




An Expressivist Account of the Difference between Poor Taste and Immorality

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Accepted: 7 May 2019 / Published online: 14 May 2019
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Abstract

This paper considers whether proposition (P₁) – “*x* is not immoral but it is in poor taste” – is morally contradictory when considered from the standpoint of *constructive ecumenical expressivism* (CEE). According to CEE, pronouncements about poor taste and immorality have the following in common: they each convey a negative attitude towards *x* and intimate that *x* ought not to be done. Given this, P₁ is vulnerable to a charge of contradiction, as it intimates that *x* is both something and not something that ought not to be done. To avoid the putative contradiction, it is argued that an accusation of poor taste amounts to a negative attitude towards the *treatment* of a morally pertinent matter, thereby making the former parasitic on the latter. A morally relevant means of distinguishing between poor taste and immorality is therefore provided that (i) endorses the expressivist tradition, and (ii) provides an account of societal norms.

Keywords Moral anti-realism · Constructive ecumenical expressivism · *De re* and *de dicto* attitudes · Intersubjective moral norms · Suberogatory action

1 Introduction

Imagine you are watching television with a friend: enjoying a comedy sketch, perhaps, or maybe a documentary or an interview, or simply watching an advertisement. Or perhaps, instead, the two of you are playing a video game. Whatever the circumstance, at some point, your friend turns to you and, with reference to something said or done on the screen, declares: “*That’s* immoral”. After some thought, you respond: “It’s not immoral, but it is in poor taste”.

You and your friend disagree over the moral status of *x*, insofar as your friend believes it to be immoral and you do not; yet you add that *x* is in poor taste. How should we understand the nature of this concession? You did not assert that *x* is simply a *matter of taste*; rather, you stated

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that it was in *poor* taste, which suggests a standard of taste against which x should be judged and, in this case, found wanting. Whatever this standard, it needs to be in some way distinct from your measure of morality, given that you claim that x is not immoral and presumably are not trying to contradict yourself.

Prima facie, the proposition “ x is not immoral but it is in poor taste” (hereafter, P_1) is not contradictory. Nevertheless, consider the following:

- (a) Pronouncing that “ x is immoral” intimates that x ought not to be done
- (b) Pronouncing that “ x is in poor taste” intimates that x ought not to be done

Before continuing, it is worth noting that even though I accept that reference to *taste* within P_1 and (b) is metaphorical, it is nevertheless my intention to treat this metaphor as a measure of wrongdoing that has a *moral* rather than aesthetic flavour (i.e. poor *moral* taste), albeit a flavour that has yet to be more clearly defined. Given this, *and* the fact that (a) and (b) intimate the same nominal behavioural outcome (namely, not doing x), P_1 would appear to be contradictory, as P_2 illustrates:

P_2 : x is not ‘something that ought not to be done’ but is ‘something that ought not to be done’

The contradiction may be easily avoided, of course, if one takes into account the *reason* one ought not to do x and this reason is sufficiently different. In the case of immorality, let us identify the reason (for now) using the demonstrative pronoun ‘this’; and, in the case of poor taste, using the demonstrative pronoun ‘that’, so that we get:

P_3 : x is not ‘something that ought not to be done for *this* reason’ but is ‘something that ought not to be done for *that* reason’

In addition, one might seek to avoid the contradiction by appeal to equivocation: insofar as, in P_2 and P_3 , the use of ‘ought’ is ambiguous and potentially playing a different role each time it is used. Reference to the reason x ought not to be done is therefore likely to provide some indication of which ‘ought’ is being employed, as P_3^* and the accompanying example illustrates:

P_3^* : x is not ‘something that ought* not to be done for *this* reason’ but is ‘something that ought** not to be done for *that* reason’

Thus, x (*qua* buying chocolates as a leaving gift for S) is not ‘something that ought* not to be done because it is unkind’ but is ‘something that ought** not to be done because S does not like chocolate’. Here, ‘ought*’ is indicative of what, for now, I will refer to as a moral ought, whereas ‘ought**’ indicates a non-moral or practical ought. When one differentiates between the behavioural outcomes intimated by the respective claims of immorality and poor taste, in virtue of the occurrence of a different *reason* for their prohibition, and likely a different ‘ought’, the contradiction evident in P_2 dissolves.

Where x is immoral, in a sense, the *reason* one ought not to do x has already been provided: namely, because it is immoral. Mutatis mutandis, the same can be said about poor taste. Of course, what is missing from either of these reason-giving explanations is any reference to why

being *immoral* or in *poor taste* intimates prohibition. This further reason is important to establish: for not only does it account for why we should not engage in x beyond the circular assertion that we ought not to engage in the immoral because it is immoral, or poor taste because it is in poor taste; more than this, it provides the means of differentiating between the two, at least *if* the reason for prohibition can be shown to be different. Should there be no legitimate reason to differentiate between immorality and poor taste then the prima facie non-contradictory conjunction presented in P_1 would be undermined owing to the invalidation of the putatively different reasons for prohibition expressed within P_3/P_3^* , which serves to rescue P_1 from the inherent contradiction found in P_2 .

For the moral realist, the distinction between taste and morality is straightforward enough. Where the moral realist believes that x is immoral, she likewise believes that x violates some mind-independent principle. Where x is said not to be immoral but, rather, in poor taste, x is accused of violating some other, non-mind-independent, principle. But what if one is not a moral realist and, instead, considers moral pronouncements to be indicative of one's attitude. From an expressivist's perspective (although I intend to narrow the focus of discussion to a particular version of expressivism, shortly), whereby pronouncements about taste and morality convey one's attitude, rather than pick out some mind-independent aspect of reality, how are we able to differentiate between immorality and poor taste? In other words, what makes one's negative attitude towards x_1 concomitant with one's declaration that x_1 is immoral, but in the case of x_2 , mutatis mutandis, concomitant with one's complaint about taste?

The aim of this paper is to determine whether a particular version of expressivism has the resources to provide a morally relevant means of differentiating between the conjuncts that make up P_1 – namely, “ x is not immoral” and “it [x] is in poor taste” – so as to avoid P_1 containing a moral contradiction. In accordance with a form of expressivism known as *constructive ecumenical expressivism* (CEE), I intend to show that:

- (1) Judgements about poor taste and immorality are the product of the same underlying process.
- (2) Given (1), each amounts to the expression of an attitude towards x based on a belief about a property x realizes and, in the case of *poor taste* and *immorality*, one's disapproval of this property.
- (3) Judgements about poor taste reflect one's negative attitude towards the *treatment* of a morally pertinent matter (i.e., a comment is said to be in poor taste *if* it is believed to *trivialize* something one considers to be immoral (inter alia racism, sexism, sexual assault, torture) or moral (e.g., charitable fundraising).¹

¹ By way of an illustration of the latter example, consider the following joke which some *may(?)* find to be in poor taste. A doctor, a lawyer and a fundraiser arrive at the pearly gates of heaven. St. Peter tells the doctor that he will grant him one wish before he enters heaven so the doctor asks for a million dollars. St. Peter grants the wish and the doctor enters into heaven. This generosity did not go unnoticed by the lawyer so when St Peter asks him for his wish the lawyer asks for a billion dollars. St. Peter grants the wish and the lawyer enters into heaven. When St. Peter asked the fundraiser what she would like, she says, “If it is not too much trouble could I please get the business cards of the two people who entered heaven just ahead of me? Taken from:

<http://www.bemonsterful.com/index.php/easyblog/entry/fundraising-humor>. Of course, one might argue that the joke is not intended to target fund raising per se, but the perceived ‘pushy’/aggressive nature of some fundraisers.

- (4) Given (3), poor taste is parasitic on the morally pertinent.
- (5) Given (3), P_1 is not morally contradictory from the expressivist perspective under examination (namely, CEE).

In addition:

- (6) In accordance with P_3^* , I will discuss differences in the meaning of ‘ought’ found in (a) and (b), arguing for a yet to be articulated sense of ought that, in the case of poor taste, perhaps best approximates to a category of wrongful action known as *suberogatory*.

It is worth noting at the outset, that I am not claiming that CEE is the leading expressivist approach. Far from it. Nevertheless, it is an approach I have previously argued has explanatory worth (see Young 2014, 2015). Accusations of poor taste are therefore important to examine because they have the potential to undermine, perhaps fatally, the aforementioned explanatory worth of CEE. To explain: given point (1) – in which judgements about poor taste and immorality are said to be the product of the same (yet to be discussed) process of attitude formation, intimating the same nominal behavioural outcome – the prima facie non-contradictory utterance “ x is not immoral but it is in poor taste” is at risk of failing to articulate a morally relevant distinction, thereby making P_1 morally contradictory from the perspective of CEE. Yet the validity of P_1 has intuitive appeal. After all, to say that x is not immoral but it is in poor taste does not *appear* bizarre, incoherent or morally contradictory and, instead, is typically understood to be picking out something of note: a putative wrongdoing, even if it is not an immoral one.² The task I have set myself, then, is to extol the explanatory virtues of CEE while upholding the non-contradictory status of P_1 . To succeed, I have to provide a relevant means of distinguishing between judgements arrived at through the *same* underlying process of attitude formation that intimate the *same* nominal behavioural outcome (namely, not doing x) but which are not morally contradictory.

2 Poor Taste and Offence

It is my contention that the sine qua non of poor taste is offensiveness. Saying this does not restrict offence exclusively to the domain of poor taste, however. After all, one might find someone’s insulting outburst both vulgar and offensive without judging it to be in poor taste (Archard 2014). What is important is that where one does consider x to be in poor taste, one must do so because one believes that x realizes a property one disapproves of (*qua* finds offensive). Let us call this property, O. More formally: If S holds that x is in poor taste then S disapproves of O (*qua* offence) and believes that x realizes O.

² By way of an example, a *World Wildlife Fund* advertisement was condemned for being offensive and tasteless because of its alleged downplaying of the 9/11 attacks; see <https://www.telegraph.co.uk/news/worldnews/northamerica/usa/6131150/WWF-advert-condemned-for-downplaying-911-attacks-on-New-York.html>. Similarly, in Australia, the ‘Operation Bomerang’ advertisement – designed to coincide with the Australia Day celebrations – was considered to be in poor taste by some. <https://www.smh.com.au/entertainment/operation-boomerang-antivegan-australia-day-lamb-ad-featuring-lee-lin-chin-gets-the-allclear-20160120-gm9yqmq.html>

In accordance with criteria set out in Archard (2014), for x to (be believed to) realize O:

- (i) x must be publicly observable;
- (ii) S must derive meaning from x such that x is perceived to be/interpreted as (inter alia) ridiculing or trivializing or disrespecting/showing irreverence towards an individual or group (e.g., victims of sexual assault). S must therefore believe that what is being communicated by x is either directed at them personally, or a group they identify with, or taken to be directed towards some other group to which they do not belong (i.e., a heterosexual finding a joke about ‘gay bashing’ offensive).

In addition:

- (iii) The context in which x is situated will likely contribute to whether it is believed to realize O and therefore be deemed offensive. An image of convicted child murderer, Myra Hindley (for example), is not in and of itself offensive (it does not realize, in an inherent sense, property O), but when reproduced by artist Marcus Harvey from the handprints of children and exhibited in London’s Royal Academy it offended many (Young 2000). In effect, for those whom it offended, *that* image, reproduced in *that* way, was believed to realize O.

It is worth stressing that criteria (i)-(iii) set out what is required for x to be considered offensive. This may not always be offensiveness characteristic of poor taste, however (the nature of which will become apparent as we progress). Nevertheless, if offensiveness is the *sine qua non* of poor taste then offensiveness concomitant with poor taste must satisfy these criteria. Where they are satisfied, and one finds x to be in poor taste in virtue of the belief that x realizes O, one is not describing an inherent property of x (i.e., its offensiveness); rather, one is expressing a negative attitude towards x . To illustrate: when Marcus Harvey’s portrait of Myra Hindley featured as part of a video used to promote London ahead of the 2012 Olympic Games, its inclusion was said to be in “poor taste” by a government spokesman, and it was requested to be removed by the then mayor of London, Boris Johnson (BBC News 2008). It seems reasonable to surmise that the behaviour of these two men was influenced by their negative attitude towards the portrait or at least its inclusion within the promotional video, and that this negative attitude was itself the result of a shared belief that the portrait, and/or the manner in which it was being used, realized O: a property of which they disapproved.

Given that “ x is in poor taste” is concomitant with belief that x is offensive – or, more formally, with the fact that S disapproves of O and believes that x realizes O – is there an equivalent relationship between “ x is immoral” and S’s attitude to some property believed to be realized by x of which S disapproves? If so, then is the process underlying this relationship sufficiently resourced to explain how a norm of morality is established, whilst allowing poor taste to be distinguished from immorality in a morally relevant way?

3 Constructive Ecumenical Expressivism

Constructive ecumenical expressivism (CEE) presents as follows.³ Where S declares that x is immoral:

(CEE) S disapproves of P and believes that x realizes P

Property P can and does amount to different things for different people (subsumed under property P is property p or q or r or s , and so on). What these different people have in common is that they all believe a particular property – although not necessarily the same one – is realized by x . For S_1 , P may amount to negative utility – the realizing of more displeasure than pleasure in the form of increased harm – while S_2 may hold it to be a violation of God’s law, or constitutive of a failure in one’s secular duty to others. S_3 , in turn, may characterize P as a vice rather than a virtue, and so on. Under CEE, declaring that “ x is immoral” – where x equates to murder – allows (inter alia) the following possibilities:

(CEEa) A disapproves of p (where p equates to a violation of God’s law) and believes that x realizes p

(CEEb) B disapproves of q (where q equates to increased unpleasantness) and believes that x realizes q

What CEE permits, as illustrated by (CEEa) and (CEEb), is that A and B have a shared negative attitude to murder, but for different reasons. Their different reasons stem from different beliefs about the property x realizes, which amount to different tokens of P (p and q , in this case) and A and B’s respective disapproval of these properties. More specifically:

To state that A and B have a shared attitude towards x , such that they both hold that x is immoral, is to declare that they have the same *de re* attitude. When considering the act that A and B’s attitude is directed towards (the intentional object), their attitude towards that act ... is the same. But this shared *de re* attitude exists in virtue of the belief that x realizes some property (P) which they both disapprove of, but which can be (and is) different for A and B: A believes that x realizes p and B believes it realizes q . Their differing belief about which property is realized by x means that they have different reasons for their shared *de re* attitude. One could say that they have different *de dicto* attitudes regarding x ... (namely, different beliefs about why it is immoral). (Young 2015, pp. 317-18)

When S declares that x is immoral, one might be forgiven for thinking, in traditional expressivist style, that S is simply *expressing* a negative attitude towards x – something like “Boo x !” – which cannot of course be truth-apt (Jackson and Pettit 1998); but, in fact, while the proposition “ x is immoral” is concomitant with S’s negative attitude towards x , it should not be thought of simply as a means of expressing this attitude. Instead, through the proposition “ x is immoral”, S is *reporting* her belief that x is immoral in virtue of realizing P, a property she happens to disapprove of. Thought about in this way, what S has to say is

³ See Ridge (2006) for discussion on the forerunner to CEE – namely, *ecumenical expressivism* – to which CEE is indebted.

truth-apt. Given this, where a shared (*de re*) attitude occurs with regard to some object or event, as a society we are able to create or *construct* a social norm that acquires its own intersubjective moral standard (Prinz 2007). As McAteer (2016) explains when drawing on the philosophy of David Hume:

To call something an intersubjective reality is to distinguish it both from objective and subjective reality. Something is *objective* if it is mind-independent, i.e., if it exists independently of all mental representation. Something is *subjective* if it is individually mind-dependent, i.e., if it exists only in one person's experience and is hence relative to that person's individual point of view. Something is *intersubjective* if it is collectively mind-dependent, i.e., if it exists in a group of people's experience such that it is relative to what Hume [calls] a "common" or "general" point of view. (McAteer 2016, p. 14)

It is important to note that McAteer talks about a common point of view with reference to a shared way of *experiencing* something. I wish to talk, instead, about a common point of view in attitudinal terms, something endorsed by CEE.

The moral norm that emerges through the force of social consensus (*qua* a shared *de re* attitude) creates a common point of view that amounts to "a kind of objectivity in that it is not relative to any individual person's thoughts, feelings, or desires" (McAteer 2016, p. 16). This kind of objectivity provides a normative standard against which individual actions are morally scrutinized.⁴ As such, when S shares the same attitude towards the immoral as her society, she will be commended for doing so, even if only tacitly: for her attitude accords with the constructed moral norm's intersubjective normative status. When S does not, her society will feel it appropriate to rebuke her for her alternate, some might even say deviant, moral attitude. They will feel it appropriate to do so because both the rebuke and a change of attitude on the part of S are (believed to be) warranted (Nichols 2008).

What A and B have in common is their negative (*de re*) attitude towards *x*. However, this singular attitude is adopted by A and B for different reasons (they have different *de dicto* attitudes). It is therefore my contention that a *de re* attitude shared by the majority of people within a given society (such that it becomes the constructed moral norm of that society) is more robust if it is the product of a number of different *de dicto* attitudes (that is, if it is based on a number of different reasons for having the moral attitude). This should not be taken as evidence of inconsistency, and therefore as a reason to undermine the normative authority of the moral attitude; rather, and to reiterate, it should be taken as evidence of its robustness, insofar as there are purportedly many reasons why *x* (whatever *x* happens to be) is immoral. It just so happens that different people have different views on what these reasons are or how to prioritize them.⁵ To undermine the moral (*de re*) attitude, one would have to undermine the various reasons (*de dicto* attitudes) justifying its intersubjective normative status. Such a requirement does not rule out a change of *de re* attitude – there is therefore a degree of fluidity inherent within CEE – but it does make any change less capricious.

⁴ To further clarify the term, a "kind of objectivity", it means simply that the moral standard is externalized beyond our individual (subjective) preferences (Goodwin and Darley 2012; Stanford 2018), and is therefore independent of any one individual; yet, the moral standard is not completely mind-independent (Brey 2003; Searle 1995) in the sense required for moral objectivism.

⁵ It may be that S has a negative attitude to murder because she believes it violates one's duty to others *and* creates more harm than good (negative utility) *and* is a vice: all things of which S disapproves. It is likely that S will prioritize one of these over the others, although not doing so does not undermine CEE.

One might think of the objectified nature of the intersubjective moral norm as a kind of socially evolved version of Hume's expert critic (Hume [1757] 1995). The role played by the critic in Hume's philosophy is to establish a standard for *aesthetic* taste against which one's personal taste could (should) be measured. Similarly, the constructed social norm I am proposing determines the appropriateness of one's moral attitude. To reiterate, the robustness of the normativity measure is supported through the number of disparate reasons for arriving at one's moral attitude. Under CEE, x is immoral not because it possesses some independent immoral property but, rather, because of a given society's shared attitude towards x that is itself, in the more robust cases, borne of a number of disparate reasons for x 's immorality. In short, it is our shared attitude towards x (as immoral) that makes x immoral.

4 CEE and Moral Error/Moral Conflict

If moral judgements are attitudinal and the 'correct' judgement is a construct then, while it may be that individual judgements can be deemed correct or incorrect, or appropriate or inappropriate, relative to the intersubjective standard, how can the intersubjective standard itself ever be in error or be considered inappropriate? The intersubjective standard is a product of the disparate reasons that culminate in its formation. Each of these is constitutive of a belief (or series of beliefs) that can be scrutinized. To illustrate, and borrowing from Blackburn (2009), a priori, if S believes that ' F is A ', and such a belief is able to withstand all attempts to improve it, then the belief must be true. CEE does not demand that the intersubjective attitude is based on beliefs resistant to improvement. Suppose, instead (and, again, following Blackburn), that S 's belief is resistant to anything S would *recognize* (and therefore accept) as improving her belief. Given this, it does not follow that S 's belief is true. Nevertheless, S is likely to feel secure in her belief that ' F is A ' but importantly (*and unfortunately*), not be in a position to be made aware of any improvement that, say, the belief ' F is *sometimes* not A ' would make to her moral outlook (her attitude).

There is, however, an important difference between being *unable* to recognize improvements to one's belief and being *unwilling* to recognize them. I take as a given the fact that all of our divergent societies are sufficiently similar, cognitively speaking, to be capable of the same perceptual and reasoning skills and therefore capable of recognizing improvements to beliefs. In accordance with this view, CEE demands that S is secure in her belief that ' F is A ' not because she is unable to recognize improvements to her belief but because she has not *yet* been exposed to a means of improving her belief (in a way that she is able to recognize, regardless of her willingness to do so). What this allows is security of belief in the absence of occurrent awareness of the need for belief revision but, importantly, the *possibility* of belief revision and so attitudinal change (should a change in belief warrant a change in attitude). What it does not require is that S 's belief be true; nor does it set truth as the ultimate goal for S 's belief.

Given this, it is possible, and in fact historically and presently the case, that different *de re* attitudes exist across different cultures/societies (e.g., attitudes towards homosexuality or premarital sex, or, more historically, slavery). While accepting relativism, insofar as our moral position is relative to a particular intersubjective norm, it does not follow from this that we should always tolerate differences constitutive of different intersubjective norms, and therefore never be justified in privileging one attitude (whether *de re* or *de dicto*) over another (see below). CEE therefore provides an anti-realist means of justifying the claim that a particular society's attitude to x is more appropriate than another's – meaning it should be privileged over

another's – without having to endorse any form of realism, quasi or otherwise. By this, I mean without having to succumb to the quasi-realists agenda of trying to reconcile the 'expressive' or attitudinal ontological status of morality with realist demands for moral natural kinds. It also allows 'common sense' morality to be explained from a relativist perspective. It explains why, for example, one should privilege a moral position that advocates equality of gender over one that promotes the subjugation of woman, or freedom for all over selective slavery, or prohibits non-consensual sex within marriage. It also accounts for why the view that one should not set cats' tails on fire for fun should be privileged over one that states we should, or that expresses indifference to the plight of cats and their tails; and it does this without having to fall back on the existence of natural moral properties of the world.

The fact that CEE is a form of moral relativism is therefore not something I take to be a weakness of the approach. This is because CEE incorporates a form of moral relativism that enables one moral (*de re*) attitude to be privileged over another whenever this attitude is more robustly constructed. The more robust attitude *should* (in a rational sense) be privileged because what makes it more robust is its closer alignment with available evidence and reasoned argument (in virtue of at least some of its many reasons for the attitude). An attitude built on different beliefs (*de dicto* attitudes), where a number of these are presently secure but open to the possibility of revision (say based on updated empirical evidence or the identification of biases, or prejudices or other flaws affecting one's reasoning) proffers an intersubjective standard that more securely grounds the (*de re*) attitude. This means that within a group of disparate beliefs supporting a particular negative attitude towards *x* (e.g., paedophilia), if one (or possibly more) of these beliefs (*de dicto* attitudes) is shown to be erroneous then the *de re* attitude is likely to remain intact given that there are other *de dicto* attitudes supporting it. If, for example, S has a negative attitude towards paedophilia *only* because she believes it necessarily violates either fidelity within marriage or celibacy outside of it then the basis for her attitude can be shown to be problematic without necessarily undermining any of the other reasons provided for maintaining a negative attitude towards paedophilia.

Robustness does not prevent a change to a *de re* attitude from occurring, of course. To reiterate, CEE allows for change: there is a certain fluidity built into the position should enough *de dicto* attitudes be revised and should these revisions necessitate a change in the *de re* attitude. But it does make change less capricious, owing to the fact that it is not necessarily dependent on any particular idiosyncratic and/or entrenched belief.

5 A Potential Problem: Distinguishing between P and O

As we have seen, where one declares that "x is in poor taste", one is in effect declaring (necessarily) that one has a negative attitude towards *x*: that *x* is offensive in virtue of one's belief that it realizes property O (which one happens to disapprove of). Of significance, then, but also something that is potentially troubling if one wishes to differentiate between immorality and poor taste from the perspective of CEE, is this: according to CEE, where one declares either that *x* is in poor taste or that *x* is immoral, the same underlying process is involved in assigning a negative attitude to *x*, as P₄ illustrates:

P₄: *x* is not 'something that ought not to be done because one disapproves of P and believes that *x* realizes P' but is 'something that ought not to be done because one disapproves of O, and believes that *x* realizes O'.

While P_4 is not logically contradictory, what remains unclear is why disapproving of P , particularly given that P can be a different property to different people, is sufficient to make x immoral in virtue of believing that x realizes P , whereas, in the absence of the belief that x realizes P , the presence of the alternate belief that x realizes O , where one disapproves of O , does not make x immoral but, instead, an example of poor taste. Given that O , like P , can refer to different things to different people – e.g., ridiculing or trivializing – O is no different to P as far as permitting different token reasons (*de dicto* attitudes) is concerned. Because of this, what still eludes us is an understanding of what it is about P , albeit in the form of different tokens of P (p, q, r , and so on) that makes disapproving of P sufficient to assign a charge of *immorality* to that which one believes realizes P – namely, x – compared to when one disapproves of x in virtue of believing that x realizes O , albeit in the form of different tokens of O .⁶ This understanding is important if P_4 is to avoid the charge of being *morally* contradictory.

Is the difference essentially that poor taste denotes one's negative attitude towards an expressive act that is deemed to be wrong but not *that wrong* or bad but not *that bad*, at least compared to an *immoral* act? There is some truth to this (see discussion on suberogatory acts): for it is hardly remarkable to note that being guilty of trivializing murder is not as bad as committing murder. But moral demarcation requires more than simply delineating degrees of wrongness constitutive of different levels of disapproval. After all, it is generally recognized that murder is worse than assault (say, when using the metric 'level of harm inflicted'), but both are nevertheless *immoral* acts. One would be unwilling, I suspect, to relegate assault to the status of poor taste simply because it is not considered to be as bad (i.e., causes less harm) than murder. Is there, then, a difference in kind between disapproval in cases of immorality compared to poor taste that is able to explain their different categorizations? Put another way, while accepting differences in degree between immoral acts (e.g., murder compared to assault), and likewise between examples of poor taste (arguably, the portrait of Myra Hindley compared to, say, an advertisement for liquid soap depicting a blood stained arm next to a murder victim, and the caption "when ordinary soap just won't do"), are there nevertheless things common to poor taste that are absent from cases of immorality?

What tokens of O have in common – which identifies them as tokens of O and therefore as offences characteristic of poor taste – is how they are construed as *treating* actions already identified within a society as morally pertinent. To illustrate, consider the previously mentioned advertisement for liquid soap depicting a (fictitious) murderer's blood-stained arm beside his victim. For S to be offended by x (the advertisement), and therefore consider x to be in poor taste (hereafter x_{pt}), S must believe that x_{pt} is treating something that S already finds morally pertinent – namely, murder (x_m) – in a way that S finds offensive. Suppose, then, S_1 finds x_m immoral because it violates God's law (although it may equally be because S_1 believes x_m amounts to a failure in one's secular duty to others or because it increases harm, or is a vice, and so on). In accordance with CEE, we would say that S_1 believes that x_m realizes some

⁶ This issue is part of a larger challenge for expressivist approaches to morality: namely, the *moral attitude problem* (Miller 2003), whereby it is claimed that an expressivist approach lacks the resources to differentiate between a negative, non-moral attitude – say, one's dislike of one's favourite team's new away strip – and a negative moral attitude towards cheating in sport. In the latter case, it is (allegedly) unclear which specific kind of conative attitude constitutes moral thinking, specifically (which is why it is also known as the *specification problem*; see Björnsson and McPherson 2014). It is, however, beyond the scope of this paper to address the moral attitude problem in its more fundamental form (for a detailed discussion, see Köhler 2013, who argues that the 'problem' is not unique to expressivism). Instead, I seek to tackle a particular subspecies of this problem: namely, differentiating between attitudes constitutive of poor taste and immorality, respectively.

property (P) that, in this case, amounts to a violation of God's law. Let us call this token of P, *vgl*. S₁ therefore finds x_m immoral in virtue of disapproving of *vgl* and believes x_m realizes *vgl*. For S₁, what makes *vgl* sufficient justification for a claim that x_m is *immoral* is the fact that S₁ believes that God's law is a measure of *morality* and therefore it follows from this that violating God's law is an immoral thing to do. Where one finds x_m immoral in virtue of *vgl* then one is claiming that x_m is immoral because of what one believes about *vgl*. S₂, on the other hand, does not believe in God's law, but does believe that murder is immoral because it amounts to a failure in one secular duty to treat a fellow human being as an end in themselves. Let us call this token of P – *qua* a violation of one's secular duty – *vsd*. S₂'s negative attitude towards x_m therefore amounts to the same expression of immorality as that expressed by S₁, only, this time, it is because S₂ believe that x_m realizes *vsd* and *vsd* is believed by S₂ to be *immoral*.

As already noted, according to CEE, S₁ and S₂ have a shared *de re* attitude towards murder. They believe it is immoral, only for different reasons; reasons (or *de dicto* attitudes) that stem from their disparate beliefs about what counts as a measure of *morality*.⁷ Should S₁ and S₂ also hold that x_{pt} (the advertisement) is in poor taste then, according to CEE, this is because they believe that x_{pt} realizes O (*qua* some respective token of O). In other words, they each believe that the manner in which murder (which they both hold to be immoral, only for different reasons) is being treated by x_{pt} (e.g., in a trivializing way) is offensive. S₁ and S₂'s shared negative attitude towards x_{pt} does not amount to an expression of immorality because they do not believe that trivializing murder is a violation of God's law or a failure in one's secular duty (for example); rather, they believe it is an expression of poor taste for the reasons discussed. Alternatively, it may be that S₂ does not believe that x_{pt} realizes O. In which case, despite S₁ and S₂'s shared view that murder is immoral and therefore that x_m is immoral, they disagree over whether x_{pt} is in poor taste as a result of its treatment (as they see it) of murder. Unlike S₁, who finds x_{pt} offensive, S₂ finds it mildly amusing, rather than offensive (let us allow). Certainly, she does not construe it as trivializing or otherwise acting disrespectfully towards the victims of murder.⁸

Where one believes that x (*qua* murder) is immoral then whatever reason one has for believing this – whether it stems from a belief that x violates God's law or constitutes a failure in one's secular duty, or because it is a vice or increases negative utility (and so on) – the question of whether an act of *murder* has actually occurred is less ambiguous than whether one is treating murder in a trivial way (for example). As such, it is much more likely that this particular x (murder) is believed to be immoral, not only because of a shared belief that murder is wrong (*qua* disapproved of for various reasons) but because this particular act (this x) can be and often is interpreted more readily as an act of murder. The same cannot always be said for cases of alleged poor taste; not necessarily because people vary with regard to what constitutes poor taste (although they may well do), thereby making a social norm more difficult to

⁷ Given the position I am adopting, it could be that S₃ disapproves of murder and considers it to be immoral because they *believe* that murder violates the instruction of the alien prophet, Zog. As already noted, I do not consider the diversity of reasons (*de dicto* attitudes) to be a weakness of CEE. The fact that different reasons can be given for why something is immoral (based on different beliefs about what counts as a measure of morality) means that the shared belief that x is immoral is more robust, given that a number of reasons for why it is immoral would need to be challenged in order to challenge the overall claim, even where the validity of some reasons may be more easily disavowed than others.

⁸ Saying this does not rule out the possibility that one could find it offensive despite being amused by it, or that one could be amused by it whilst recognizing that it would likely offend others (see Woodcock 2015, for a detailed discussion on these and related points).

construct, but because, even where such a norm of taste exists, the particular example (say, x_{pt}) may be more ambiguous and therefore open to interpretation with regard to whether it is believed by those who make up a given society to realize O, and therefore whether it conforms to the common (attitudinal) point of view or social norm regarding taste. Consequently, while it may be much easier to achieve consensus in the case of “*this x is immoral*”, especially where x is unambiguously identified as such (i.e., in the case of premeditated murder), consensus is less easily achieved in (many) cases of poor taste.

To support this point, consider the following example: At the 2008 Game Convention in Leipzig, and as a means of celebrating the 30th anniversary of Tecmo’s *Space Invaders* game, Artist Douglas Edric Stanley exhibited a work that featured pixelated alien squids destroying (in *Space Invaders* style) a computer simulation of the World Trade Centre (the Twin Towers). The exhibit courted controversy and accusations of poor taste were made. The exhibit was eventually withdrawn. It would seem that opinions differed over whether the exhibit was an irreverent take on the tragic events that unfolded in the US on September 11th 2001, and therefore whether x (the exhibit) realized O.⁹

6 Putting it all Together

If, as CEE attests, the process by which we arrive at attitudes concomitant with accusations of immorality and poor taste is the same then CEE needs to explain how we are able to differentiate, in a morally relevant way, between disapproval characteristic of immorality and disapproval characteristic of poor taste. In response, I have argued that, in the case of immorality, the standard against which something is deemed to be immoral is determined by the emergence of an intersubjective norm based on a shared *de re* attitude, even though different members of a society could have different reasons (*de dicto* attitudes) for holding this *de re* attitude. What each *de dicto* attitude has in common is that it is believed by the person who holds it to justify not only their negative *de re* attitude towards x but also the belief that the reason they have for holding this *de re* attitude (their *de dicto* attitude) is what makes x immoral. In other words, S_1, S_2, \dots, S_n all believe that their respective reason (*qua* their particular *de dicto* attitude) for having a negative *de re* attitude towards x is a moral reason for disapproving of x (stemming, say, from deontic or consequentialist principles, and so on) and is therefore what makes x immoral.¹⁰

The more these disparate societies agree on what their moral ‘requirements’ are (to adopt a term used by Sinnott-Armstrong)¹¹ – as identified by their shared *de re* attitude towards them – the more universal the moral norm concerning what counts as a ‘requirement’ becomes; although, again, the reason (*de dicto* attitude) for holding a particular *de re* attitude, and therefore identifying a particular ‘requirement’ (as such) – may vary both between and within these disparate societies. Like norms of morality, what constitutes poor taste within a society is established through consensus. But poor taste of the kind discussed, here, is parasitic on the

⁹ See Bramwell (2008) See also the controversy over Harvey Nichols’ Christmas “Walk of Shame” ad (Sweney 2012) by way of a further example.

¹⁰ For a detailed discussion on different forms or components of moral reasoning, see Saunders (2015).

¹¹ Sinnott-Armstrong (1987, p. 265) refers to those things “it would be morally wrong not to act on without any moral justification or excuse” as *requirements*.

morally pertinent, because establishing a norm with regard to the treatment of the morally pertinent (e.g., an established immoral activity) requires first and foremost a shared *de re* attitude towards that which is being treated in a particular way: that the object/event one is treating (inter alia) trivially/irreverently *is* (in this case) immoral.

Given that poor taste (as described) is parasitic on the morally relevant, what constitutes a moral norm and, in virtue of this, what is morally relevant – whether moral or immoral – must be established first. Importantly, though, while this is a necessary condition for a norm of taste to be established, it is not sufficient. What is also required (a further necessary condition) is that consensus regarding the *interpretation* of that which is potentially in poor taste is achieved (that is, people interpret the treatment of some morally pertinent matter in the same way). Thus, where one disapproves of O, given O's treatment of P (i.e., trivializing or misrepresenting P, and so on), there still needs to be sufficient agreement that *x* does in fact realize O (*qua* some token of O). Thus, where it is agreed that murder is immoral and even that trivializing murder would be in poor taste, it still needs to be agreed that *this* particular instance, even though it involves the representation of murder, is an example of someone or something *trivializing* murder.

To illustrate: in 2016, the winning entry at the Cornwall Beach Games sandcastle competition was a sculpture of a generic murder victim created by a team of local police officers. More precisely, the sand sculpture was of a naked woman lying face down with a spade in her back, surrounded by police tape. Local Falmouth councillor, Hanna Toms, was reported to have said that the sculpture was in poor taste, even though it won the competition and even though some members of the public were equally said to have viewed it as a light-hearted joke and therefore as a bit of fun (Evans 2016). The police later apologized for any offence caused.

Did the sand sculpture trivialize or in any other way make light of murder and/or the victims of murder? Should we interpret the actions of the police officers responsible for the sand sculpture as endorsing the view that actual murder is an appropriate subject for a light-hearted competition or for soliciting humour? According to the newspaper report, opinions differed on how to interpret the object and the police's action; and therein lies the problem. As noted earlier, it is much more straightforward to identify an immoral act like murder when it occurs (and agree that murder has occurred) than it is to agree how to interpret the *treatment* of a morally pertinent matter like murder. Should agreement be forthcoming, however, then P₅ (below) indicates the means by which one differentiates between poor taste and immorality:

P₅: *x* is not 'something that ought not to be done because one disapproves (*qua* an expression of immorality) of P (e.g., violating God's law) and believes that *x* realizes P' but is 'something that ought not to be done because one disapproves (*qua* an expression of offence, and therefore poor taste) of O, and believes that *x* realizes O in virtue of *x*'s perceived treatment of P (e.g., trivializing P)'.

7 The Nature and Strength of 'Ought'

What remains to be discussed is the nature and strength of the 'ought' employed in relation to immorality and poor taste (recall P₃*). With this in mind, consider the following:

- If you wish to arrive at a particular destination more quickly then you ought to take the high road rather than the low road.

- If you enjoy horror literature then you ought to read Clive Barker.¹²

To say that one ought to do (or not do) x is to engage in a *directive speech act* (Searle 1983). In both of these examples, ‘ought’ is discretionary and equates to a *recommendation*. One is not obliged to heed the recommendation. Given this, recall:

- (a) Pronouncing that “ x is immoral” intimates that x ought not to be done

As with the previous two examples, in (a), one is being directed. Only, now, one is morally called upon not to do x (Ridge 2014). Such a pronouncement goes beyond mere recommendation. Instead, one is required or obliged not to do x . The ‘ought’ in (a) is categorical; it conveys what morality *requires* (Silk 2014; recall, also, Sinnott-Armstrong’s notion of requirement). But what about:

- (b) Pronouncing that “ x is in poor taste” intimates that x ought not to be done

As with (a), there is a sense in which one is being morally called upon not to do x , only, in (b), the ‘ought’ seems to lie somewhere between recommendation and requirement. Taking the difference between (a) and (b) into account, we get:

- (a*) Pronouncing that “ x is immoral” intimates that one is required or obliged not to do x .

- (b*) Pronouncing that “ x is in poor taste” intimates that one ‘ought’ (in some yet to be determined sense, lying somewhere between recommendation and requirement) not to do x .

Where x is held to be immoral then not doing x is a requirement such that one is obliged not to do it.¹³ In accordance with CEE, to go against this requirement would be to violate the intersubjective norm of moral decency. While one is obliged not to murder, however, one is not *obliged* not to trivialize murder, even if trivializing murder may evoke a sense of wrongdoing. Yet, to say that one ought not to do x because it is in poor taste seems to do more (as a directive speech act) than merely *recommend* to the perpetrator of the (alleged) poor taste that they desist. My decision not to take the high road rather than the low road despite the recommendation, or not to read Clive Barker, despite my proclivity for horror literature, is discretionary, and recognized as such. The same discretionary element seems less warranted in the case of events/actions judged to be in poor taste, however, or at least one would appear more socially constrained when it comes to how far one can exercise this discretion.

¹² Both examples refer to what might be called, broadly construed, a practical ought (characteristic of Kant’s hypothetical imperative) or more specifically a teleological ought in the former case and (possibly?) a prudential ought in the latter (see Chrisman 2016, for a detailed discussion).

¹³ One could go further and say that the concept of immorality necessarily contains this obligatory feature – namely, that x must not be done – such that, analytically, when stating “ x is immoral”, the further announcement that x “ought not to be done (in the obligatory sense discussed)” is redundant. Moreover, even if it could be argued that the same analytic feature is available in the case of “ x is in poor taste”, the nature of the ‘ought’ that necessarily flows from this analysis remains ambiguous.

8 Suberogatory Actions

If I had to posit a ‘best fit’ for the ‘ought’ associated with poor (moral) taste, it is my contention that it is comparable to that found in a category of action Driver (1992) calls *suberogatory*. To illustrate, Driver asks us to imagine three people visiting a cinema in which there are only three seats remaining: two seats together and a single. The three people comprise a couple and a single person. The single person, S, enters first, knowing the couple are behind. S takes one of the seats that are together, meaning that the couple will have to sit apart (which they would prefer not to do). S is aware of this but does not wish to move. Driver makes the point that S is within his rights to sit in any of the available seats and is therefore not obliged to move. He has done nothing that is morally prohibited; yet it seems reasonable to say that S’s action is in some sense wrong. Similarly, consider the example of an able-bodied youth seated on a crowded bus who, on noticing a much older person forced to stand, fails to offer him her seat, even though the two of them could easily have swapped places. While neither is an example of poor taste, my point is that one might reasonably conjecture that the sense of poor taste I have in mind fits within the category of ‘blameworthy action’ Driver has identified as suberogatory.

Neither of the previous examples is an example of poor taste because neither concerns the *treatment* of a morally pertinent matter. Instead, the way the lone cinema-goer and the youth acted towards the other people – their respective treatment of them – *is* the morally pertinent matter. What each agent did was in some sense wrong because they acted in an impolite or inconsiderate manner towards the person(s) concerned, even though neither agent was *morally obliged* to act in any way other than the way they did. Breaches of etiquette, impolite/inconsiderate behaviour all fall within the broad church that is a suberogatory action.

To illustrate further, in certain cultures, wearing white at a wedding when one is not the bride is seen as a breach of etiquette.¹⁴ While this may be the case, it is again not an example of poor taste because, as with the previous examples, the breach of etiquette concerns how one has acted towards (or, if you like, treated) another person directly, where the treatment itself is and has therefore created the morally pertinent matter, even where one is not (in this case) morally obliged *not* to undermine the prestige of the bride by also wearing white. Contrast this with the following example: wedding guest S, perhaps in an attempt to be humorous, remarks that the groom no longer need worry about incurring the wrath of the mother-in-law because she recently died at the hands of a drunk-driver. Here, an accusation of poor taste would be levelled at S because of how s/he is perceived to be treating an already existing morally pertinent matter: the unlawful death of the bride’s mother. This remains the case whether S made the comment on the bride’s wedding day or on some other occasion.

Staying with the matter of humour, one might argue that telling a sexually-explicit joke about two adults engaged in consensual sex (therefore involving nothing immoral) would still be in poor taste if told at a children’s birthday party or from the pulpit (during a Christian service). The suggestion being that poor taste does not necessarily involve the treatment of a morally pertinent matter but, instead, can be determined by context alone.¹⁵ In response, I

¹⁴ Example courtesy of an anonymous reviewer.

¹⁵ I thank one of the anonymous reviewers for this example.

would question whether telling a sexually explicit joke to, or even in the presence of, minors would or indeed should typically elicit an accusation of poor taste. It would likely cause offence, and warrant a charge of inappropriate conduct of a suberogatory kind, perhaps even of immorality (depending on the content of the joke and the extent to which it was directed at the minors), in the same way that showing minors sexually explicit excerpts from, say, *Last Tango in Paris* would (should) provoke moral outrage beyond poor taste. Therefore, just as I would question whether showing minors certain scenes from *Last Tango in Paris* is simply an example of poor taste, so I would challenge the claim that the aforementioned joke, in the context described, is an action that warrants nothing more than a charge of poor taste.

In the case of a vicar telling a rather ‘blue’ joke from the pulpit to his/her unsuspecting congregation, before discussing that further, let us consider what I hold to be a related example. “Piss Christ” refers to artist Andres Serrano’s photograph of a statuette of the crucified Christ immersed in a vat of his own urine, produced in 1987 and exhibited under the title: *Immersion (Piss Christ)*. For some, the image is extremely offensive, perhaps even immoral or obscene¹⁶ (see Young 2000). For others, it is none of these things. It is, then, an ideal example to illustrate diversity in attitudes. Suppose, for S, “Piss Christ” is not immoral but is in poor taste. For this to be the case, according to CEE, S would have to hold that the artwork is treating something S believes to be morally pertinent in way that causes him to be offended.

We can see this perhaps more clearly in the previously discussed example of *Myra* (in which the image of convicted child murderer, Myra Hindley, was reproduced using the handprints of children). Here, the morally pertinent matter is child murder. One is left to consider whether the treatment of child murder (including its victims and surviving family members) is being trivialized or otherwise disrespected through the artwork. With “Piss Christ”, however, things appear to be less straightforward. What exactly is the morally pertinent matter in this instance? Serrano did not call the piece “Piss cruel and unusual punishment and death”, with its focus on the immorality of crucifixion per se (after all, many unfortunates have been crucified over the years). Instead, I would say that, when creating “Piss Christ”, Serrano was no doubt aware that the image of Jesus of Nazareth crucified is venerated by many, and that *his* crucifixion is seen by these same venerating individuals as an expression of profound sacrifice and love: something they hold in the highest moral regard. Moreover, given that the treatment is directed at the beliefs of a particular group of individuals, it would seem to satisfy the criteria for offence set out in Section 2. To take this venerated image and immerse it in urine is, then, from the perspective of the venerators, to treat something they hold in high moral regard (the death of Christ) disrespectfully, perhaps even with disdain. Of course, where such individuals base their morality on a belief in the authority of God’s law, and where “Piss Christ” is believed to violate directly God’s law (say, by taking the lord’s image, rather than His name, in vain) then they would hold the artwork to be immoral.¹⁷

Returning to the joke told from the pulpit. The pulpit is situated in what many (if not all) of the congregation believe is the house of God. It is believed to be a holy place of high moral standing. As such, to tell a sexually explicit joke in such a place and also, one could add, during a ceremony of high moral standing (in the eyes of the congregation) is to treat the location and occasion with disrespect: hence, poor taste.

¹⁶ Although obscenity is often associated with immorality, it is legal term.

¹⁷ I am not suggesting that this is the only means by which someone might judge the artwork to be immoral.

9 Concluding Remarks

If poor taste is a species of suberogatory action and CEE can account for poor taste in a manner that is distinguishable from immorality (based on its treatment of a morally pertinent matter), then can CEE differentiate between immorality and other suberogatory acts besides poor taste? In short, yes. The process of arriving at a judgement about someone's impoliteness or their lack of consideration is essentially the same as judging x to be immoral. In the case of the youth on the bus, one judges x (the youth failing to give up her seat) as inconsiderate/impolite if one believes that x realizes a property of which one disapproves. As a society, we differentiate between, say, impoliteness and immorality simply because of convention: convention stemming from beliefs we hold about the reason for our disapproval and whether this constitutes a moral reason (as discussed previously). Ultimately, given that immorality and suberogatory actions are based on negative attitude, what separates them is the further belief concerning one's reason for the attitude: namely, whether it amounts to a reason one holds to be a moral reason. The line demarcating immorality from impoliteness (and the like) is fluid, as Durkheim 1982 example of a society of saints illustrates:

Imagine a society of saints, a perfect cloister of exemplary individuals. Crimes, properly so called, will there be unknown, but faults which appear venial to the layman will create there the same scandal that the ordinary offense does in ordinary consciousness. If, then, this society has the power to judge and punish, it will define these acts as criminal and will treat them as such. For the same reason, the perfect and upright man judges his smaller failings with a severity that the majority reserve for acts more truly in the nature of an offense. (p.68)

Returning to the question of poor taste, which is the specific species of suberogatory action I am interested in distinguishing from immorality. In accordance with the argument presented above, when examined fully, the proposition " x is not immoral but is in poor taste" amounts to the following non-contradictory conjunction:

- P_6 : x is not 'something that must not be done' [for the following reason: because one disapproves (*qua* an expression of immorality) of P and believes that x realizes P] but is 'something that one (in a suberogatory sense) ought not to do' [for the following reason: because one disapproves (*qua* an expression of poor taste) of O, and believes that x realizes O in virtue of x 's perceived *treatment* of P (where P constitutes a morally pertinent matter)].

In conclusion, what I hope to have shown, from the perspective of CEE, is that a morally relevant means of distinguishing between poor taste and immorality is available, thereby making the proposition " x is not in poor taste but it is immoral" both logically and morally non-contradictory. Where both moral utterances and those concerning taste are attitudinal, and where the attribution of one's attitude involves the same underlying process, a moral contradiction is avoided because taste expresses one's attitude towards the treatment of something one (one's society) already considers to be immoral.

Acknowledgements I would like to thank the anonymous reviewers for their invaluable feedback. I would also like to thank those who attended the University of Melbourne philosophy seminar for their comments, particularly Karen Jones and Andrew Inkpin.

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