle reject this view as conflating a contingent fact about the instantiation of moral judgements with a necessary truth about their constitution. Once moralities are understood as essentially social, it is an open question whether groups of agents could successfully accommodate each other in arbitrarily sophisticated ways even if their psychologies were not emotionally constituted like ours are (quite plausibly) thought to be. Given that actual human beings also differ with respect to their emotional dispositions in quite remarkable ways, one might also expect to see such differences exhibited in what actual human beings associate with moral judgements, the content of those judgements, and morality's demands (e.g. differences in how people regard the plausibility of certain moral theories, such as utilitarianism).

Moving beyond the issue of its strengths and weaknesses compared to other versions of metaethical constructivism, the social constructivist metaethics discussed in this work shares a number of alleged advantages attributed to competing non-constructivist views that have had wide currency in the recent philosophical literature. In particular, the social constructivist metaethics discussed in this work can account for the *anti-reductionist, deflationist and broadly anthropological* insights of metaethical pragmatism (c.f. Price 2011); the insight that *moral thought is essentially practical* of metaethical expressivism (c.f. Blackburn 1998); the emphasis on the centrality that moral claims in some of their paradigmatic manifestations have *non-trivial success conditions* of metaethical cognitivism (c.f. Scanlon 2014); the

emphasis on the non-trivial significance of *questions about reality and fact-hood* provided by varieties of 'robust' moral realism (c.f. Schafer-Landau 2003); the insight *that moral thought is partly a function of the psychological states that characteristically issue in moral judgements* associated with various forms of subjectivism (c.f. Prinz 2007); the insight that *the objective status of moral thought is phenomenologically uncertain and non-transparent* provided by various forms of moral error theory (c.f. Mackie 1977); the insight that *the nature of moralities is to some extent a function of the nature of moral agency and its social embodiment* provided by different forms of constitutivism (c.f. Korsgaard 1996); and the *reliance of true claims about moral norms and values on facts about rational co-operation* provided by different forms of contractualism (c.f. Scanlon 1998).[61] Where the social constructivist metaethics discussed in this work departs from the bulk of of these 'competitor' views is by interpreting these insights as *partial* aspects of the nature of moral thought and practice, as opposed to either universally definitive or 'constitutive' of its nature and essence. Although this might be reasonably said to be a further advantage of the social constructivist metaethics discussed in this work, it is obviously possible that the social constructivist view itself could plausibly be diagnosed as suffering from a similar defect when considered from the perspective of one of its metaethical competitors. Indeed, if it is true (as it might well be) that all metaethical theories are to some extent the result of a metaphorical generalization of what, within a more limited domain, is a literal, or descriptive, truth about ethics; then the social constructivist metaethics discussed in this work is bound to fall foul of a similar defect of this kind. Yet while further reflection this general 'meta-metaethical' issue is aperfectly legitimate pursuit, it is not a project that will be pursued further in this work. Instead, the focus of attention in what follows will be the more mundane and tractable question of whether or not the social constructivist metaethics discussed in this work is defensible on its

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[61] As previously noted, the last two comparisons are internal to the family of 'constructivist' views, broadly understood.

own terms. The chapters that follow will therefore outline and examine a selection of key theoretical challenges faced by the social constructivist metaethics articulated in Part I above. It will be argued that these challenges do either not affect the case for social constructivism as such or, insofar as they do affect that case, they can either be satisfactorily met, or be integrated as one or more non-fatal implications of an otherwise coherent metaethical view.

5. *Against moral constructivism*

i) The 'Euthyphro' problem

Arguably the most fundamental objection to constructivist accounts of normative claims is that such accounts are inherently unstable: when considered on their own terms they have implausible implications; when corrected for these implications they cease to be constructivist views. There are many variations of this objection, most of which are targeted at constructivist views about the normative domain as a whole, or practical normativity in particular. By the same token, responses to the objection have tended to take a similarly general form, as most prominently exemplified by work in the Kantian tradition, according to which the objectivity of norms and values is said to be vindicated either in terms of what is constitutive of agency (e.g. Korsgaard 2009); or in terms of the idea that reason as such is essentially 'critical', with objective norms and values being continuously constructed in rational thought by way of internal, or 'immanent', critique (e.g. O'Neill 1989). The best diagnosis of this objection on behalf of the social constructivist metaethics discussed in this work is importantly different from both of these responses, although certain aspects of these responses could nevertheless be employed by a social constructivist metaethics in modified form.

One poignant way of formulating the alleged problem for constructivism is to say that it attempts to conjure something out of nothing. The result of construction is supposed to be a

set of objectively binding norms and values that apply to agents regardless of their contingently given ends or practices. Yet at the same time, there is not supposed to be any normative constraints on the process of construction external to those contingently given ends or practices. The upshot is the following dilemma. Absent the existence of normative constraints external to our contingently given ends and practices, the result of construction could in principle be anything. Yet (in a modified version of Wittgenstein's famous quip) if anything can be made to accord with a rule, there is no rule. In other words, there has to be some normative constraints on the process of construction external to our contingently given ends or practices. But if there are such constraints, these constraints are not the result of the relevant construction; in which case constructivism is in principle inadequate as a complete account of the norms and values in question. On standard 'cognitivist' assumptions, therefore, only two options would seem to remain on the table: robust realism, or universal scepticism (see e.g. Shafer-Landau 2003).

The social constructivist metaethics discussed in this work is strictly speaking consistent with the conclusion of this argument against constructivism as a general theory of the normative domain. As explained in Part I above, the social constructivist metaethics discussed in this work is an account of *moral* norms and values in particular, not of norms and values in general. Moral norms and values could in principle be social constructions, even if – as a matter of necessity – some norms and values are not. If so, the social construction of moral norms and values could be thought of as partly grounded in (or explicable in terms of) a set of (non-, or pre-moral) norms and values that are assumed to have an 'external', or 'mind-independent' source or sanction (such as 'robustly' real normative facts or some kind of cosmic teleology). There will be no attempt to actually defend such a 'hybrid meta-normative' view in this work. Even so, important to register the availability of this position in

order to get the 'dialectical' facts straight before moving on to explain what this challenge actually teaches about how the claim that morality is a social construction is best understood. To do this, it will help to reformulate the problem as a challenge for a social constructivist metaethics in particular. Thus understood, the challenge is to explain how a process of moral construction can result in moral norms and values that are both interestingly substantial and reflectively stable. In order to do this, it may help to reconsider the two horns of the dilemma in turn.

In *Moral Realism: a Defense*, Russ Shafer-Landau provides a canonical articulation of the 'Euthyphro problem' as it is faced by standard (and individualistic) versions of constructivist metaethics. He writes:

> 'Either the initial conditions of choice and attitude formation are moralized or they are not. In other words, we are to envision the initial conditions as already incorporating moral constraints, or as operating free of such constraints. The problem with the latter option is that there is no reason to expect that the principles that emerge from such a construction process will capture our deepest ethical convictions, or respect the various platitudes that fix our understanding of ethical concepts… Alternatively, if constructivists import moralized constraints… then they effectively abandon constructivism, because this [CHECK] acknowledges the existence of moral constraints that are conceptually and explanatorily prior to the edicts of the agents doing the construction… and so there would be moral facts or reasons that obtain independently of constructive functions. This is realism, not constructivism.' (Shafer-Landau 2003, 42)

A plausible social constructivist metaethics must be able to explain why the argument in this passage is unsound. On the first horn of the dilemma, the norms and values resulting from moral construction are said to be either potentially arbitrary, implausible, or as failing to coincide with core, or common, moral convictions (except, perhaps, by sheer accident). This claim is unfounded, for at least the following reasons. First, and most obviously, the social constructivist metaethics discussed in this work is a metaethics of *moral* norms and values in particular and not of norms and values in general. Any minimally plausible theory of distinctively moral norms and values in particular should construe those moral norms and values as being constitutively constrained by the preservation or promotion of social co-ordination and the interests of individuals and groups involved in the practices thus co-ordinated. Although this fact may not itself carry many interestingly determinate implications for how said co-ordination or interests should be pursued or understood, it does suffice to rule out the possibility that the content of moral norms and values could be just about anything. This, however, is little more than a terminological point, and should not be thought to carry much probative force in a fully-fledged defence of a social constructivist metaethics. Second, and more importantly, the social constructivist metaethics discussed in this work is a *non-reductive* account of an existing domain of normative discourse to which theorists of that discourse have some degree of first-personal and normatively engaged access. It is therefore possible (and arguably necessary) for theorists of that discourse to make use of their best moral judgement in order to identify the limits of what can truly be classified as: a) a morality (as opposed, for example, to some arbitrary, local or idiosyncratic pattern of norm-guided behaviour); and b) a minimally sensible morality (as opposed, for example, to a self-defeating, or otherwise pathological, social practice of mutual destruction.) In doing so, it is consistent with the basic tenets of the social constructivist metaethics discussed in this work

that theorists of moral discourse make use of what Cuneo and Shafer-Landau call moral 'fixed points', in much the same way that a theorist of causation would normally help him or herself to basic insights about basic features of causal relations in the course of defending an account of the nature of causation (whether realist or anti-realist). The fact that there are certain moral claims that must come out 'true', 'valid', or otherwise correct in any social practice deserving of the name of 'Morality' does not entail that there is anything more to the truth, validity or correctness of the relevant claims than what falls within the scope of the norms and values that a substantial and critical engagement with that social practice itself would potentially construct. To insist otherwise is to make an analogous mistake to that made by someone who inferred that robust realism about the constitutive norms of Ping-Pong must be true because not just every kind of ball game could possibly count as Ping-Pong.

On the second horn of the dilemma, the very ability to constrain the process of moral construction is said to undermine the claim that morality is a construction. This claim is also unfounded, for at least the following reasons.[62] First, and most obviously, the process of moral construction is constrained by what moralities essentially are; namely social practices for the preservation or promotion of social-coordination and the interests of the individuals and groups involved in the practices thus co-ordinated. Although this fact may not in itself carry any interestingly determinate implications on how said co-ordination or said interests should be understood or pursued, it does suffice to imply the existence of minimal constraints on how moral norms and values are promulgated and maintained. This, however, is also little more than a terminological point, and should therefore not be thought to carry much

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[62] On this point there are significant parallels between the social constructivist response to the Euthyphro problem for morality in particular developed in this work and some of the neo-Kantian responses to that problem for practical normativity in general discussed earlier in this work.

probative force in the context of a fully-fledged defence of a social constructivist metaethics. Second, and more importantly, the social constructivist metaethics discussed in this work is an account of moralities that grounds their norms and values in a set of actual and historically existing social practices and not in a set of modal facts about merely possible practices; whether human or non-human; social or non-social. It follows that the process of moral construction is constrained by facts about the potential for progress and development of those very practices, as opposed to the potential for progress and development of any possible practices (whether human or non-human; social or non-social) that could possibly be described or imagined. In other words, the social constructivist metaethics discussed in this work implies a constitutive link between the content of moralities and the historically actual or real; the existence of which will partly constrain (if only by setting the initial terms of) the process of construction that is said to yield correctness conditions for moral claims.[63] Third, and most importantly, the existence of substantial constraints on moral construction does not entail the collapse of constructivism into a form of robust realist or some other non-constructivist view; either in the case of a social constructivist metaethics, or in the case of metaethical constructivism in general. The main reason for this is that any continuously existing system of rational thought and practice is likely to embody a core set of norms from which it follows that there are ways for that system to fail catastrophically on its own terms, either by being seriously inconsistent or by being practically self-defeating in some other way. (Such failure could obviously be a matter of degree.) A purported morality could be internally self-defeating either by not delivering any consistent answers to practical questions at all; by not offering any coherent way to think about moral problems; or by being structured so as to necessarily undermine or defeat the very norms and values its participants purport to

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[63] The question whether the existence of this constraint has any moral, or other, problematic implications (such as a damaging kind of 'actuality-bias') will be addressed further in what follows.

accept. To be internally self-defeating in this sense is a defect that can be made coherent sense of both by a social constructivist metaethics in particular and by other constructivist views about normative claims quite generally. Although this may be a relatively formal point with comparably few substantial implications with respect to actual normative disagreements, it is nevertheless a point worth making in the context of responding to arguments that purport to show that no form of constructivism (either about morality, or about normativity in general) could ever aspire to basic explanatory adequacy.

There is one further point that needs to be made about the "Euthyphro dilemma', namely one about the widespread concern that a social constructivist metaethics might fail to 'capture our deepest ethical convictions' (Shafer-Landau 2003, 42). As will become clear during the course of the following sections, there is arguably some truth in this claim, if it is read in light of the modality contained in its 'might'. The social constructivist metaethics discussed in this work is consistent with the possibility that the upshots of reflection and adaptation to different circumstances by individuals and their social groups either has, will, or would end up resulting in the endorsement of moral claims that we, from our own present perspective, would find either surprising, unacceptable, or even bizarre. (Consider some of the moral challenges regarding group division or species survival that could be faced by our post-human descendants, and that are arguably amply visible in the existing ethnographic data.) This fact on its own should not, however, be a source of moral or epistemic anxiety, as opposed to a simple reminder of the inherent fallibility of moral judgement. What *would* be a legitimate source of moral or epistemic anxiety is a consistent tendency for ethnographic data (or science fiction) to make our existing 'deepest ethical convictions' look perverse, unacceptable, or completely 'upside down' from the other morality's point of view. This possibility is not, however, one that consistently comes out in the ethnographic data at our

disposal; much as anthropologically curious philosophers have sometimes been tempted to suggest otherwise (c.f. Moody-Adams 1997; Laidlaw 2014).

At this point, there is one further consideration that has to be cited on behalf of the social constructivist metaethics discussed in this work. This is that most of the historically existing social practices we have knowledge of embody substantial norms of responsiveness to specific circumstances; a responsiveness which itself may result in the formulation of further norms of responsiveness to new circumstances in ways that are hard, or even impossible, to predict in advance. Moralities are no exception to this, and their history and cultural variability give ample testimony to the extraordinary creativity of which the moral mind is capable. Yet however varied human moralities may be, they are all constrained to some extent (insofar as they are intelligibly interpreted as moralities at all) by facts about what those circumstances *are*; including facts about the relevant social practices themselves and their histories, as well as facts about the individuals and groups who either have, do, or will participate in them at some point. How to think about the scope and limits of this flexibility, and the extent to which it is a problem for the social constructivist metaethics discussed in this work, is the main topic of the following two sections.

ii) <u>The 'too many truths' problem</u>

What I shall refer to as the 'too many truths' and the 'too few truths' problem are instances of the same general issue, namely a metaethical view having apparently unacceptable implications for the content of true, valid or otherwise correct moral claims. One way to respond to this problem is to deny that any truly metaethical view will have substantially

moral implications. On such a view, 'external', or 'second order', claims about the nature of moral thought are said to be logically independent of the content of the substantially moral claims the semantic, metaphysical and epistemological features of which they purport to describe and explain (c.f. Blackburn 1993; 1998). Although it has historically been very influential, this argumentative strategy is not available to the social constructivist meaethics discussed in this work. There is more than one reason for this. First, the evaluation of the social constructivist metaethics discussed in this work will be more probative to the extent that it avoids relying on what can easily turn into a terminological dispute about what does, and what does not, count as 'substantially', or 'internally', moral (or 'first-order) on the one hand, as opposed to 'formally', or 'externally', metaethical (or 'second-order') on the other. Second, and more importantly, during the course of expounding the social constructivist metaethics discussed in this work, frequent and explicit use has been made of substantial moral claims in order to explicate, motivate and evaluate that view. It would therefore be contrary to the terms on which the social constrictivist metaethics discussed in this work has been conceived to insist that a 'genuinely' metaethical view should be a description of moral thought that has no interesting and substantial moral implications. It follows that the social constructivist metaethics discussed in this work has no business denying the claim, recently defended by Dworkin, Kramer and others, that at least some recognizably metaethical theories are vulnerable to criticism on substantially moral grounds (Kramer 2010; Dworkin 2011; Lillehammer 2013). It also follows that this view is required to face any accusations that it implies implausible, abhorrent or morally absurd conclusions head-on, and in the substantially normative spirit in which they are intended.

If the Euthyphro problem can be given an initial answer along the lines outlined in the previous section, that answer leaves a problem of 'residue' that it is incumbent on any

defence of a social constructivist metaethics to address. This problem of residue has two aspects. In its first aspect, the worry is that a social constructivist metaethics is too *permissive* with respect to the truth, validity or correctness of moral claims. In its second aspect, the worry is that a social constructivist metaethics is too *restrictive* with respect to the truth, validity or correctness of moral claims. This section and the next contain the broad outlines of a response to this problem on behalf of the social constructivist metaethics discussed in this work. In each case, the social constructivist response depends on drawing a distinction between the contingency of morality implied by the claim that moral norms and values are social constructions on the one hand, and the contingency of morality implied by the claim that the content of those norms and values depends on what any given morality actually approves or disapproves of on the other. While the social constructivist metaethics discussed in this work is committed to the first of these claims, it is not committed to the second - at least not in an unrestricted or obviously damaging form. The key idea behind this response is that a contingently evolved social practice could in principle come to reasonably endorse the necessity embodied in a set of moral norms and values that aspire to hold without restriction; or in all actual, likely, imaginable, or even possible circumstances. Having said that, the social constructivist metaethics discussed in this work has relatively little to say about the precise domain, content, or modal aspirations of individual set of moral norms and values. In working out the true counterfactuals that would specify the content and modal aspirations of any particular true, valid or otherwise correct moral claim one would have to apply one's best moral judgement to that individual case. As the task of considering the domain, content, or modal aspirations of individual moral claims is one that largely transcends the ambitions of the present work, it will not be pursued in any significant detail in what follows.

One remaining task that cannot be evaded by the social constructivist metaethics discussed in this work is to respond to the challenge that is systematically too permissive with respect to the truth, validity or correctness of moral claims. The problem here is not one of social anthropology. Any metaethical theory should be consistent with the existence of every kind of social practice we can intelligibly imagine; however offensive or absurd. The problem is that the social constructivist metaethics discussed in this work seems to straightforwardly imply or licence the truth of a large number of counterfactual moral claims we should reject, at least partly on moral grounds. If so, the social constructivist metaethics discussed in this work is as implausible as the implausibility of this range of moral claims.[64]

Three counterfactuals in particular serve to clearly illustrate the 'too many truths' problem faced by the social constructivist metaethics discussed in this work. The first states that (A) *for any possible morality, if that morality approves of some set of norms or values, then those norms or values are true, valid, or otherwise correct.* The second states that (B) *for any actual morality, if that morality approves of some set of norms or values, then those norms or values are true, valid, or otherwise correct.* The third states that (C) *for any actual morality, if that morality were to approve of some set of norms and values, then those norms and values would be true, valid, or otherwise correct.* Given the vast range of actual and possible moralities, the set of true, valid, or otherwise correct moral norms and values would consequently extend far beyond the limits of moral and epistemic credibility.

Although this objection to the social constructivist metaethics discussed in this work overshoots, it does so for instructive reasons. Taking the three counterfactuals in turn, an

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[64] This argument parallels those made in Kramer (2010) and Dworkin (2011) about response dependency, and other 'non-realist', accounts of moral judgement.

initial diagnosis of the problem could proceed as follows. With respect to (A), the social constructivist metaethics discussed in this work implies a morality is a contingently evolved historical artefact with an internal set of ('second-order') norms and values for the criticism and evaluation of moral norms and values themselves. It is therefore not compelled to treat merely possible moralities as on a par with actual moralities with respect to the generation of true, valid or otherwise correct norms and values. That being said, any minimally acceptable morality will embody norms that encourage the counterfactual consideration of different ways morality could be. The extent to which any such considerations should play a role in any given case of moral deliberation or dispute is a matter of the inherent viability, practical interest, and relative likelihood of realizing the merely possible moralities in question, and this is obviously bound to vary from case to case, as well as being a matter of degree. For example, the fact that introducing a 'plebiscitarian' democracy would be likely to result in the reintroduction of the death-penalty is of greater moral and epistemic significance to citizens in a modern liberal democracy than the fact that were we to have evolved more like insects we might be more likely to want to eat our parents; although neither claim can obviously be assumed to be entirely devoid of moral significance in every conceivable circumstance. Of course, it is possible that by going through a process of considering such possibilities people would end up endorsing claims that prior to this process they would have found surprising, unacceptable, or even bizarre. It is therefore not reasonable to expect that all questions of this kind are conclusively decidable *a priori*, or otherwise in advance. Given that the issue is a substantially moral matter, it is one that is most sensibly approached by a critical exercise of one's moral faculties and a corresponding degree of epistemological modesty. Notwithstanding our obvious ability to imagine a vast range of merely possible moralities very different from our own, we should not regard our very potential for endorsing morally surprising claims in a range of counterfactual circumstances as presenting a fundamental

obstacle to a social constructivist metaethics in particular, as opposed to being a reminder that the world can potentially present us with a range of moral and epistemic surprises.

With respect to (B), the social constructivist metaethics discussed in this work implies that any set of moral claims are true, valid or otherwise correct to the extent that their endorsement would survive the enhancement of the morality in which they are embodied in light of experience, reflection, or confrontation with new circumstances. It is therefore not compelled to endorse as true, valid or otherwise correct any morality just as it is, either in part or in whole. Actual moral norms and values (or entire moralities) could in principle be rejected as they stand in virtue of having been shown to be inherently self-defeating; to be relying on a misguided conception of the social reality in which they are embedded; or on other similar grounds. Having said that, the social constructivist metaethics discussed in this work is consistent with the existence of substantial restrictions on the scope of determinately true, valid or otherwise correct moral claims to the extent that different sets of arbitrarily enhanced moral judgements could in principle fail to converge in at least some cases. On the one hand, the scope of determinately true, valid or otherwise correct moral claims could be restricted by failures of convergence internal to a given morality. On the other hand, the scope of determinately true, valid or otherwise correct moral claims could be restricted by failures of convergence across different moralities. The social constructivist metaethics discussed in this work is consistent with the existence some degree of indeterminacy or relativism in the success-conditions of moral claims, beyond the kind of 'relativity' that follows trivially from the fact of context dependence. Yet the theoretical significance of this fact for the overall plausibility of the social constructivist metaethics discussed in this work should not be exaggerated. First, even 'robust' forms of moral realism are consistent with *some* degree of indeterminacy or relativism in the truth-conditions of moral claims (c.f.

Putnam 2004; Kramer 2009). Second, it is an epistemically open question to what extent all actual moralities, even as arbitrarily enhanced, would in fact converge on all the questions that matter to their participants. Third, what exactl to make of trenchant moral disagreements either within or between moralities is in part a substantially moral question about which there could in principle be room both for reasonable disagreement. Whether the most sensible strategy in such cases is to i) insist on arguing as though truth is always 'single' (see e.g. Blackburn 1985); ii) deal with stubborn disagreement as part of an ethics of 'toleration' or reasonable pluralism (see e.g. Rawls 1971; Dworkin 2011), iii) withdraw from the 'unitarian' faith in 'the single right answer' and relativize the truth of moral claims to historically existing moralities (see e.g. Wong 2007); iv) recommend the suspension of talk about truth, validity or correctness on some moral questions (see e.g. Williams 1985); or v) take up some other attitude of 'live and let live' without making any further claims about the 'semantics' or 'ontology' of the matter at all, is an question that the social constructivist metaethics discussed in this work does not answer on its own.

With respect to (C), the social constructivist metaethics developed in this work implies that any actual set of moral claims are true, valid or otherwise correct to the extent that their endorsement would survive the enhancement of the morality in which they are embodied in light of experience, reflection, and confrontation with new circumstances. It is therefore not compelled to endorse as true, valid or otherwise correct any possible variation of those claims as embodied in any given morality, as opposed to moral claims that are serious candidates for survival in the light of experience, reflective improvement, or responsiveness to circumstantial change. Of course, in working out which moral claims (if any) these are, the relevant participants will inevitably have to consider a range of alternative possibilities, both inside and outside the range of moral claims that are actually under serious consideration

within their own morality as actually practiced. Thus, although the fact that a given norm or value is actually endorsed by a given morality or by some of its participants is normally a morally relevant consideration, it is rarely a decisive or overwhelming consideration. Its relevance (such as it is) would normally be established by the fact that it is unlikely to exist for no reason at all, so people arguably have an interest in at least finding out why it is there, and what exactly it is supposed to be doing for the social group in which it has gained acceptance. The issue is, in every case, a substantially moral one; and one that is potentially subject to contestation or disagreement, as exemplified by familiar discussions of the force of precedent, or actual versus tacit versus hypothetical consent. This does not imply that just any set of norms and values the participants of a given morality might possibly consider is therefore morally on a par with the norms and values with which it is compared. And where the participants of that morality actually come to endorse a set of moral claims that would not survive a process of reflective enhancement, it will not thereby be right to say that those moral claims are now true, valid or otherwise correct (even for them). Exactly which moral claims would survive such a process of enhancement is (with the exception of any moral 'fixed points' applicable to the case) an epistemically open question that is hostage to the reflective resources embodied in moral thought itself, and the responsiveness of these resources to any relevant facts about the circumstances in which the people in question find themselves. It is a partly a substantially moral claim (and which can arguably be assigned some degree of plausibility) that people can be reasonably confident – or even certain – what at least some of the reflectively stable moral claims in question would be. It is also a substantially moral claim (and one which can arguably be assigned some degree of plausibility) that the historical fact that a set of moral norms and values have actually found acceptance in a given social group is defeasible (although never in itself overwhelming) evidence that they ought to be considered seriously as addressing issues that lay some kind of

legitimate claims on their participants (where to 'consider seriously' does not imply acceptance of those norms and values in their existing form). While the natural and social history of human moralities has given different people the moral norms and values they actually have, it has also given many of those people the capacity to grasp that this is only one among an indefinite number of other facts about them to which it is reasonable – indeed necessary - to adopt a critical, and potentially transformative attitude.

iii) <u>The too few truths problem</u>

The second task is to respond to the challenge that the social constructivist metatethics discussed in this work is too restrictive with respect to the content of some true, valid or correct moral claims. The challenge to explain how a social constructivist metaethics can handle a sufficiently wide range of issues about which any plausible morality ought to have a view arises for at least three different kinds of case, namely a) *past* events prior to the existence of a morality; b) *future* events not yet considered or conceptualized in a given morality; and c) *merely possible* events not conceptualized in a given morality (whether these events are either more or less likely to actually obtain).

One wholesale strategy for handling such cases is to insist that a social constructivist metaethics can in principle assign due moral significance to all actual and possible cases by conjecturing that an ideally, or otherwise maximally improved, morality would, by definition (or 'constitutively'), speak to every actual and possible eventuality. Although it would be wrong to deny the coherence of this possibility, to insist on it *a priori* has the air of a philosopher's conjuring trick. One motivation for exploring the kind of social constructivist

metaethics discussed in this work is precisely to avoid relying on philosophical conjuring tricks of this dogmatic kind. Instead of pursuing this route, therefore, it will be necessary to say something about each of the three problem cases just identified, and to evaluate them on their own merits.

The first kind of case, (a)), relates to past events prior to the construction of a given morality. The objection would be that a social constructivist metaethics is committed to endorse a series of implausible moral claims, such as that prior to the existence of a given morality, no action or state of affairs could truly be said to be wrong or bad. In fact, this alleged problem is not really a serious challenge for the social constructivist metaethics discussed in this work at all, at least not in the form just stated. True, the social constructivist metaethics discussed in this work entails that moralities are contingent historical products on the existence of which the truth, validity or correctness of all moral claims constitutively depend. It is consistent with this claim that the scope of moral claims made from within the perspective of a given morality is temporally unrestricted, in the sense that *if* a given kind of act is wrong (or a state of affairs bad) at some time, *then* this kind of act is wrong (or that state of affairs bad) at all times, given that the circumstances in question (positions on a time-line and other morally non-salient features excluded) are relevantly similar. Indeed, this is not only a consistent position: it is actually quite reasonable to think that a plausible morality (such as a morality that includes what we can recognize as substantial norms of fairness) should insist on comparable forms of neutrality to across an arbitrarily large range of cases (see e.g. Sidgwick 1907). Thus, it is both consistent and reasonable to think that the gratuitous wiping out of some tribe among our pre-humanoid ancestors was bad, or that the way some of these ancestors behaved towards each other was wrong, even though the ancestors in question were yet to develop the capacity to think in what we would now recognize as 'fully developed'

moral terms. (The case where the group in question does categorize things morally but does so in a different or incompatible way presents another set of issues, and ones that would need to be dealt with separately.) Alternatively it might be suggested (again on substantially moral grounds) that although there are some moral concepts that it makes good sense to apply to our historical ancestors in this way (perhaps some of them were particularly brave, powerful or miserable), there are other moral concepts that we should on reflection stop short of applying to them (such as moral concepts that carry substantial implications for the expression of punitive moral attitudes, such as anger or blame), either because we find it hard to make sense of how these terms apply to them at all, or because we think that insisting on applying these concepts to such cases would have no point beyond the satisfaction of a historically idiosyncratic aspiration to a kind of complete theoretical comprehensiveness that is both morally and rationally optional (c.f. Williams 1985). The point is not that the desirability or otherwise of this aspiration is not controversial, but rather that it is (at least in part) a substantially moral question whether to endorse it; and if so in what form. Whether or not to maximally extend the application of a given set of moral categories across large spatial, temporal or counterfactual distances is in part a substantially moral question about the ethics of *classifying things morally*, as opposed to classifying them in some of the other ways that our conceptual repertoire permits, or not classifying them in any detail at all.[65] Beyond a certain point, the question is one about the ethics of 'classificatory house-keeping', and therefore partly a question *about those who do the classifying* and the quality of their moral sensibility. For this reason alone, there is a perfectly intelligible case for insisting that a

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[65] One might, for example, lament the widespread misery caused by the events in question, and take note of their likely sub-optimal socioeconomic features. After all, it is not as if classifying distant historical events in one way rather than other is going to materially affect those events themselves (e.g. by making the perpetrators of ancient massacres feel bad about themselves; become more likely to repent; or try harder to become like oneself in response to some act of distant and retrospective disapproval.

reasonable extension of a reasonable moral sensibility should extend its categorizations into the distant past and so arbitrarily beyond the historical limits of its own transient existence.

Subject to a number of caveats, a closely parallel point can be made about hitherto unthought-of and yet to be actualized future events. The first is that how people decide to morally categorize acts and states of affairs in the present can, and sometimes does, affect (even distant) future events themselves, to the extent of sometimes making a difference to whether or not some morally significant possibility is, or is not, eventually made actual. For example, at the time of writing it is an empirically tractable and historically open question what the moral significance is of adopting the environmentalist vocabulary of crimes of 'Ecocide'. The second caveat is that in contrast to historical events, the best way to interpret some future events may be conditioned by future changes to the moral concepts in play, the precise character of which is currently neither predicable not perspicuously describable from the temporal position from which the events in question are contemplated. This temporal asymmetry adds another layer of fallibility and indeterminacy to the projection of existing moral categories onto hitherto unimagined future events. This fallibility is also likely to affect how current states of affairs will be retrospectively judged in the distant future, depending on the degree to which the people who are currently contemplating them are either in possession of evidence, or could easily be in possession of evidence, about how the future events are likely to proceed. With those caveats in mind, however, the situation is exactly parallel to the case of past events with respect to the ability of the social constructivist metaethics discussed in this work to deliver an adequate range of moral truths. The question of what to say about a hitherto imagined future (or what that future will have to say about the present) is a substantially moral question about which the social constructivist metaethics discussed in this work will admit a wide range of different answers; although the point made in the previous

paragraph about treating like cases alike is no less plausible in this case than it was in the case of past events.

Parallel points hold with undiminished force for the case of merely possible acts and events, (c)). All actual moralities, and arguably any morality that could be recognized as such, will include at least some norms and values for thinking about merely possible events, including the fact that some possible events are ones that people never have, or never will, imagine. A certain amount of humility may therefore be in order, not only about one's epistemic grasp of the moral significance of distant possibilities but also about the extent to which one's own morality, as it currently exists, will always have something decisive or interesting to say about them. Arguably, the extent to which one should want to insist on morally categorizing a given possibility will bear some relation to its likelihood of occurrence, or its 'modal distance' from the actual situation in which the issue is contemplated. Moreover, the extent and manner of someone's insistence on morally categorizing various possibilities is itself morally significant at least partly in virtue of what it says about *them*, and the aspirations towards precision and systematicity embodied in their moral sensibility. Thus, a person who insisted that all possibilities, hitherto imagined or not, ought to be subject to complete and determinate categorization with respect to their moral features would be expressing a particularly ambitious kind of intellectual aspiration, or normative ideal. Whether that aspiration should necessarily be thought of as a virtue or achievement is, however, a very different issue. After all, it is not as if the maximally determinate classification of just any mere possibility will necessarily affect anything of substance in the actual world, or historical present. Nor is the insistence on maximally determinate moral classification at any given time and place obviously the best strategy to handle the vagaries of actually present moral conflict or historical change. Part of the problem here is epistemic, and due to the limited grasp the

persons considering the issue may have of some of the more distant possibilities in question. Yet another part of the problem is substantially ethical. People have often been rightly suspicious of others who claim to have a ready answer or solution to absolutely every moral quandary. Indeed, some the quickest and most articulate politicians are sometimes subject to reasonable suspicion for exactly this reason.

A different way of arriving at the same conclusion is to formulate the issue in terms of the choice of classificatory vocabularies or evaluative taxonomies. On the one hand, it can sometimes be useful to think of success in moral thought as consisting in the delivery of true moral judgements. The vocabulary of 'truth' and 'fact' then carries with it the connotation of a determinate set of representations that purport to correspond to a determinate set of facts in all actual and possible situations. As many philosophers with non-realist sympathies have pointed out, adopting this way of speaking for certain purposes can be extremely useful, or even indispensable (see e.g. Blackburn 1993). On the other hand, it can sometimes be useful to think of success in moral thought as consisting in the delivery of solutions to problems. The vocabulary of 'problem' and 'solution' carries with it the connotation that agents can find themselves in situations that presents practical challenges (some of them of high conceptual sophistication) towards which it is their moral task to respond. As many philosophers with non-realist sympathies have pointed out, adopting this alternative way of speaking for certain purposes can also be extremely useful, or even indispensable (see e.g. Korsgaard 2009). The task of describing the success conditions of moral judgements in the case of merely possible acts or states of affairs (and also, for that matter, past and future states of affairs) is one in which the vocabulary of problems and solutions is particularly at home, if only as a complimentary way of interpreting questions that may also be describable in terms of 'truth' and 'fact', and the standard semantic and ontological vocabulary of more

orthodox approaches in contemporary metaethics. Thus, one way of describing the relationship between the participants of a given morality and a set of merely distant possible events about which they are asked to judge is to say (on their behalf) that no doubt there are many moral problems that they have neither confronted or thought about and to which they currently therefore have no solution. This not to say that they shall not be able to find a solution to said problem if they are ever confronted with it, or if it otherwise ever occurs to them. It is not obvious why, from the perspective of the kind of social constructivist metaethics discussed in this work, this way of putting it should be thought of as a less reasonable response to the challenge of describing the moral significance of merely possible events than a response formulated in terms of a set of pre-existing or otherwise independently specifiable moral truths or facts. Standard arguments about the 'nature' of truth and factuality aside, there need be nothing obviously objectionable from a moral perspective about a preference for describing the situation in these alternative, and more 'practical', terms. On the contrary, a problem/solution description could in principle be interpreted as expressive of a virtuous modesty. Whether it is or is not expressive of such a virtue will partly depend on the further question of the extent to which historically existing moralities have actually been able to sufficiently address the moral problems (such as slavery, genocide, class-war and patriarchy) they have actually been faced with. This is an issue about which there is likely to be significant controversy, depending on what is regarded as the best historical interpretation of exactly *why* what happened actually happened in any given case (whether that be the abolition of slavery, resistance to tyranny, or emancipation of historically oppressed groups). Be that as it may, the possibility that one adequate way to describe the challenge presented by distantly possible events is one that makes use of the idea of hitherto unthought-of moral problems to which morality as yet has no solution is not an objection to the social constructivist metaethics discussed in this work as such, any more than the fact that one

adequate way to describe the challenge presented to legal systems by merely possible events could be one that makes use of the idea of unthought-of legal problems to which the legislature is yet to find a legal solution is an objection to a social constructivist account of legal systems. The fact that the social constructivist metaethics discussed in this work implies the existence of a horizon beyond which a currently existing morality is not (or not sharply) defined does not entail that moralities, understood as socially constructed artefacts, can have nothing interesting to say about the moral significance of that horizon, or about how people should respond to that horizon when it is subject to change in ways that it obviously could be and, according to the social constructivist metaethics discussed in this work, inevitably is.

iv) The Modal Status problem

What I refer to here as the 'modal status' problem is a special instance of the 'too many truths'/'too few truths' problem. The problem arises for the same basic reason as it does in the case of those problems, namely that the social constructivist metaethics discussed in this work may seem to be committed to a range of morally implausible or unacceptable counterfactuals. In the case of the Modal Status problem, the question is whether the social constructivist metaethics discussed in this work implies that moral claims which we ought to think of as *necessary* (or as holding without exception, or in any possible circumstances) turn out to be unacceptably contingent, or hostage to historical accident, e.g. of who happens to approve of what (Blackburn 1998; Kramer 2009; Dworkin 2011). The wrongness of gratuitous killing, for example, should not be thought of as subject to the whim of some arbitrary set of historically contingent, parochial and transient attitudes to human life. To the extent that the social constructivist metaethics discussed in this work implies that they are,

this kind of metaethics should be rejected on substantially moral grounds. Moreover, the strict implication of such unacceptable moral claims is not a necessary condition for this difficulty to arise. In the case of some unacceptable moral claims, it could reasonably be argued that the mere fact that a metaethical theory is *consistent* with those claims is in principle be enough to condemn that theory in moral terms, so long as there are certain moral claims that any acceptable metaethical theory ought to rule out of *consideration* as a matter of necessity.

I have already described in the previous two sections how a social constructivist metaethics can respond to the 'too many'/'too few' truths problem in a restricted range of cases. In addition, there are further considerations that speak in favour of this response to the Modal Status problem in particular. Here I shall mention five.

First, although the social constructivist metaethics discussed in this work is consistent with the claim that the plausibility of a metaethical view is hostage to the moral acceptability of its substantially moral implications, it does not assign strict asymmetric privilege to every substantially moral claim with which that metaethical view might conflict. To insist otherwise is to let one's metaethical inquiry be hostage to morally wishful thinking. Thus, it should be possible to think that the most reasonable way to respond to such a conflict is to modify one's initial moral beliefs. One potential case in point is the possibly misguided insistence that we should always argue as though the truth is single on the grounds that all moral truth is fully determinate (C.f. Blackburn 1985; Dworkin 2011.) This is an issue on which one's moral and metaethical beliefs could potentially be mutually adjustable in a way that does not accord asymmetric privilege to either side of the theoretical spectrum. Thus, one

the one hand, one might question a metaethical thesis about the lack of determinacy in moral truth by pointing to cases where people are entitled to have the courage of their moral convictions. On the other hand, one might question someone's stubborn insistence that people should always argue as though the truth is single by pointing to the coherent application of the idea of objective indeterminacy in other areas of human thought (c.f. Putnam 2004).

Second, not all the apparently problematic implications of a metaethical view are best interpreted as genuine implications of that view, as opposed to evidence of a poor, or non-compulsory, interpretation of that view. Thus, if a metaethical view were to imply that murder and mayhem was morally indifferent prior to the existence of moralities that have conceptualized it as wrong, that would be a significant problem for this metaethical view. Yet as I has been argued in the previous two sections, the social constructivist metaethics discussed in this work is not committed to this kind of temporal asymmetry in the moral evaluation of acts, persons, or states of affairs. On the contrary, the social constructivist metaethics discussed in this work is consistent with the claim that the scope of a reflectively robust set of moral norms and values would be indefinitely extensible to the extent of approaching complete temporal neutrality.[66]

Third, not all the apparently problematic moral implications of a metaethical view are morally significant to the same degree. One corollary of this fact is that whether or not to endorse these implications could sometimes be a case of 'spoils to the victor' (the 'victor' in

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[66] The issue of temporal neutrality is a morally controversial subject, and a metaethical view will be more plausible to the extent that it is able to recognise that fact.

this case being the more plausible metaethical view). Thus, if a metaethical view were to imply that gratuitous murder would have been perfectly OK if the progress of history had made human beings just a tiny bit more bloodthirsty than they actually are, then that would be a serious problem for that metaethical view. On the other hand, if a metaethical view were to imply that there are no moral facts, because the generally accepted theory of *facts* implies the existence of something called 'properties', and the generally accepted theory of *properties* is a sparsely naturalistic one according to which nothing above what is quantified over by physical science (or whatever aspect of human reality can be suitably 'located' in a description of a the universe as a physically closed system) will count as a 'property strictly speaking', then it is hard to see how that would present a distinctively *moral* problem so long as there are other ways to speak 'ontologically less strictly' about the truth, validity or correctness of moral claims, e.g. in terms of the solution to practical problems briefly surveyed above (c.f. Davidson 2004; Lewis 1989; Korsgaard 2009). And this is something that the social constructivist metaethics discussed in this work not only suggests can be done; it is something that any plausible version of this view would insist that one *should*.

Fourth, in at least some cases the problematic moral implications of a metaethical view are subject to more than one consistent interpretation, on at least one of which their morally problematic aspects would either disappear, or be significantly mitigated. Thus, it would be troubling if a correct metaethical view were to withdraw from people the conceptual licence to talk about their deepest moral convictions as strictly speaking 'true', and the state of stably having those convictions as one of 'knowledge' (as though the best one could hope for in the course of serious moral reflection and debate were a state of uncertainty or cluelessness in which nothing more was uttered than wild conjecture or idle nonsense.) Yet if claims to 'truth' and 'knowledge' can be coherently re-interpreted in terms of the vocabulary of

'solutions to problems', or 'virtues of the understanding' and the like, the theoretical price of trading in one critical taxonomy for another would not be so high as to threaten the stability of either the metaethical edifice nor the substantial practice of moral judgements it purports to correctly describe.

Fifth, the extent to which a metaethical view is vulnerable to the Modal Status problem is arguably less a question of whether that view has anything to say about the problem as such than whether what it has to say is arbitrarily stipulative, or gerrymandered. Thus, it would clearly be something of a theoretical embarrassment if in response to every problematic counterfactual (such as 'Murder would have been OK if we had never disapproved of it') a metaethical view simply stipulated the all the 'genuine' moral truths are rigorously indexed to the norms and values endorsed in some local or currently existing moral code, or (even worse) the norms and values that happen to be endorsed by any arbitrary 'speaker' and/or their actual audience. One conclusion of the discussion in Part I of this work is that this kind of relativism should be rejected on both moral and non-moral grounds. Likewise, it would be problematic if in response to every apparently 'hard case' (such as 'Murder is wrong: it has always been wrong, it always will be wrong, in all times and places') a metaethical view simply adjusted its description of how the truth conditions of moral claims are constructed so as to capture that particular case, irrespective of whether the resulting view is either explanatory, systematic, or otherwise theoretically coherent or interesting. The inability to produce a minimally explanatory, systematic, or otherwise theoretically coherent or interesting response could in principle be considered a substantially moral defect, even if not a very obvious one.

A prevalent sense of doubt about whether these theoretical defects can be avoided might be one reason why social constructivist accounts of various norms and values have historically been subject to philosophical hostility or scepticism.[67] Given the fundamental nature of the challenge, there is unlikely to be a single argument that decides the issue either way. Even so, is possible to offer the following three observations by way of mitigation on behalf of the social constructivist metaethics discussed in this work. The first observation is that a social constructivist metaethics is an account of *moral* norms and values in particular, and not of norms and values in general. If follows that there are certain constraints on what can count as true, valid or otherwise correct moral claims that follow from the nature of moralities as the kind of historical products they are, and which imply that the correct way to address at least some of the allegedly problematic counterfactuals on social constructivist terms will be neither arbitrarily stipulative nor completely gerrymandered. The second observation is that the social constructivist metaethics discussed in this work is a *non-reductive* account of moral norms and values. It follows that there is no incoherence involved in making use of substantial moral judgements when characterizing the constructivist response to the allegedly 'hard cases' in question. Even if some reductionist versions of social constructivism are vulnerable to a version of the 'arbitrariness or gerrymandering' problem, the social constructivist metaethics discussed in this work is not (or, at least not vulnerable in this way). According to the social constructivist view discussed in this work, the metaethical description of moralities as socially constructed human artefacts and the classification of the allegedly problematic cases in substantially moral terms will inevitably be subject to mutual theoretical adjustment in a manner that explicitly allows for appeal to substantially moral claims. The third observation is that to mutually adjust the metaethical description of moralities as

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[67] I have previously argued against one version of constructivism about normative reasons on these grounds in Lillehammer 2000. The real target of that argument would need to be significantly re-described in order to be brought consistently into line with the case for the social constructivist metaethics discussed in this work.

socially constructed human artefects and the classification of the allegedly problematic cases in substantially moral terms is to engage in a theoretically systematic, factually sensitive and normatively guided project of constructing an explanatorily coherent worldview. To do this is to critically consider moralities in their natural context as historically embodied social practices. Far from being subject to some fundamental theoretical defect of arbitrariness or gerrymandering, a social constructivist metaethics is in principle consistent with an attitude of taking morality as seriously as anyone could reasonably expect, while retaining a robust sense of the natural and social reality from which it has arisen and in which it is actually embodied.

v) <u>The phenomenology of content problem</u>

The social constructivist metaethics discussed in this work implies that the truth, validity or correctness of moral claims is a function of the moral norms and values embodied in actual moralities, subject to enhancement in the light of factually informed normative reflection and changing circumstances. Setting aside both the question of whether it is theoretically feasible to construct an idea of moral norms and values being endorsed in a set of maximally favourable circumstances (c.f. Wright 1992), and the question of the uniqueness or determinacy of any norms or values so endorsed (c.f. Dworkin 2011), it might be thought that a social constructivist metaethics is faced with a different problem. This problem is that the lived experience of moral thought and practice is just not the lived experience of any kind of process of construction, social or otherwise. There is more than one place in a social constructivist metaethics where this problem could make an appearance, of which two will be

discussed here. In each case, it turns out that the basic outlines of an adequate response on the part of the social constructivist metaethics discussed in this work are the same.

One place where this problem arises is in the characterization of *the limits* of everyday moral reflection. Serious moral thinking does not seem to generally proceed on the assumption (whether explicit or implicit) that the true, valid or otherwise correct moral claims are whichever ones that would be endorsed as a result of a process of social constriction, *regardless of what the content of those claims may be*. On the contrary, some restrictions on the content of moral norms and values would reasonably be expected to play the role of moral 'fixed points' (c.f Cuneo & Shafer-Landau 2014); and whatever the contents in question are, it is generally not built into the very idea of their truth, validity or correctness that this truth, validity or correctness, is in any obvious sense *up to us*.[68]

A second place where this issue arises is in the characterization of *the focus* of everyday moral reflection. Serious moral reflection does not generally proceed on the assumption (whether explicit or implicit) that people are calibrating their moral judgements (whether reflective or pre-reflective) against some hypothesized set of judgements made in ideal, or otherwise arbitrarily improved, circumstances in which the endorsement or lack of endorsement of those judgements would either confirm or disconfirm them. People engage in moral reflection as they do in most other areas of thought, with their eyes primarily directed outward to the facts of their circumstances (which will, of course, sometimes include facts

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[68] The idea that the truth, validity and correctness of moral claims is up to the judgement, will or decision of some higher, or super-human power, is a different matter the discussion of which will not be attempted in this work. A natural place to start is to think that the truth, validity or correctness or moral claims does *in some sense* transcend us; and that any adequate metaethics has to make coherent sense of that claim.

about the mental states or dispositions of themselves or others), and not with one eye permanently looking sideways at their own responses to those facts, whether actual or hypothetical. It is reasonable to think that the morally salient features of a situation should normally reside in the facts of that situation itself; not in what different people, as morality's alleged 'conceptual architects', decide to make of them.[69]

The social constructivist metaethics discussed in this work is consistent with the moral phenomenology described in the previous two paragraphs, and so with the alleged experience of both the limits and focus of everyday moral reflection and judgement. One conclusion drawn from Part I of this work is that a social constructivist metaethics is consistent with the existence of moral 'fixed' points, given the fact that it is an account of moral thought in particular where the content of anything recognizable as a minimally plausible morality is substantially constrained by the kind of social practices moralities are. There is no reason why the existence of these constraints should not be present in the experience of everyday moral reflection even if neither the *explanation* of those limits (e.g. exactly why they are what they are), nor their *manner of appearance* (e.g. their psychophysical causes) is directly transparent to that experience itself.

With respect to the focus of everyday moral reflection, the situation is not quite as straightforward; nor is the data quite so unequivocal.[70] First, the question whether a given

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[69] In previous work, I have formulated a parallel point for the case of practical normativity in general in terms of the idea of a pre-reflective commitment to what I there called 'conditions of content'. (See e.g. Lillehammer 1999.) I am no longer satisfied with either the formulation of the claims made in that work, nor the empirically flimsy methodology on which they were based.

[70] The argument of this paragraph relies substantially on points previously made in the context of a discussion of the epistemology and metaphysics of practical normativity in

moral claim would be endorsed in some arbitrarily improved circumstances of reflection (e.g. in conditions where more information is available) is a perfectly recognizable question from within the experience of everyday reflection, and one that is sometimes used as a tool in the course of moral discussion itself (as in 'You would never have sent that 'tweet' had you thought about the hurt it would cause').[71] Once more, there is no reason why an awareness of this focus should not be present in the experience of everyday moral reflection, even if the role of that focus in giving content to the truth, validity or correctness of moral claims is not directly transparent to that experience itself. Second, there are good reasons on social constructivist terms to expect those engaged in substantial moral reflection to generally focus outwards on the facts of their situation when making up their mind about moral issues. After all, it is those very facts (or some subset of those facts) that would be eventually be regarded as morally relevant in the relevant favourable circumstances. Hence, there can be no sound moral reflection in the absence of a primarily outward glance. Furthermore, an agent who finds either him or herself in circumstances approaching some ideal, or otherwise maximally favourable, conditions for making moral claims will have no obvious business in doing anything else than respond to the facts of their situation as they see them (unless, perhaps, they are calibrating their actual responsiveness for 'safety'). After all, the moral features of the case will, by hypothesis, be exactly as they see them in those circumstances. It follows that the closer actual agents find themselves to conditions favourable for moral judgement, and the more confident they are that they are approaching those conditions, the less cause

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general. (See Lillehammer 2002.) Its reappearance here (in different terminology) is subject to the same caveats as previously noted about the formulation and methodology used in that previous work. In particular, I would now wish to emphasize the substantially normative status of some of the claims previously taken as constitutive of normative judgements. (See e.g. Lillehammer 2002.)

[71] In previous work, I have formulated a parallel point for the case of practical normativity in general in terms of the idea of a commitment to what I there called 'conditions of circumstance'. (See e.g. Lillehammer 1999; 2002.) As previously noted, I would now want to distance myself from the formulation and methodology used to back up these claims as published in that work.

they will have to engage in a 'sideways' glance during the course of their moral thinking. Hence, provided that the people in question are not morally clueless to begin with there will usually not be an overwhelming case for adopting a 'sideways glance'. Finally, the question of to what extent people should direct their glance outwards or calibrate that view against a conception of favourable circumstances for making moral claims is itself at least partly a normative question about how to proceed with moral reflection so as to make that reflection as sound as it can be. It is conceivable (although not obvious) that most moral agents in most normal circumstances will make better moral judgements by bracketing the issue of whether their spontaneously made moral judgements would survive in more favourable conditions or not. The point is controversial, empirically tractable, context relative, and not one that is likely to be directly transparent to the lived experience of pre-theoretical moral thinking. Either way, the social constructivist metaethics discussed in this work is compatible with the fact that the phenomenology of everyday moral judgement is not transparently 'constructivist' (whether socially or otherwise) in the sense assigned to that term in this work.

No plausible metaethical view can assume that the phenomenology of everyday moral thought is absolutely sacrosanct. There might be a good explanation, consistent with the social constructivist metaethics discussed in this work, why the phenomenology of moral thought tends to be systematically misleading with respect to the nature and constitution of moral norms and values. To consider only one example, some proponents of so-called 'fictionalist' accounts of moral thought have argued that the practical efficacy of moral thought can be (and, in their view, actually is) substantially enhanced by the fact that its participants falsely believe that the facts of their circumstances have response-independent normative properties in themselves (c.f. Joyce 2001). The social constructivist metaethics discussed in this work is consistent with the functional aspect of this kind of fictionalist

explanation of a restricted range of moral claims (see Lillehammer 2018). Yet the social constructivist metaethics discussed in this work does not in itself imply the error theoretic aspect of moral fictionalism, and is most plausibly formulated without a commitment to it. There are at least two general reasons that speak in favour of preferring a non-fictionalist interpretation of the social constructivist metaethics discussed in this work. The first is the problem of tracing the boundary (such as it is) between what is a 'constitutive error' embodied in some area of thought on the one hand, and what is a false theory contingently associated with that that area of thought on the other. (The theoretical importance of drawing this distinction would not be undermined if it turned out that most, or even all, people who have historically made moral judgements have actually had a false theory of what they were doing.) Thus, it is not clear what, if any, explanatory progress is made by insisting that a practice of making normative judgements in recognizably moral terms, but somehow 'purged' of their apparently offending 'realist' commitments, would no longer deserve the name 'morality' (c.f. Lillehammer 2011; 2013; 2019). The second reason that speaks in favour of preferring a non-fictionalist interpretation of the social constructivist metaethics discussed in this work is that according to this view the question of how best to employ, extend and interpret the practice of moral judgement is itself in part a substantially normative (and partly a moral) question. Thus, it is a morally contestable claim that the best way to interpret all moral beliefs or commitments, in all possible times and places, is as being falsely committed to some indefensible form of metaphysical extravagance. In particular, it is not clear why anyone should want to insist that simply by issuing a reminder that when searching for a set of true, valid or otherwise correct moral claims the people so doing are interpretable as engaged in a process of construction, the social constructivist is thereby interpreting the people in question as if they had decided to drop 'morality' altogether in favour of something interstingly different. For these two reasons, there will be no further discussion in what

follows about the relationship between the social constructivist metaethics discussed in this

work and its various fictionalist and other error theoretic cousins.[72]

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[72] This thought is developed at somewhat greater length in Lillehammer 2013, although not in the context of defending a social constructivist metaethics in particular.

6. Against social constructivism

i) <u>The normativity problem</u>

Some forms of Kantian constructivism aim to explain how true moral claims are necessarily normative or reason giving for all individuals, considered purely in their capacity as rationally competent agents. The social constructivist metaethics discussed in this work stops short of making any such claim. Standard forms of Humean constructivism deny that true moral claims are necessarily normative for all individuals considered purely as rationally competent agents, but still claim to explain how at least some moral claims can be contingently normative or reason-giving for specific individuals, in virtue of the fact that those agents would come to endorse moral norms and values as a result of making reflectively coherent sense of their contingently given desires and beliefs. The social constructivist metaethics discussed in this work is consistent with the Humean constructivist claim that moral values are not necessarily normative for all individuals considered purely as rationally competent agents, but departs from Humean constructivism in not implying any specific account of how it is that true moral claims come to be normative or reason-giving for different specific individuals. In thus departing from both Kantian and Humean versions of constructivism, the social constructivist metaethics discussed in this work might be accused of remaining silent exactly where these views claim to have their main explanatory advantage, yet without offering any compensating explanatory advantages in return. If so, it might be tempting to reject the social constructivist alternative on the grounds that it fails to account for the normativity of any true moral claims whatsoever, and that it is therefore neither explanatorily adequate nor philosophically interesting.

In response, it must be conceded that any metaethical view that explains how moral norms and values are necessarily normative for all rationally competent agents is, in at least one obvious sense, a great deal more "interesting" (if only because it is so much harder to argue for) than one that does not offer such an explanation. This is a trivial consequence of the explanatory ambitions of such a view.[73] It does not follow that a metaethical view is to be preferred merely in virtue of its greater explanatory ambitions. As the well-known controversies surrounding Kantian constructivism illustrates, the explanatory ambitions of at least some interesting metaethical views may not actually be realizable (c.f. Williams 1985). The truth could be more pedestrian or less flattering to the moral hopes and aspirations of moral thinking than at least some philosophers would like to think. Kant, for example, appears to have regarded his own transcendental explication of *a priori* rationalism as the only thing that could stand in the way of the human hope of duly deserved happiness being swallowed by universal skepticism. In other words, it does not follow from the fact that a metaethical view does not explain every puzzling aspect of the nature of moral norms and values that this view is therefore implausible. Having said that, there is no need to be quite so concessive on behalf of the social constructivist metaethics discussed in this work when comparing it to some of its more ambitious constructivist 'competitors'. First, the social constructivist metaethics discussed in this work does offer an explanation of how true moral claims could be normative for individuals who, as socially embedded participants in shared social practices, embody a commitment to construct a moral system by means of which they can protect and promote the levels of social co-ordination required for the pursuit and of their individual and (sometimes) common interests. In fact, there is indefinite scope within this

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[73] By analogy, a scientific theory could be said to be more interesting to the extent that its explanations apply across a wider domain, or offers more firm predictions, or whatever.

social constructivist view for the development of such an explanation, as exemplified by the various constructivist models that have actually been developed in substantial moral theory, and some of which were briefly described in Part I of this work. The fact that these models are best interpreted as normative proposals developed in abstraction from the historical complexities of actual moralities and the psychophysical embodiment of their individual participants does not substantially detract from their explanatory interest in this regard.

Second, by describing moral normativity in terms of the norms and values embodied in social practices, the social constructivist metaethics discussed in this work forges a non-trivial connection between the content, scope and normativity of moral claims and historically actual events and processes, an adequate understanding of which requires not only an empirical study of individual human psychology, but also the study of complex social processes, whereby what is philosophically theorized as 'the moral judgement' is explicitly located as part of a wider network of normatively and otherwise functionally regulated social facts. In this way, the social constructivist metaethics discussed in this work does offer the prospects of an explanatorily alternative to both Kantian and Humean constructivism, the paradigmatic instantiations of which have historically been developed in quite narrowly individualistic terms.[74] Among the aspects of metaethical inquiry most likely to be affected by this change of emphasis to a focus on distinctively social construction, one might count at least the following two.

The first is the comparative study of moral and legal systems, where the social constructivist metaethics discussed in this work puts pressure both on the assumption that morality and law

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[74] For three interesting exceptions to this claim, see Copp 1995; Harman 2000; and Prinz 2007.

can be neatly distinguished as logically separate normative systems, and on the further assumption of a neatly asymmetrical relationship of normative priority between moral norms and values on the one hand, and legal norms and values on the other.

The second is the comparative study of moral and religious systems, where the social constructivist metaethics discussed in this work puts pressure both on the assumption that morality and religious systems can be neatly distinguished as normatively and explanatorily distinct systems, and on the further assumption of a neatly asymmetrical relationship of normative priority between moral beliefs and practices on the one hand, and religious beliefs and practices on the other.

In each case, two areas of thought that have often been treated as theoretically distinct for the purposes of metaethical inquiry could on the social constructivist metaethics discussed in this work be treated as conceptually overlapping and mutually dependent. On this view, the exact nature of the overlap and dependence in question would itself in part be a substantially normative (and a moral) question. And although the social constructivist metaethics discussed in this work does not in itself imply a dramatic revision of conventional philosophical assumptions about the nature of 'the moral judgement' as individualistically grounded, religiously neutral, or conceptually prior to the consideration of legal and other conventional norms, it does suggest a change of emphasis in the way in which the study of 'the moral judgement' is philosophically conducted; not least because these very assumptions have themselves been subject to discussion, doubt or denial during the course of developing the actual moralities from which current metaethical inquiry has grown; and to which it owes its guiding aims and aspirations. The aforementioned question of the extent to which true moral

claims should actually be thought of as necessarily normative or reason-giving for all individuals, regardless of their circumstances, provides just one example of the kind of contestation that have historically been at issue in these debates.

ii) <u>The 'grounding' problem</u>

The social constructivist metaethics discussed in this work is logically consistent with non-constructivist accounts of other norms and values, including both 'practical' norms and values (such as norms and values that specify how individuals have reasons to desire, or act) and 'theoretical' norms and values (such as norms and values that specify what individuals have reasons to believe). The least implausible conjunction of a social constructivist metaethics with a non-constructivist account of other norms and values is an account on which moral norms and values are social constructions grounded on a robustly realist normative base (such as facts about practical reason, or rationality). On such a view, there would be practice-independent facts about what individuals have reason to do and believe; facts which leave substantial normative discretion with respect to how those individuals go about organizing their joint activities in the various groups which human beings have characteristically formed (and also with respect to whether they go about organizing any joint activities at all.) Thus, it might be held that all individuals necessarily have reasons to respect their nature as rational inquirers, and in doing so adjust their beliefs in accordance with the objective evidence. The way in which different individuals go about doing so, however, may vary across different times and places, with the option of doing so by classifying the social world in distinctively moral terms being one possibility among others, and one the resulting set of norms and values of which will inevitably be subject to historically contingent vagaries

of social construction. On this view, 'hybrid normative view', morality (in a singular, normative, or honorific sense) would be a social construction constrained by its grounding in a robustly realist normative base (c.f. Shemmer 2012).

There are well-known difficulties with hybrid normative views, the combination of which present the social constructivist metaethics discussed in this work with what is arguably its most fundamental challenge. First, all hybrid views are faced with a 'disentanglement' problem, namely the problem of accounting for how moral norms and values are to be logically distinguished from all norms and values for which a robustly realist account is said to be true (c.f. Putnam 2004; Cuneo 2007). On the one hand, it is not clear that this problem can be neatly resolved in a significant range of 'mongrel' cases (e.g. in the case of concepts such as *honesty*; *evidence-sensitivity*; *consistency*; or the integration of beliefs and preferences over time). On the other hand, it is not clear that normative thought, either in general or in any particular case, would be better conducted in the light of such a resolution, assuming that one was available. In other words, it is not clear that there are any sufficiently good reasons for postulating the dichotomy it implies. Second, the postulation of such a dichotomy, or 'bifurcation', within the domain of the normative would imply an additional explanatory burden on a social constructivist metaethics above and beyond the existing burden of explaining the relationship between the entire domain of norms and values on the one hand, and other (pre-social, pre-psychological, or 'natural') features of the world on the other.[75] A theoretically more unified account would start with individuals and groups of agents non-reductively described as committed to an arbitrary range of norms and values (epistemic, moral, prudential, or whatever), and then begin telling a story about the (implicit

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[75] This is an explanatory burden that the social constructivist metaethics developed in this work shares with most, if not all, orthodox forms of metaethics (c.f. Price 2011).

or explicit) construction of different kinds of normativity and value from there; with some

kinds of normativity and value being thought of as quintessentially *social* constructions and

others (quite possibly) not. Yet on this view, all norms and values would ultimately be

conceived as some form of construction from an ontologically more 'sparse', and

fundamentally non-normative, construction base.[76]

As a view that extends the hypothesis of construction to the domain of norms and values as a

whole, a 'global constructivist view' is vastly more ambitious than the social constructivist

metaethics discussed in this work.[77] The remarks already made above about the neutrality of

a social constructivist metaethics with respect to these wider meta-normative issues will

therefore have to stand undefended for the purposes of the present inquiry. Having said that,

and in recognition of the fact that the successful embedding of a social constructivist

metaethics in a wider meta-normative theory is likely to favour a constructivist view of norms

and values that is global in scope, the onus is on the social constructivist to say at least

something - however minimal – in response to the complaint that any unrestricted

constructivist account of normativity would either be incoherent or wildly implausible (c.f.

Hussain 2012; James 2012).

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[76] As already noted, it is being assumed throughout this work that a constructivist view of some area of thought (such as morality) can consistently help itself to the classificatory apparatus characteristic of that area of thought (i.e. morality) in describing the relevant process of construction in question (e.g. the social construction of moral norms and values postulated by the social constructivist metaethics developed in this work). Cf. Blackburn 2017.

[77] For a view that, on at least one charitable interpretation, would lend itself to an interpretation along these lines, see Skorupski 2011. Skorupski himself, however, would probably strongly resist this interpretation.

The scope for a robust response to this complaint is quite limited. The most likely hope for success on the part of an unrestricted constructivist account of all norms and values is to question the basic assumptions on which the complaint is likely to be based. Two such assumptions are particularly relevant for the social constructivist metaethics discussed in this work. The first assumption is that there is no way for a 'global normative view' to assign asymmetrical privilege to any particular set of norms and values (such as the norms and values actually considered as constitutive of practical rationality), as opposed any other possible set of norms and values one could possibly think up (such as the norms and values of some strange extra-terrestrial breed of homicidal fantasists). This assumption is false, and results from ignoring the distinction (invoked above) between the fact that a global constructivist account explains the existence of norms values in terms of actual, historical facts about individuals and their social embodiment on the one hand, and the fact that what to make of the possibility that a given set of norms and values would be favoured by some imagines set of creatures in some conceivable set of circumstances is a substantially normative question of what norms and values to endorse, on the other. The claim that the *mere possibility* of a different, and incompatible, system of norms and values should be thought of as undermining the standing of the norms and values actually embodied in a practice of moral, prudential or epistemic thought is one that is at least not guaranteed to survive robust and critical examination in the terms made available by those practices, which is the only vantage point from which it should, for present purposes, be seriously considered as taking place.

The second assumption (and one that follows immediately from the most likely objection to the above response to the first) is that no interesting form of normative or evaluative objectivity can exist in the absence of criteria of correctness external to the practice of

normative or evaluative judgement in question, and hence in the absence of terms of assessment that are fixed independently of the terms provided by the concepts that characterize that practice itself. Yet this assumption is highly problematic, and arguably derives from an excessively ambitious view of what any 'genuine', or 'real', normative and evaluative objectivity would require (c.f. Lillehammer 2007; 2013; Finlay 2014). Some existing social practices, such as games, sports and paradigmatic matters of personal taste, embody norms and values that allow for substantial differences in comparative merit between choices and preferences, and therefore also substantial potential for improvement and criticism of accompanying judgements, in spite of the fact that there are no interesting substantial constraints external to those practices on what counts as a correct or incorrect way of engaging with them. Thus, if someone fails to consider the price of chewing gum before they choose between one brand and another, they could reasonably be criticized for making a bad choice if they choose a brand that costs twice as much as the others in spite of tasting exactly the same, all else being equal. Something as down to earth as a trivial consumer choice can be ill-informed, poorly considered, or downright silly, even if there is no superlative fact, external to a practice of buying and selling trivial objects of pleasure to particular people in particular historical circumstances, which implies that some of the choices in question are 'really' ones to make, and all others 'really' wrong. According to a global constructivist view, the 'correctness' (such as it is) of any given choice as opposed to others, is a constructed feature of the practice in question. Even if there is no external, or superlative, fact that makes some of the choices in question necessarily normative for all agents, the absence of such a fact could only be rationally thought of as a serious loss from the perspective of a set of highly peculiar (and themselves historically contingent and parochial) theoretical interests or commitments, according to which norms and values are only 'real' to the extent that they both aspire to and achieve the kind of complete

independence from the contingency of social practices that have come to be associated with certain forms of 'robust' normative realism (c.f. McDowell 1998). It need certainly not necessarily be thought of as a loss from the perspective of any arbitrary individual who enters a shop with the aim of buying some chewing gum. To insist otherwise is poorly motivated as a claim about the objectivity of norms and values in general. It also threatens to impose a highly tendentious form of metaphysical 'grandstanding' with respect actual historical practices, traditions, customs or conventions which there is independent reason to regard with both epistemological and moral suspicion.

In spite of this kind of global constructivist response to the 'grounding' problem being both tentative and inconclusive, it is arguably suggestive of the view that any objective vindication of moral norms and values is bound to be strictly 'immanent' in the restricted sense explained in Part I of this work. To say that the objective vindication of a set of norms and values is 'immanent' is not only to say that the vindication in question will make substantial appeal to the very norms and values in question. It is also to say that it may appeal to other norms and values with which the norms and values to be vindicated may, or may not, cohere; as well as to any available evidence about the social and natural world in which the norms and values to be vindicated are said to be instantiated. This is to say that an objective vindication of the norms and values in question should accommodate not only the obvious explanatory asymmetries between norms and values and the natural and social facts on which they depend, but also the less obvious and more contestable justificatory asymmetries between the description of those natural and social facts, and the norms and values they might be thought to justify, 'ground', or (partly) explain. In other words, the objective vindication of any set of norms and values is subject to correction by the most plausible description of the natural and social world at one's disposal; where the choice of such a description (e.g. how secular,

naturalistic, descriptive, or otherwise reductive it should be), is also subject to correction by – among other things - the most plausible account of objective norms and values at one's disposal (c.f. Lillehammer 2013; 2017).

iii) <u>Facts, values and supervenience</u>

The social constructivist metaethics discussed in this work implies a non-orthodox treatment of the so-called 'fact/value' distinction, as well as a number of downstream issues, including the dependence (or 'supervenience') of moral claims on other (normative or descriptive) claims. This non-orthodox treatment is likely to be the source of at least one of the following two complaints. On the one hand, it might be complained that the social constructivist metaethics discussed in this work fails to deliver any account of that distinction at all, and that it must therefore be rejected on grounds of explanatory inadequacy. Alternatively, it might be complained that the social constructivist metaethics discussed in this work implies an implausible account of that distinction, and that it must therefore be rejected on grounds of its falsehood. Both complaints deserve to be taken seriously. It is therefore worthwhile explain why they fail to seriously undermine the social constructivist metaethics discussed in this work.

First, it is true that the social constructivist metaethics discussed in this work is poorly suited to account for the existence of a unique and determinate dichotomy between all facts on the one hand, and all values and norms on the other. It is also true that this is a noteworthy feature of this view. Yet it is not true that the rejection of a unique and determinate fact/value dichotomy on the part of a social constructivist metaethics is thereby a debilitating weakness

of that view so long as that view is compatible with an alternative diagnosis of the relevant distinction (or distinctions) in social constructivist terms. Not only is the social constructivist metaethics discussed in this work consistent with such a diagnosis, it actually implies (at least the beginnings of) one. First, according to the social constructivist metaethics discussed in this work the domain of 'fact' is interpreted to include social constructed facts and well as any facts existing prior to such construction with which the existence of the constructed facts may or may not be consistent in theory or in practice. (One effect of constructing a given set of facts can be to put another set of constructed facts out of existence.) According to the social constructivist metaethics discussed in this work, some conceptually articulated social practices enable individuals and groups to create for themselves a social world containing features (such as legal or institutional facts) requiring their conceptual articulation to be brought into existence. Although there are deep and unresolved issues about the content and authority the kinds of norms and values that social practices bring into existence (e.g. conventional norms and values admitted by everyone versus allegedly necessary commands of practical reason admitted by Kantians and other rationalist philosophers only), there is no analogous problem about the claim that at least some such norms and values (such as the legal regulations or local conventions for brewing beer) actually exist.

Second, the social constructivist metaethics discussed in this work has non-trivial implications for how to think about the choice between different vocabularies to describe the natural and social world; vocabularies which vary greatly in terms of the extent to which their criteria of application embody substantially normative or evaluative assumptions (such as descriptions of human mentality couched in terms of the language of the propositional attitudes versus parallel descriptions of the same domain couched in the language neuroscience or biochemistry). This is not to deny that there are true, and explanatory,

descriptions of the social world the ontological correlates of which can be specified as free of any normative or evaluative features. A social constructivist metaethics is not the kind of view that postulates a substantial normative teleology for the science of human animals and their place in the universe. What the social constructivist metaethics discussed in this work does imply is that questions regarding facts and values (or facts and norms) are not most helpfully conceived of as uniformly instantiated in sense and reference across all domains so as to neatly divide all respectable objects of rational thought into a set of non-normative (or non-evaluative) 'brute' facts on the one hand, and a set of non-factual and correspondingly mysterious norms and values on the other.

No doubt it is true that the pluralistic account of the fact/value distinction implied by a social constructivist metaethics is rather less elegant and explanatorily powerful than some of the simpler, and binary, accounts implied by more orthodox ways of drawing that distinction. This does not, however, imply that the way the distinction is theorised on a social constructivist view is any less plausible on its own terms. Familiar doubts about the universal explanatory advantages of theoretical simplicity aside, there is a simple reason for this. Pick any distinction selected by a minimally plausible orthodox account of the matter as marking the unique and determinate division between the domain of fact on the one hand, and the domain of value and normativity on the other. A social constructivist metaethics could in principle accept the existence of that distinction, even if not as formulated in orthodox binary terms. The issue between a social constructivist view and a binary fact/value view is not one about the existence of the relevant distinction, but instead one about how to interpret that distinction in the context of a wider network of conceptual, metaphysical, epistemological or semantic distinctions that one might, or might not, want to make for some specific theoretical purpose. Thus, a more orthodox view might draw the distinction at the point where the grasp

of claims on the one side of the distinction is said to require the possession of certain affective states. A social constructivist view could in principle accept that distinction but claim that some of the affectively valenced claims in question are sufficiently disciplined syntactically, dialectically or otherwise to be classified as 'cognitive' (c.f. Wright 1992; Wiggins 1996). Alternatively, a more orthodox view might draw the distinction at the point where only the ontological correlates on one side of the distinction are said to be robustly mind, or response, independent. A social constructivist view could in principle accept that distinction as well but claim that some truths and facts are mind, or response, dependent (c.f. McDowell 1998; Gert 2012). A more orthodox view might also draw the distinction at the point where the grasp of basic claims on the one side of the distinction are said to be knowable *a priori*. A social constructivist view could in principle accept that distinction but claim that some people are blessed with knowledge of a domain of *a priori* truths and facts (c.f. Smith 2004). Or a more orthodox view might draw the distinction at the point where only the claims on one side of the distinction are said to be substantially representational, or otherwise 'truth-apt', in such a way as to qualify as 'ontologically substantial'. A social constructivist view could in principle accept that distinction but claim that some of the claims on the other side of the division are sufficiently disciplined to qualify for a less demanding classification of fact-hood (c.f. Parfit 2011). In each case the issue is not whether to accept the existence of the distinction that allegedly divides 'genuine' facts on the one hand from values and norms on the other, but instead whether to accept the particular way in which the more orthodox view goes on to interpret and theorize the relevant distinction. On this issue, the social constructivist metaethics discussed in this work departs from these more orthodox treatments in ways that, far from necessarily undermining any of these treatments as such, could actually end up speaking in favour at least of some of them. For even those who would prefer to operate with a more orthodox fact/value distinction should admit that this is hardly

the only relevant distinction at work in this area, and that a metaethical view will be more plausible to the extent that it is able to embed the orthodox distinction in question within a wider theoretical framework that also includes other relevant distinctions that are theoretically in play. The task of doing this is a task of interpretation, and one that – according to the social constructivist metaethics discussed in this work – is itself imbued with norms and values; and is therefore a substantially normative (and potentially a moral) task. To put the point a different way: the issue about these distinctions is not only about how the world really is. It is also about how that world is better described, evaluated, or interpreted; and in which terms to do so.

As with the 'fact/value' distinction, the social constructivist metaethics discussed in this work implies a non-conventional approach to the much disputed issue of the 'supervenience' of the moral' on the 'non-' or 'pre-' moral; or the relationship of dependence in which the truth, validity or correctness of moral claims can be said to depend on the truth, validity or correctness of any non-moral claims (normative or otherwise) that can truly be cited to either explain or justify them (see e.g. Blackburn 1993; Shafer-Landau 2003; Kramer 2010; Olson 2014.) Given the purposes of the present work, this discussion can be brief. First, according to the social constructivist metaethics discussed in this work, all moral claims considered as a totality depend constitutively on the 'construction base' from which moral thought and practice is constructed, and so in that sense all true, valid or otherwise correct moral claims will necessarily 'supervene' on that base. Second, according to the social constructivist metaethics discussed in this work, the supervenience of individual moral claims on the non-moral claims on which their individual truth or correctness can truly be said to depend is partly a substantially normative question of how to carry on some on-going process of social construction. The strength of any supervenience constraints that might result from such a

process is a function of how, upon reflection, those who are engaged in it would think that moral norms and values should depend on other things they are committed to; in particular on how they think they should interpret the substantially moral claim that 'like cases should be treated alike'. It goes without saying that this dictum has been interpreted in different ways in different historical circumstances and that moral philosophers of different stripes continue to debate the exact sense that should be given to the idea of a 'like case'. Does it include the psychological states of all relevant parties, including their likes and dislikes, for example? And do the relevant parties include only actual people, human beings in all 'possible worlds', or all human and super-human beings in all natural and super-natural worlds, foe example? In the recent literature it has become widely accepted that a quite strong version of supervenience is 'constitutive' of moral thought (c.f. Blackburn 1993; Kramer 2010).[78] Independently interesting questions about different actual commitments on this issue across cultures and history aside, the crucial point for present purposes is that what is distinctive about a social constructivist metaethics is not whether or not it endorses a strong supervenience claim, but the way it goes on to interpret it. According to the social constructivist metaethics discussed in this work, to say that a strong supervenience claim is constitutive of moral thought is to say that no practice that fails to embody that claim should be classified as genuinely 'moral' (either because participants in moral practice are unable to imagine it as such, or because they would reflectively refuse to respect it as such, or for some other reason). This is not to say that no such practice could possibly exist (or has actually existed). The fact, if it is a fact, that a current practice of moral thought actually does embody

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[78] According to one standard formulation of this claim, necessarily, if two worlds are exactly alike with respect to all their descriptive properties, then they are exactly alike with respect to all their normative (including moral) properties. Given the discussion in the main text, it goes without saying that a social constructivist metaethics would have to give a non-orthodox account of the distinction between 'descriptive' and 'normative' properties that is operative in this, and similar definitions; in particular with respect to how that distinction relates to the pivotal distinction (for the constructivist) between facts that are constructed on the one hand, and any facts that are not similarly constructed, on the other.

this claim is a contingent feature of humanoid history that could have been at least as different as what is evidenced by the actual existence of substantial disputes among moral philosophers about what supervenience 'really' consists in. If so, it is possible to coherently ask whether one should want things to be (or to have been) different, and hence whether it makes better moral sense to continue the practice of moral thought and criticism with whatever claim of strong supervenience people are currently committed to, or whether moral reflection would benefit from currently accepted supervenience constraints being substantially revised in some way.

It is consistent with the social constructivist metaethics discussed in this work both to endorse a maximally strong supervenience thesis (up to, and including, the strict necessitation of everything moral by everything descriptive in all possible worlds) *and* to claim that this supervenience thesis is constitutive of all genuine moral thinking as such. Thus, it might be argued that moral thought can, and should, aspire to maximal coherence and consistency across all conceivable scenarios, and that no practice of moral thought that fails to so aspire is really worth the name (c.f. Kramer 2010). However that may be, the key claim about supervenience implied by the social constructivist metaethics discussed in this work is not that the extent to which the truth of moral claims depend on the truth of non-moral claims is 'up to us' (which in one sense is obviously true on this account, but in another sense entirely misguided), but rather that what on a more orthodox philosophical approach to the issue is made to look like a purely 'external' and normatively neutral question about whether, and if so how, one metaphysical 'layer' of facts can be superimposed upon another is better interpreted as an 'internal' and normatively substantial question about how to interpret the moral commitment to treat like cases alike. Given that the latter is a substantially normative question of how to construct a conceptual and normative space for the regulation of social

behaviour, the true, valid or otherwise correct response to the 'supervenience problem' is ultimately a function of the outputs of the substantially normative process of construction in question. In one sense, therefore, the social constructivist metaethics discussed in this work is radically dismissive of the 'problem of moral supervenience' as formulated in philosophically orthodox terms. In another sense, however, what the social constructivist metaethics discussd in this work has on offer is a head-on solution to that problem, albeit one that requires its reconfiguration as interpreted in substantially normative terms.

iv) <u>One debunking problem</u>

The so-called 'debunking problem' for robust moral realism is to explain why our moral convictions should be thought to stand in anything more than a purely accidental relationship to the mind independent normative facts they are said to truly represent, given that neither their natural (e.g. evolutionary) causes, nor their functional (e.g. self-serving) role, would seem to require a truth-tracking constraint on either their content or historical development (c.f. Street 2006). Regardless of the intrinsic interest and seriousness of this problem (c.f. Tersman 2018), the social constructivist metaethics discussed in this work does not face a 'debunking problem' of this radical form. The moral 'facts' or 'truths' that moral beliefs can truly be said to 'represent' on a social constructivist view would not be mind, or response, independent in the way required for this radical kind of debunking problem to arise. On the contrary, the socially constructed values and norms postulated by the social constructivist metaethics discussed in this work are a 'product' of the historical process of construction in which the participants of the relevant social practices are engaged, and their ability to form true beliefs or convictions regarding these norms and values requires nothing more nor less of

these participants than a critical perspective on this historical process itself. Of course, any plausible social constructivist metaethics should accommodate the fact that moral beliefs are fallible and that individual participants in moral thought and practice can be radically mistaken about the merits and demerits of the norms and values they endorse, as well as their scope for substantial improvement or transformation. Yet this fact in itself is no more of a problem in principle for their basic capacity to non-accidentally access a significant range of true, valid, or otherwise correct moral claims than is the fact that someone could be radically mistaken about the comparative merits and demerits of different kinds of greetings is a problem for their basic capacity to non-accidentally access a significant range of sensible norms of politeness.

Having said that, the social constructivist metaethics discussed in this work is not immune to the possibility that the system of moral norms and values embodied in a given social practice is reflectively incoherent, or self-defeating. One potential source of such reflective incoherence or self-defeat is a commitment to those norms and values being conditioned by a mistaken view of the nature of that practice itself; including facts about its origin; its functional role; its social and psychological embodiment; and the effects of its existence or continuation in its existing form. This potential source of reflective incoherence or self-defeat gives rise to a different kind of debunking problem for moral beliefs or commitments, and one to which any plausible social constructivist metaethics needs to have an answer. In a nutshell, the problem is that the truth of social constructivism, combined with what is otherwise known about the origin; functional role; social and psychological embodiment and continuing effects of moralities as actually existing practices, is reflectively incompatible with the continued endorsement of any aspiration to engage with the social and natural world in a recognizably moral form. In other words, it could be argued that people would be better

off abandoning the historical project of moral construction and instead seek to obtain the existing advantages of existing moral thought and practice (such as they are) on distinctively non-moral terms. In fact, this 'abolitionist hypothesis' as been subject to a considerable amount of attention in the recent metaethical literature. (See e.g. Joyce & Garner 2018.)

From the perspective of the social constructivist metaethics discussed in this work, the moral abolitionist hypothesis is an implausible view of dubious coherence and empirical plausibility. First, it is true that, with respect to any given morality, a debunking explanation of the moral norms and values embodied in that morality might lead to its abolishment in any recognizable form. Yet so long as the normative criticism of the morality in question takes place in recognizably moral terms, the result will be a *moral* improvement on that morality, not the abolishment of morality in favour of something else.

Second, it is true that, with respect to any specific subset of moral norms and values, a debunking explanation of those norms and values might lead to their abandonment in any recognizable form. It does not follow that any acceptable comprehensive normative criticism of the moral norms and values in question would have to take place in purely non-moral terms; as opposed to in light of all the norms and values at stake, some non-empty set of moral norms and values being among them. In other words, the basic credentials of moral norms and values should not be thought of as hostage to their acceptance from purely 'external', or otherwise morally neutral, 'Archimedean point'.[79]

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[79] A similar point is made by David Wiggins, when he writes: 'In truth, the inner or enactable aim of morality, the real aim of morality, is inseperable from the everyday meaning of everyday life and its everyday extensions and elaborations. It is something practically apparent but apparent only within the business of life itself… [T]he idea that morality is a

Third, it is true that, with respect to many of the aspects of social co-ordination or interests actually delivered by moral thought and practice, these aspects of morality could in principle be delivered by participants in the relevant social practices articulating their practical predicament in non-moral terms. Indeed, it is arguably a feature of some historically actual practices that a subset of the population (academic economists, say) may – for reasons of their own - prefer to conceptualize various practical problems in terms of the language of individual preference or utility maximization rather than in substantially moral terms, say. Yet none of this is itself enough to support the abolitionist hypothesis. First, a local *practice* of thinking in non-moral terms that depends for its stability or interest on being embedded in a wider practice of thinking in substantially moral terms does not support the claim that people should stop thinking in moral terms altogether. Second, even a universally adopted practice of thinking in non-moral terms that functions to deliver the individual or collective benefits provided by thinking in substantially moral terms, and which is ultimately accepted for that reason, is effectively a moral practice in anything but name. Hence the refusal to apply the relevant moral terms would be mainly a terminological, and therefore a comparatively superficial, difference. Third, if moralities are a social constructions in the way implied by the social constructivist metaethics discussed in this work, the complete abolishment of moral norms and values could not, even in principle, leave the social world 'exactly as it is'. For it follows from this view that at least some of the facts that characterize the social practice on which a given morality depends would not exist unless the relevant

device (or a means to an end) is either, as literally understood, false – or else, as charitably understood, uncomfortably close to vacuous.' (Wiggins 2006, 329.). The one point on which the social constructivist metaethics discussed in this work may stop short of fully endorsing Wiggins's remark here is in his emphasis on the apparent safety of the 'everyday', or the ordinary, from reflective (including philosophical) challenge. On the social constructivist metaethics developed in this work, Wiggins's formulation would be better replaced by the idea of a practice of criticism at least *including* 'internal' (or 'first-order'), and substantially normative (including moral) elements.

practice of socially constructing an actual morality exists also. The possible scenario of having abolished all moral terms from social thought altogether would therefore leave only two possibilities, depending on the best arguments available from within substantially engaged normative thought. The first possibility is that abolishing moral thought altogether is effectively to close off all access to a range of moral facts the continued existence of which is guaranteed by the actual existence of moralities in their historically recognizable form. The second possibility is that abolishing moral thought altogether is effectively to abolish or destroy the moral facts in question in virtue of destroying the social practice on which their existence depends. In either case, the issue of whether 'we' would be 'better' off by 'abolishing' 'morality' is a question the answer to which can only be given in substantially normative (including moral) terms. It is also a question that, given the social, psychological and historical embodiment of anyone likely to seriously consider it, is likely to be of purely 'academic' interest, in the pejorative sense of this term that is sometimes applied to abstract questions in philosophy. It is therefore a question that, when suitably interpreted, few people outside a small circle of analytical metaethicists are likely to be interested in.[80]

The articulation and assessment of the social constructivist metaethics discussed in this work, and the broadly naturalistic assumptions about natural history, psychophysical organization and social practice on which it depends, is a deliberate invitation to empirically tractable normatively engaged process of investigation and criticism of actual human moralities in 'real time'. This is a process the long-term destination of which it may not be possible to say as much about in advance from the armchair as some philosophers would ideally like. There

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[80] Nietzsche's infamous 'immoralism' is not a version of moral abolitionism in this sense. As interpreted in the terms of the social constructivist metaethics discussed in this work, Nietzsche's critique of 'good' and 'evil', as opposed to 'good' and 'bad' is an instance of what Bernard Williams describes as a critique of a 'morality system', as opposed to a critique of moral thought and practice as such. (See Nietzsche 1887/1967; Williams 1985.)

is no point pretending that this is only good news. Yet, from the perspective of the social constructivist metaethics discussed in this work, it is not only bad news either. This, incidentally, was very much the conclusion drawn by a number of now largely forgotten philosophers who responded to the emerging human sciences (including the sciences of morality) in the late Nineteenth Century, before the path of progress on these issues was temporarily suspended by the dogmatic *apriorism* and parochial necessitarianism that characterized so much of Anglophone moral philosophy during the Twentieth Century. (See e.g. Lillehammer 2010; 2016; 2017b). More than a century and many epicycles later there is no excuse for being stuck in it.

7. Concluding remarks

The social constructivist metaethics discussed in this work interprets moral concepts as intellectual tools, the generic purpose of which is to publicly articulate the responsiveness of moral agents to the social world, and thereby enable those agents to negotiate that social world, both separately and together. All moralities are therefore expressive of the nature of moral agents as beings who have the capacity to set themselves ends, both separately and together. To this extent, moralities are expressive of an important part of what could in principle be described as the 'species nature' of human beings as essentially 'social', or even 'political', animals. To varying degrees, different moralities explicitly recognize the fact that what those ends either are, or should be, is often a matter of interminable contestation, the precise outcomes of which cannot be sensibly stipulated *a priori*, or otherwise in advance. Some moralities have historically been articulated so as to reduce or minimize the possibility of such contestation (e.g. by attributing all authority on moral matters to some unique

individual, or to a set of necessary moral truths.) The social constructivist metaethics discussed in this work could reasonably be thought to entail that such moralities are automatically vulnerable to criticism on this account. This is not so. The fact that some moralities have historically been less explicitly open to contestation than others should not necessarily be thought of as a defect of those moralities even on social constructivist terms. After all, there could be - and surely have been - circumstances in which the cultivation of attitudes of contestability, open-endedness or indecision would either have undermined, or even have potentially destroyed, the protective social practices that these moralities have made possible. To make this point is not in any way to retreat from the non-trivial claims about contingency and historicity that any social constructivist metaethics inevitably implies. Instead, it is to register the substantially moral belief, or conviction, that any sensible form of moral criticism ought to be historically, socially and otherwise contextually sensitive.

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