

Enoch’s “Taking-Morality-Seriously Thought” Unpacked and at Work in the Argument from Impartiality

Giuliana Mancuso¹ 

Published online: 19 January 2017
© Springer Science+Business Media Dordrecht 2017

Abstract After a brief outline of Enoch’s defense of robust realism in his *Taking Morality Seriously* (§ 1), I focus on Enoch’s taking-morality-seriously thought by making explicit the assumptions I see involved in it (§ 2). Enoch’s argument from impartiality is then reconstructed (§ 3) to show how these assumptions are at work (§ 4). Next (§§ 5 and 6), I explain the reasons why Enoch does not succeed in converting these assumptions into a positive argument for the thesis implied by robust realism that there is a moral objectivity. Finally (§ 7), I conclude that the critical analysis provided casts a shadow on the reliability of the taking-morality-seriously thought as a basis of a theoretical inquiry into the nature of morality.

Keywords Robust realism · Non-naturalism · Moral phenomenology · Moral objectivism · Impartiality · Disagreement

1 Introduction

According to Enoch’s robust realism (RR), there are normative properties and facts and, among them, specifically

moral properties and facts. Moral facts are “perfectly objective” (Enoch 2011, 1)¹ and entirely response-independent. These facts supervene on natural facts (“facts of the kind the usual sciences invoke”, 103); nonetheless, they are irreducibly moral, metaphysically *sui generis*. RR thus implies a non-naturalist metaphysics, which differentiates it both from naturalist realism (in its reductionist as well as non-reductionist expressions) and from those quietist “relaxed” (McGrath 2014) brands of realism which are (or at least claim to be, cf. Cowie 2014) disengaged from ontological assumptions.

According to Enoch, what makes his contribution to the well-known recent renaissance of non-naturalist moral realism original is his way of conceiving and carrying out the robust realist’s agenda, not only by “rejecting alternative views and responding to objections,” but also by offering two “positive arguments” (10) for RR. In Enoch (2011), the “argument from impartiality” and the “deliberative indispensability argument” are presented separately and then employed together to show that the two different second-order theses that they support (objectivism about morality and RR about normativity) can jointly lead to *moral* RR. In order to show that the “combined force of these two arguments leaves any metaethical view other than” RR “utterly unmotivated” (12), Enoch argues that, if one is already convinced by them, one has no reason not to be convinced by moral RR as well.

That said, I am not convinced by the two arguments for reasons that I will explain by focusing on the argument from impartiality, but that can also be shown with reference to the deliberative indispensability argument. Indeed, Enoch’s arguments are said to “answer two

✉ Giuliana Mancuso
giuliana.mancuso@unicatt.it; giulianamancuso7@gmail.com

¹ Dipartimento di Filosofia, Università Cattolica del Sacro Cuore (Milan), Largo Gemelli 1, 20123 Milan, Italy

¹ Henceforth, quotations from Enoch (2011) are followed by the relevant page numbers in brackets.

different—though related—concerns, both members of the “taking-morality-seriously family” (9) and it is exactly the “taking-morality-seriously-thought” (268, fn. 1) from which both arguments stem that I find suspicious. In order to explain why, I will first unpack this thought by making explicit the role that it plays in Enoch’s argumentative strategy and the assumptions that I see involved in it. Secondly, I will reconstruct the argument from impartiality with the aim of showing how these assumptions are at work in it. Thirdly, I will explain what I do not find convincing in these assumptions.

2 The Taking-Morality-Seriously Thought Unpacked

Both of Enoch’s arguments rely on normative premises and aim to show that a metaethical thesis (that morality is not objective) and a metanormative one (that there are irreducibly normative truths) can be, respectively, challenged and sustained because of the morally and normatively objectionable consequences that their respective acceptance and refusal could have. The morally implausible consequence of morality not being objective would be that “it would be morally impermissible to stand one’s moral ground in any number of conflicts and disagreements where it does seem permissible (perhaps even required) to stand one’s moral ground” (9). The normatively objectionable consequence of the inexistence of irreducibly normative truths would be that the reasons we have to engage first-personally in such an intrinsically important activity as deliberation would be gravely undermined.

This argumentative strategy is focused on the normative relevance of metaethics and relies on a complex idea, widespread among both naturalist and non-naturalist moral realists. Enoch tries to capture this idea with the slogan “taking morality seriously” and to put it to work within his two arguments. I see the following three assumptions being involved in it (here I rely on Kirchin 2003; Loeb 2007; Sinclair 2012; Björnsson 2012):

- i. Phenomenological considerations about how morality and normativity present themselves at face value and are concretely experienced by agents show that relevant aspects of our moral and practical life—such as the phenomena of moral disagreement and deliberation—have objective-seeming features. As Enoch explains, “the right way to proceed in cases of interpersonal conflicts due to moral disagreement is analogous to the right way to proceed in cases of interpersonal conflicts due to factual disagreement” (24); “it is worth noting how *similar* the phenomenology of deliberation is to that of trying to find an answer to a straightforwardly

factual question” (73). Morality is experienced and presents itself as a realm of objective facts. Let us call this first assumption PHENOMENOLOGY.²

- ii. The objective-seeming features highlighted by phenomenological considerations are the standards by which the plausibility of second-order theories must be tested, in such a way that the more a theory saves objective moral appearances, the better the theory is, as “saving the appearances” of morality (or “accommodating” or “vindicating” them) is assumed to be a requirement for saving our active, sincere, deep, and pervasive (in a word: serious) engagement in it. According to this line of thought, “a successful metaethical theory not only explains how our moral practice got to be in the state that it is, but also how it can justifiably *go on being practiced* in that state” (Sinclair 2012, 162). Let us call this second assumption MORAL NEED.
- iii. Realist accounts provide the best explanation of the objective-seeming features of moral experience, since they involve no revisionism,³ in so far as they claim to explain these features “in whatever way they are typically explained” in other “paradigmatic cases of objectivist discourse” (such as the descriptive one); in such a way, they avoid the “postulation of ad hoc mechanisms” (Björnsson 2012, 376) that would be at work in the domain of morality to produce an appearance of objectivity that would turn out to be deceptive compared to how things really are, contrary to what hap-

² Horgan and Timmons (2005), 58: “In metaethical inquiry, talk of ‘moral phenomenology’ is used very broadly to include such deeply embedded phenomena as: (1) the grammar and logic of moral thought and discourse; (2) people’s ‘critical practices’ regarding moral thought and discourse (e.g., the assumption that genuine moral disagreements are possible), and (3) the what-it-is-like features of concrete moral experiences.” Enoch’s argument from impartiality relies on the existence of interpersonal moral conflicts treated as if one of the parties were right and the other one wrong (that is to say, as “genuine” disagreement: cf. point (2) of the above-cited passage from Horgan and Timmons 2005), in such a way that the parties feel morally entitled to stand their ground. Enoch’s argument from deliberative indispensability relies on “what it is like to deliberate” (Enoch 2011, 72) from a first-personal point of view (cf. point (3) of the above-cited passage from Horgan and Timmons 2005).

³ In this sense, according to moral realism “things are really as they seem” (Sayre-McCord 2006, 40).

pens in other domains different from morality. Let us call this assumption EXPLANATION.⁴

Often, in the work of moral realists, this threefold idea has resulted in a defensive approach, according to which moral realism is assumed to be the metaethical "default view" (10), in such a way that "arguments are needed to defeat it, not so much to establish it" (Enoch *forthcoming*, 4). In order to understand what people mean when they assume moral realism as "the view to beat" in metaethics, as "obviously, the default position" (*ibid.* 3 f.), and to grasp what this assumption implies with respect to the defensive strategy that realists usually adopt, we have to consider what we expect from a metaethical view.

On the one hand, anyone writing in metaethics accepts that a successful metaethical theory has to provide an account for the objective-seeming features of morality revealed by phenomenological experiences and considerations, as the realists insist, although not everyone agrees on how much weight should be given to these sort of features within an overall description of our ethical experience and practice.⁵ Furthermore, there is no agreement on what such an account should imply. Does it involve simply *explaining* how morality has taken the objective-seeming forms in which we experience it, or does it also mean *justifying* these forms? Does it mean justifying them *pragmatically*, as something we have reason to *engage in*, or also *epistemically*, as something we have reason to *believe* as true (cf. Sinclair 2012, 162 f.)? In any case, from a metaethical theory we expect not only the fulfillment of the project of making sense of those central "phenomena deeply

embedded in ordinary moral discourse, thought, and practice that strongly suggest that such discourse, thought, and practice are in some sense objective" (Timmons 1999, 106, my emphasis). From a metaethical theory we expect also an explanation of morality that does not somehow conflict with our overall image of the world, an image which has been shaped extensively by our best sciences, that is to say by "assumptions and theories *outside* of moral discourse and practice" (Timmons 1999, 12, my emphasis).

Given the twofold task that a metaethical view has to accomplish, who takes moral realism as the position to beat⁶ thinks that it accomplishes the first task in the best way and that this fact gives it a relevant advantage over competing views. Therefore, in order to win the metaethical contest, moral realists can simply confine themselves to playing defense, while their competitors have to produce especially powerful arguments to dismantle the especially powerful presumption in favor of moral realism purportedly generated by the "face-value" (Sinclair 2012, 158) of morality. Since moral realism would sustain itself naturally, as the best account of our moral experience,⁷ all that exponents of the view would have to do is defend it from those criticisms and objections originating from the second task which any metaethical theory has to accomplish. Following this train of thought, if the arguments against moral realism that stem from metaphysical, epistemological, and psychological worries "can be defeated [...], then moral realism wins by default" (Loeb 2007, 470).

Now, what Enoch wants to do with his two arguments is put to work the three assumptions that he shares with his fellow moral realists in order to assemble a strategy that is not simply defensive, but also offensive. The usual *defensive* strategy aims to show that we have no overwhelming metaphysical, epistemological, and psychological reason to reject the alleged realist default view about morality. Enoch's *offensive* argumentative strategy aims to show that we also have very good, positive reasons to embrace moral realism and reject competing metaethical views. And these reasons are not only second-order theoretical reasons, but also first-order *normative* reasons.

The core of Enoch's offensive strategy is to argue that metaethical views other than RR have consequences which are implausible or objectionable from a normative point of view and that this is a good enough reason to reject them as false or, at least, to think that they are less plausible than

⁴ In our personal correspondence, Enoch has written that he does not disagree with any of the three assumptions listed here. However, he adds that he does not see "what the big deal is", since in his opinion the three assumptions would be "just instances of the most general epistemological or perhaps methodological claims – all intuitions count, and we should go for the overall most plausible theory". On this point I disagree: in the three assumptions I see much more than the reasonable and, so to say, harmless general epistemological/methodological principle which Enoch refers to. In particular: as far as (i) is concerned, it is not undisputed that morality is experienced and presents itself as a realm of objective facts (to limit myself to the references I have mainly relied on, namely Loeb (2007), 473; Björnsson (2012), 372 f., and fn. 8, 373); as far as (ii) is concerned, it seems to me that the morally engaged metaethical stance that MORAL NEED tries to capture is not a neutral stance that anyone (for instance, an error theorist) could easily adopt when doing metaethics (cf. Loeb 2007, 475; cf.; Sinclair 2012, 164); finally, as far as (iii) is concerned, it has been convincingly argued (Björnsson 2012) that objectivism would not obviously provide the best explanation of the objective-seeming characters of morality.

⁵ Cf. Loeb (2007), 473: "The evidence may well take us in more than one direction. [...] even if we find substantial evidence of a commitment to objectivity, we may also find evidence *against* such a commitment".

⁶ Note that assuming moral realism as the default view in metaethics is also very common among those who do not share the realist point of view, as Loeb (2007), 471 remarks with reference to Mackie.

⁷ Cf. Brink (1989), 24: "Realism, and realism alone, provides a *natural* explanation or justification of the way in which we do and can conduct ourselves in moral thought and inquiry".

RR. By using “first-order moral insights in order to help us decide between competing metaethical views,” Enoch’s offensive strategy relies on the assumptions that “metaethics makes a moral difference” (46), that metaethical positions can have normative implications which are “objectionable on first-order moral grounds and should *therefore* be rejected” (16, my emphasis), and that “something in the way we do (*or should do*)” ethics “is sensitive to our endorsing”⁸ (118, my emphasis) a metaethical theory. Enoch pinpoints this “something” in our moral and normative practice, which would be sensitive to our endorsing a metaethical view, through phenomenological considerations about the different ways in which a disagreement can take place and should be resolved, with reference to the argument from impartiality, and about our first-person experience of deliberation, with reference to the deliberative indispensability argument. And the challenge that he poses to competing metaethical views is not only to explain why we feel (and we are right in feeling) morally justified in standing our ground in interpersonal moral conflicts and in our serious engagement in deliberation, but also explain these experiences without undermining our actual way of living them. Our engagement in deliberation would be undermined if we realized that, contrary to our impressions, we are not really trying to discover any irreducibly normative truth when we deliberate. Similarly, our normative convictions about the right way to settle moral disagreements would be undermined if we were to discover that, although when we morally disagree with someone we act as though there were objective facts on which we are disagreeing, there really are no such facts.

If I am right in my characterization of the taking-morality-seriously thought from which both of Enoch’s arguments originate, the latter can be defined as “phenomenological arguments” (Kirchin 2003) or “arguments from moral experience,”⁹ which Enoch reinforces in a normative-practical sense, by making plain the moral concern from which they stem. And this concern is to save our serious practical involvement in morality experienced as a realm of objective facts.

Enoch is clear about this point when he says that his “main underlying motivation” for RR is “the need to take

morality—and to an extent, normativity in general—seriously” (268), and that he has tried to convert “the general suspicion that without a fairly strong realism morality cannot be taken seriously into reasonably precise and clear arguments” (9). Both of his arguments stem from a normative concern and pose normative constraints upon the theoretical investigation of the nature of morality and normativity, constraints which are fixed by means of phenomenological considerations about central phenomena of our moral experience such as disagreement and deliberation. That a metaethical theory meets these normative constraints is so crucial for deciding whether to embrace it that Enoch writes: “if the denial of metaethical objectivity does not have any consequences that are objectionable on first-order moral grounds, and furthermore if normative truths robust-realistically understood are after all not indispensable for deliberation [...], then I no longer care whether” RR “is true, and am then happy to reject my argument’s conclusion rather than look for other arguments that can better support it” (10).

I will now make explicit how the taking-morality-seriously thought so unpacked is at work in the argument from impartiality.

3 The Argument from Impartiality

The argument is introduced as a *reductio ad absurdum* of a metaethical view that Enoch labels Caricatured Subjectivism (CS):

CS Moral judgments report simple preferences, ones that are exactly on a par with a preference for playing tennis or for catching a movie. (25)

The argument relies on the distinction between three different sorts of interpersonal conflicts:

Preference-based conflicts: the parties have to decide upon a common course of action and what is in conflict versus what is merely a preference. For instance, we have to decide how to spend the afternoon together, and I want to play tennis, while you prefer to catch a movie (let us call this example “movie-or-tennis”).

Factual conflicts: the parties have to decide upon a common course of action and what is in conflict are different interpretations of how things really are. For instance, we have to decide how to go from point A to point B by taking the shortest route, and we disagree about what route this might be (let us call this example “shortest-route”).

⁸ Here Enoch is arguing that the way in which mathematicians do mathematics is not sensitive to our endorsing a meta-mathematical error-theory, while what he wants to do with his two arguments is precisely to show that the way in which we experience normativity is sensitive to our endorsing a metanormative view. See also the appendix on the neutrality of metaethics, § 2.7.

⁹ Loeb (2007). According to this kind of arguments, which have been called also “presumptive arguments” (Sinclair 2012), we experience morality as a realm of objective and independent facts, and this very experience creates a presumption in favor of moral realism.

Moral conflicts: the parties have to decide upon a common course of action and what is in conflict are moral judgments. For instance, we have to decide how to test a new drug, whether by low-cost, experimental testing on animals or by a more expensive experimental testing procedure that does not involve animals; I believe that causing animals serious pain is morally wrong, and you believe it is not (let us call this example "how-to-test-a-new-drug").

The following moral principle is among the premises of the argument:

IMPARTIALITY (henceforth [I]): In an interpersonal conflict, we should step back from our mere preferences, or feelings, or attitudes, or some such, and to the extent the conflict is due to those, an impartial solution is called for. Furthermore, each party to the conflict should acknowledge that standing one's ground is, in such cases, morally wrong. (cf. 19)

[I] holds for preference-based conflicts: it establishes how to settle conflicts between options that are on par, i.e. by means of a procedure such as flipping a coin. [I] does not hold for factual conflicts, which are to be resolved by finding out how things really are.

According to CS, moral judgments report simple preferences, and therefore moral conflicts are instances of preference-based conflicts that are to be settled as [I] prescribes. Enoch's *reductio* of CS rests on the possibility of isolating, within the set of moral conflicts, a subset in which [I] does not hold in such a way that—as is the case in factual conflicts—an impartial solution is out of the question, and standing one's ground is permissible, even if not required. The argument runs as follows:

1. CS: Moral judgments report simple preferences, ones that are on a par with a preference for playing tennis or for catching a movie (for *reductio*).
2. If CS is true, then moral conflicts are really just preference-based conflicts.
3. Therefore, moral conflicts are just preference-based conflicts.
4. [I]: when a conflict is preference-based, then an impartial solution is called for, and it is wrong to simply stand one's ground.
5. Therefore, in cases of moral conflict, [I] applies, so that an impartial solution is called for, and it is wrong to just stand one's ground.
6. However, in cases of moral conflict, [I] does not apply, so that an impartial solution is not called for, and standing one's ground is permissible and even required.
7. Therefore, CS is false. (cf. 25 f.)

The argument relies on three *normative*¹⁰ premises (4, 5 and 6) and I will return shortly to the proper way in which these normative premises, as such, should be read.

Enoch thinks that the argument against CS can be generalized in such a way that it can prove effective also against "other, not at all caricaturized, metaethical positions" (27), such as some response-dependence views and expressivism. Indeed, there are some response-dependence views that remain untouched by the argument, those according to which the responses of the agents to which morality is reduced are somehow different in nature from responses which are not morally relevant. These are the constitutivist theories that "refer to responses that are necessarily shared by all agents;" the response-dependence theories that "include a *normative* element in their analyses, reducing, say, moral judgements [...] to people's *rational* responses;" and, finally, the so-called no-priority views in which the dependence relation between the morally relevant subjective responses and their related objective worldly facts "is not asymmetrical in any interesting way" (29 f.). All these views can accommodate cases of moral conflicts conceived of as disagreements in preferences in which [I] still does *not* hold because they admit some standards according to which the responses to which morality is reduced are not on a par with other subjective, morally non-relevant responses. Therefore, as Enoch writes, these views "all merit being called objectivist [...] in at least one sense of this term" (40) and thus remain untouched by his argument against CS and its generalization against non-caricaturized non-objectivism (henceforth NCNO).

Are there any different ways not metaphysically committed to assumptions about the somehow objective nature of the morally relevant subjective responses in which subjectivists and expressivists could reject the supposed parity between moral preferences and preferences for playing tennis or for catching a movie, so that they can accommodate cases of moral conflicts conceived as disagreement in preferences where [I] still does *not* apply, thereby escaping the generalization of Enoch's argument against CS? The subjectivist could simply claim that some preferences "are normatively better than others" (31). The same path is open to the expressivist, who could insist "that some of our

¹⁰ Both [I] "and the intuitive judgments about where it plausibly does and where it plausibly does not apply, are straightforwardly moral judgments" (117). 4, that is to say [I], is called "a normative premise" (17), an "approximation of a moral principle". As far as 6 is concerned, Enoch writes: "(6) itself is a moral statement". As far as 5 is concerned, Enoch defines it "a first-order, moral (that is, not non-moral) conclusion" (48). 4 and 6 are *true* moral statements, while, as far as 5 is concerned, Enoch writes "when presenting the *Reductio* argument I argued on first-order, normative grounds directly that 5 is false" (49). To sum up, 4, 5 and 6 are all moral statements, two of which are said to be true (4 and 6), and one false (5).

responses (or passions, or attitudes, or feeling, or whatever) are unique, and that [...] the classification of responses as special [...] is itself a normative matter” (38). There is nothing wrong with this line of thought, as Enoch acknowledges; however, he argues that it simply amounts to assuming a normative difference between different kinds of preferences, emotions, or reactions without explaining it, while the objectivist can provide a rationale for this difference.

Once generalized in order to extend to NCNO, Enoch’s *reductio* argument is no longer a *reductio*.¹¹ It does not prove that NCNO is wrong because it entails “false moral conclusions” (24), as is the case with CS. Rather, it amounts to posing to it the challenge of explaining the normative difference between the way we treat preference-based conflicts and the way we treat moral conflicts, under the non-objectivist assumption that moral conflicts are a particular instance of preference-based conflicts. Since this challenge is met more easily (according to Enoch) under objectivist assumptions—his argument being that the response-independence theorist “can cite the metaphysical difference between the two [kinds of conflicts]” (33), saying that moral conflicts are instances of purely factual conflicts, “where truth matters” (32)—objectivism would gain plausibility points against NCNO.

In light of this reconstruction, the proper way to understand Enoch’s argument from [I] is by conceiving it not as a positive argument for RR but, rather, as an “argument for objectivity”, as Enoch himself says (11, 40, 116). Therefore, naturalist moral realism, quietism, constitutivism, and dispositionalism, all of which are (somewhat) objectivistic metaethical accounts of morality, no less than non-naturalist RR, not only are not vulnerable to such an argument, but could also benefit from it themselves, if it works. Furthermore, as far as error theory is concerned, an exponent of this view could accept the argument, if she takes 4 and 6 as pieces of moral phenomenology about how different interpersonal conflicts are experienced and how people think they should be settled or as “something to which morality is conceptually committed.”¹² After all, the acknowledgement of the objective-seeming features of morality is a constitutive part of any error-theoretical view, so that an exponent of it could have no problem in agreeing that moral conflicts seem much more akin to factual conflicts about objective matters of fact than to conflicts between subjective preferences.

¹¹ At the end of Sect. 2.3, Enoch writes: “So my argument from the normative significance of moral disagreement does not amount to a knock-down argument against response-dependence theories [...]. But it is not without force. For it highlights an explanatory challenge response-dependence theorists face if they are to escape it” (35).

¹² Joyce (2014), 844.

However, this is *not* the way in which Enoch asks readers to take the normative premises of his argument. 4 and 6 are to be read as *substantive moral truths*, as “straightforwardly moral judgments” (117) that, as such, not only correctly report how we act *de facto*, but also correctly prescribe how we *ought* to act, telling us that one course of action is indeed wrong and the other right (cf. 116 f.). As far as 5 is concerned, it is to be read as a *false moral statement* that not only *incorrectly reports* our moral behavior, but also *prescribes* a *wrong* moral principle for us to follow.

4 The Taking-Morality-Seriously Thought at Work Within the Argument from Impartiality

Involved in Enoch’s taking-morality-seriously thought are PHENOMENOLOGY, MORAL NEED, and EXPLANATION. Enoch puts these assumptions to work within the argument from [I], thereby developing an *offensive* argumentative strategy which aims to show that NCNO fails to take morality seriously. Phenomenological considerations show that we have different moral beliefs about the right way to settle preference-based and moral disagreements, which we treat in the same way as factual disagreements. Given this, and given our need not to be undermined in our serious engagement in morality, failing to take morality seriously means failing to explain this difference in our normative beliefs and practices without somehow undermining these very beliefs and practices.

CS is rejected because, if it were true, there would be no difference between the normative constraints that we apply to moral and preference-based conflicts. But, actually, there is such a difference, as the phenomenology of disagreement shows, and it is morally right that we treat moral and preference-based conflicts differently. Furthermore, we need to be assured of the correctness of our normative beliefs and practices. A metaethical account such CS—according to which we should not have some of the moral beliefs that we actually have and that we are morally entitled to have and follow in our moral practice—is not only theoretical false, but also normatively wrong, and it jeopardizes our confidence in the meaningfulness of some of our normative beliefs and practices. It has consequences that are objectionable *on first-order moral grounds* and therefore should be rejected.

However, with reference to non-objectivist accounts which are *not* caricaturized, Enoch concedes that “there is [...] a way for such views to avoid such unacceptable results” (268) and that “the response-dependence theorist can happily participate in the normative discussion, defending [...] the moral distinction between mere-preference disagreements and conflicts” where [I] applies “and conflicts

based on moral disagreements" where [I] does not apply (33). Thus, his argument does not show that NCNO cannot save a phenomenon which we need to account for, and that it should be rejected for this reason. Thus, after all, maybe NCNO can take morality seriously *enough*, differently from CS.

Indeed, the argument from [I] poses to NCNO the challenge of *explaining* why "the right way to proceed in cases of interpersonal conflicts due to moral disagreement is analogous to the right way to proceed in cases of interpersonal conflicts due to factual disagreement" (24)—and not to the right way to proceed in cases of preference-based disagreement. In posing this challenge, Enoch argues that, compared to the response-dependent theorist, "the objectivist has more to offer by way of an explanation of the moral distinction between different kinds of disagreement and conflicts" and that "this difference in explanatory power counts in favor of the objectivist" (33). Enoch argues that NCNO can explain the objectivist behavior we display in interpersonal moral conflicts *worse* than objectivism, since it would require ad hoc assumptions about the special moral status that some of our preferences would have. Differently, the objectivist can explain this behavior in whatever way it is usually explained in other "paradigmatic cases of objectivist discourse" (such as the factual one), "thus avoiding postulation of ad hoc mechanisms" (Björnsson 2012, 376) and revisionary accounts of the factual and objective appearances of interpersonal moral conflicts.

While CS has no explanation to offer for the phenomenon at issue and thereby undermines our actual way of living it, since it implies that we are wrong in treating moral conflicts as if they were subject to the same moral constraints to which factual conflicts are subject, NCNO does not have such an objectionable first-order implication, since it offers an explanatory story according to which the phenomenon at issue can be predicted. Enoch argues, however, that this explanation is not as good as the explanation provided by the objectivist, since it requires ad hoc assumptions.

In light of this analysis, it should be clear that, once applied to NCNO, the argument from [I] loses much of its force. CS is *rejected* as theoretically *false*—since it does not predict how we actually act—and normatively *wrong*—since it implies that we are mistaken in the way in which we act and also *should* act. Differently, NCNO is *accused* of being theoretically *suboptimal*, since it is argued that it can only predict the objectivist way in which we actually settle interpersonal moral conflicts by relying on ad hoc assumptions. Furthermore, as far as its first-order implications are concerned, NCNO could be accused, at the most, of being normatively *destabilizing*, in so far as, according to it, our moral behavior is not to be taken at its objectivist face value, and since—as one could argue—such a

discrepancy between how morality seems to be and how it really is could somehow undermine our confidence in it. But Enoch does not argue for something like that. His confrontation with NCNO is mainly played out at the second-order level regarding the alleged suboptimal explanatory power of the targeted views.

Therefore, the efficacy of Enoch's argument in favoring objectivism against NCNO mainly depends: (a) on the correctness and the accuracy of the phenomenological reconstruction of the normative constraints to which different kinds of disagreement are subject; (b) on the criteria according to which objectivistic explanations of the phenomenon at issue would be better than non-objectivist ones.

5 Phenomenology

As regards point a), one can question whether there really is an intuitive "fundamental normative asymmetry" (Manne and Sobel 2014: § 1) between the way we treat conflicts between subjective preferences and factual conflicts about objective matters of fact (of which moral conflicts would be instances), an asymmetry that ought to become quite clear once we consider whether or not [I] applies. Actually, it is possible to think of preference-based conflicts in which [I] does not apply, and in which there is nothing wrong with standing one's ground,¹³ as well as of moral conflicts in which [I] does apply¹⁴ and standing one's ground would be morally objectionable.

Enoch is well aware of these complications. Anticipating the line of criticism considered here, first, he concedes that "perhaps [...] there are cases in which something like"

¹³ Wedgwood (2013), 390: "Suppose that you are on a committee that awards a certain art prize, and you have a deep disagreement with the other committee members [...] if you are reasonably convinced that the judgment of the other committee members is sufficiently defective, it would not obviously be 'morally wrong' for you" to stand your ground. See also Manne and Sobel (2014), 828: "the relative pedigree of the attitude, be it a belief or a desire, generally tends to diminish our intuition that one must be impartial between one's own high pedigree attitude and the attitude of the other with a much lesser pedigree."

¹⁴ Wedgwood (2013), 391: "Suppose you are involved in a disagreement [...] about whether fox hunting should be banned by law. If there is no prospect of either side's persuading the other to change their view, it seems right for everyone to agree to settle the conflict by means of a democratic procedure, even though everyone agrees that there is a high chance that the outcome of this democratic procedure may be morally suboptimal." To take another example of interpersonal moral conflict where [I] seems to apply, see Manne and Sobel (2014), 831: "We're spending the afternoon together, doing some volunteering. I think we should, and would thus prefer to, help out at the local amateur film society. You think we should, and would thus prefer to, help out at an organization that gives tennis lessons to troubled youths. How should we proceed?"

[I] “holds even in cases of factual or moral disagreement” and that “some partiality may be morally permissible even in some mere-preference cases” (24). Second, he asks the reader to neutralize all the possible complicating (epistemological, normative, psychological, and so forth) factors because of which, “in the normal, messy cases” of conflicts about an objective matter of fact [I] *does* apply, in such a way that even if it is assumed that there is a truth that “*does* make a difference,” in such cases “the difference the truth makes may be overshadowed” (21). Third, Enoch claims that all he needs to assure the phenomenological basis of his argument is that “there are *some* cases of conflicts due to moral disagreement in which standing one’s ground is morally permissible, and in which” [I] “would have applied in mere-preferences cases. It is not necessary that this holds of *all* such conflicts” (26). Even if the fundamental normative asymmetry between the constraints to which factual and preference-based conflicts are subject “survives only in a small class of cases” (Enoch 2014, 854), the asymmetry remains as something that calls for an explanation.

Nonetheless, the fact also remains that an overall phenomenology of disagreement shows that [I]¹⁵ sometimes holds and sometimes does not hold for preference-based conflicts, moral conflicts, and factual conflicts in such a way that, *prima facie*, applying this moral principle *per se* proves to be an unreliable criterion for establishing something about the nature of the conflict at issue—that is to say, for establishing whether the kind of conflict at issue is about an objective matter of fact. Only when the complicating factors have been neutralized can it be used as such a criterion (cf. 26). My suspicion towards this kind of proceeding stems from the fact that the more abstractions and neutralizing restrictions are needed in order to clearly detect the phenomenon, the more the risk increases of arranging the description of the phenomenon in such a way as to favor the explanation one has in mind or of selectively focusing only on those phenomena which fit more easily into such an explanation. And I think that the force of such an explanation and its capability of being generalized in such a way as to prove valid not only for some moral conflicts (cf. Manne and Sobel 2014: 826) but for moral conflicts in general, is significantly undermined by all the operations needed in order to neutralize the “messiness” that our actual experience displays.

¹⁵ It has also been argued (Atiq 2016) that Enoch’s [I] is “mistaken.” By putting together being impartial with being willing to withdraw from one’s own preferences and desires, Enoch would have provided a characterization of [I] that favors his objectivist account. Along a similar line, an anonymous referee has suggested to me that Enoch’s way of conceiving [I] “can be questioned”, since impartiality “does not mean ‘neutrality’ or ‘indifference’, as Enoch understands it”.

Indeed, Enoch himself writes that the “messiness of the truth in the vicinity” of [I] somewhat reduces the “explanatory advantage” (35, fn. 33) which, according to him, the objectivist theorist has over the non-objectivist one. His idea is that this purported advantage would be clear if the challenge could be stated in the following terms: given the fact that there is a clear-cut difference in the normative constraints that rule factual conflicts and preference-based conflicts, how can we explain that the normative constraints to which moral conflicts are subject and those to which factual conflicts about an objective matter are subject are, in fact, the same? Against this phenomenologically clear background, the objectivist reply—something such as “well, it can be simply explained by assuming that moral conflicts are themselves factual conflicts about an objective moral matter of fact”—would seem to be the most natural explanation. However, because of the messiness just seen, the challenge narrows down to a significant degree and can be formulated as follows: “given the fact that the difference in the normative constraints that rule factual conflicts and preference-based conflicts presents itself clearly only once we have neutralized many complicating factors, how can we explain the fact that the normative constraints to which *some* moral conflicts are *sometimes* subject and those to which *some* factual conflicts about an objective matter of fact are *sometimes* subject, are, in fact, the same?”. Against this “messy” phenomenological background, Enoch admits that the objectivist theorist “cannot claim that her explanation of the relevant normative distinction is completely clean” (35, fn. 33).

However, it seems to me that even if things were phenomenologically clear-cut, the objectivist theorist (and in particular the objectivist who, like Enoch, thinks of moral objectivity as a non-natural factual realm) would still *not* have any obvious explanatory advantage over the non-objectivist theorist. I will now explain why by turning to point b), which concerns the criteria according to which objectivist explanations would be better than non-objectivist ones.

6 Explanation

Underlying both of Enoch’s arguments is the idea that some central phenomena of our moral practice display objective-seeming features that moral objectivism could explain in the best way. But why think that objectivist explanations of the objective-seeming features of moral practice are better than non-objectivist ones? Let us consider what Enoch says in this regard, by comparing the objectivist explanation of the phenomenon at issue with non-objectivist ones. The phenomenon is the difference in the normative constraints that rule certain preference-based conflicts such as the

movie-or-tennis example, in which [I] holds, and those that rule certain moral conflicts, such as the how-to-test-a-new-drug example, in which [I] does not hold (§ 3). How is this difference to be explained?

Enoch writes that the objectivist "has a rather obvious answer" (32). According to her theory, a moral conflict such as the one described in the how-to-test-a-new-drug example is "more like that of the purely factual disagreement, where truth matters" (32). The fact that in a moral conflict moral agents behave as they would in a factual conflict about an objective matter of fact would be explained by the fact that moral conflicts, far from being preference-based conflicts, *really are* factual conflicts about objective matters of fact. Accordingly, as far as the how-to-test-a-new-drug example is concerned, the reason why we should not look for an impartial solution is that there is a truth of the matter in the conflict between the two parties, of which one is right and the other wrong.

On the other hand, from a non-objectivist point of view, it could be argued that the difference at issue is explained by the fact that the responses to which morality is reducible, like those at play in the how-to-test-a-new-drug example, "are normatively special" (32), so that there is no reason to be impartial between them, whereas preferences of the kind at play in the movie-or-tennis example have no moral significance and therefore all count equally, so that being impartial between them is the right thing to do. The reason why we should not look for an impartial solution in the how-to-test-a-new-drug example is that the preferences at play here have a moral significance, one being morally better than the other. But what is the rationale for the distinction between preferences that do not have any normative significance and preferences that are normatively special, and, among the latter, between normatively relevant right preferences and normatively relevant wrong preferences?

According to Enoch, the non-objectivist response-dependence theorist has no rationale to provide for this distinction: he "simply has no further explanation" (32), he "just has no answer" (33). The best that the non-objectivist could do to explain the difference between the ways we think it is right to settle moral conflicts and preference-based conflicts would be to assume that there is a corresponding difference in the normative relevance of the preferences at play in the two kinds of conflicts without being able to offer a rationale for this difference. And, in absence of such a rationale, the non-objectivist explanation "would be objectionably ad hoc" (32), since the only reason provided for drawing such a normative distinction among preferences would be to explain the normative difference at issue.

Thus, Enoch presents a picture of an explanatory challenge and a comparison between a "rather obvious" (32) and "more satisfying" (268) solution to it—the objectivist

one—and the "ad hoc" one provided by the non-objectivist theorist, whose view, being guilty of ad hocness, "loses plausibility points" (34). I do not find this picture convincing for two distinct reasons.

The first reason is that actually, and contrary to what Enoch quickly assumes,¹⁶ a non-objectivist rationale for the distinction between subjective preferences that are normatively special and subjective preferences that have no normative relevance *can* be provided. Enoch writes that the best which the non-objectivist "can do is insist on the normative intuitions themselves, or on some intranormative support for them" (32), thereby giving the reader the impression that he finds simply "insisting" on the special status of the morally relevant preferences and providing "some intranormative support" for it equally unsatisfying strategies. On this point I disagree.

Consider two theorists, A and B, both of whom have to answer the same question: why are certain preferences normatively relevant and should therefore not count equally when compared with other preferences that are not normatively relevant? A replies by saying: well, that is just how it is, and "that's the end of the matter" (34). B replies by saying: certain preferences have the function to "facilitate cooperation by promoting or preventing kinds of action of the moral judge and by expressions of approval and disapproval of corresponding actions by others" (Björnsson and Olinder 2016, 104 f.). Plausibly, such preferences "will involve sensitivity to considerations [...] of benefit, harm and respect, the adherence to or violation of expectations on which cooperation is based, and considerations of reciprocity". Since one way to facilitate cooperation is to guide us "when there are clashes of preferences and interests," it can be argued that the normatively special preferences are those that take into account such preferences and interests, "but cannot themselves be lightly treated as one preference among others" (*ibid.* 105). Accordingly, the normatively special status of the subjective preference of not causing pain to animals in the how-to-test-a-new-drug example could be explained by saying that this preference, differently from the preference with which it is in conflict, takes "proper account of the interests and preferences of

¹⁶ Indeed, with reference to his presentation of the non-objectivist theorist's solution to his explanatory challenge, Enoch himself concedes what follows (34): "Perhaps this is too quick [...] because I haven't shown that the response-dependence theorist has no further explanatory story to tell. I've only shown that he can't help himself to the kind of story the response-independence theorist can help herself to."

everyone concerned” (*ibid.* 104), with reference to the shared aim of cooperation,¹⁷ and that this is the reason why we should not look for an impartial solution when we have to decide how to settle such a (moral) kind of preference-based conflict.

B “has *much more* to say” (33) than A, by relying on non-normative considerations about the functional role of certain preferences (facilitating cooperation) and by providing some intranormative support (the importance of cooperation for the agents) for the special moral status of certain preferences. Relying on criteria that Enoch himself adopts,¹⁸ it can be said, therefore, that B’s answer is better than A’s. Thus, the best the non-objectivist can do when challenged by the objectivist is not to insist on the normative intuitions themselves, but to provide some intranormative support for them and combining it with non-normative assumptions, thereby offering “an explanatory layer” (33). Certainly, this explanatory layer ultimately remains intranormative. Since it does not include at its basis a metaphysical level constituted by a moral realm of facts, it is constitutively thinner than the objectivist’s explanatory layer. However, this only reveals that “moral arguments [...] come to an end somewhere” (34) and that the two kinds of competing theories locate this end, that is to say their respective brute facts which do not need any further explanation, in different “places”.¹⁹

In light of what we have just seen, it seems to me that Enoch’s charge of ad hocness against NCNO, of having a clear “explanatory disadvantage” compared to objectivist views, loses its basis. Simply, we have an explanatory challenge and two distinct ways of meeting it, the objectivist and the non-objectivist one, neither of which is compelled to be ad hoc, and each one of which should be evaluated in its explanatory details, both by itself and comparatively, in order to establish which one wins “the plausibility-points game” (267).

¹⁷ That social cooperation is an aim which the agents share could derive from the fact that, pragmatically, during our evolutionary history social cooperation has proven one of the most functional ways of satisfying the preferences of each individual agent. I thank Aldo Frigerio for encouraging me to clarify this point.

¹⁸ See 33. Here Enoch compares the ways in which two theorists “defend the distinction between eating shrimps (morally permissible) and eating beef (morally wrong)”. The first theorist directly relies “on intuitions with regard to which animal counts”, while the second “tells another kind of story, about the nature of the relevant creatures and the difference between them [...] she says that cows have a central nervous system and so are rather clearly capable of feeling pain”, differently from shrimps. Then this theorist introduces a “general moral principle, according to which it is morally wrong to kill and eat creatures that can feel pain”. Thereby “he offers an explanatory layer the first theorist does not offer, and so her theory is [...] better.”

¹⁹ I thank Alessandro Giordani for the discussion on this point.

The second reason why I do not find Enoch’s picture convincing is the following. If we turn our attention from Enoch’s dismissal of non-objectivist explanations as ad hoc to his “more satisfying” objectivist solution, one has to consider that there are many ways of being an objectivist about morality, depending on the way in which objectivity is metaphysically conceived. Each of the somewhat objectivist options (non-naturalist realism, naturalist realism, constitutivist constructivism, sensibility theories, quietist realism, etc.) implies a different explanatory account to meet the challenge at issue, and each one of these account needs to be filled with all the relevant details in order to establish which one has an explanatory advantage over the other objectivist options and over the non-objectivist ones. And these details depend on the particular way in which the hypothesized moral objectivity is conceived of and, consequently, is supposed to work when we form the moral judgments on which we disagree in our moral conflicts. In the absence of these details, the claim that there is a moral objectivity is simply a starting hypothesis based on the detection of a similarity between a certain behavior that we adopt in both moral and factual conflicts (a similarity that, however, is far from being clearly given, as we have seen with reference to point a). This behavior could be termed “objectivist” insofar as in both kinds of conflict we behave as if there were an objective matter of fact, and it seems to me that any possible objectivist explanation takes much of its force from the assumption that an objectivist behavior is explained in the same way everywhere it occurs (Björnsson 2012, 377). Certainly, this assumption is not without grounds, but relevant details need to be filled in for any objectivist explanation to become substantial. And it seems to be the case that a substantial explanation is particularly needed if we consider that the specific objectivist option defended by Enoch is *non-naturalist* RR. Indeed, according to non-naturalist RR, the moral facts with reference to which we display the same objectivist way of disagreeing that we display when we disagree in the factual domain—for instance with regard to a natural fact such as the one considered in the-shortest-route example (§ 3)—still are said to be “just too different” (100) from such natural facts. They are conceived of as causally inert and, therefore, “not causally responsible for our normative beliefs” (159), i.e. those beliefs on which we disagree when we have a moral conflict. This suggests that the explanatory account behind our objectivist behavior in moral conflicts will be very different from the explanatory account that lies behind our objectivist behavior in factual conflicts. Because of these differences, much work is required before we can say that the two accounts share the same high degree of plausibility.

Certainly, Enoch’s argument aims to support the thesis that *there is* a moral objectivity, no matter *how* this objectivity is metaphysically understood. Therefore, Enoch could

perhaps reply that this critical remark does not grasp the point at issue in the argument from [I]. He could remind me that, actually, his argument is introduced by the preliminary consideration that, even though the argument is said to be "for the objectivity of morality," "nothing at all in the first two sections"²⁰—that is to say the sections where [I] is introduced and the argument against *caricatured* subjectivism is presented—"will depend on how objectivity is understood" (17). And he could also remind me that, at the end of the chapter that presents the argument, there is a section (§ 2.6) in which he writes that "the best way of proceeding in discussing objectivity" is to provide "a clear understanding of why it is that objectivity matters" (41).

Thus, Enoch's argument from [I] deliberately asks the theoretical ontological question of *whether there is* a moral objectivity dependent on the practical normative question of *why objectivity matters*. And objectivity matters, we are told, precisely because of "its moral significance in cases of interpersonal conflicts" (41), since its existence would offer "standards of correctness that can settle [...] disputes, standards of correctness that do not depend on the relevant persons and their responses" (40). Objectivity is both theoretically and morally needed in order to ratify our lived experience of the normative principles that we follow when we have to decide how to settle a moral conflict, that is to say, in order to vindicate our taking morality seriously and to confirm the meaningfulness of a relevant aspect of our moral practice. In this framework, the theoretical metaphysical question of *what objectivity is* is put aside.

However, this framework changes once that Enoch concedes that NCNO (differently from CS) has a way of not implying "unacceptable moral judgements in cases of interpersonal disagreement and conflict" (268). By relying on the normative special status of the preferences at play in a moral conflict, NCNO can save the moral principle according to which, in a moral conflict, we are sometimes entitled, or even required, to stand our ground. Indeed, the reasons in which Enoch grounds his claim that we should reject NCNO and should instead embrace objectivism about morality are *mainly theoretical* reasons about *the explanatory power* of the two competing kinds of theories in giving an account of a certain kind of phenomenon. And it seems to me that in this changed framework—once we have conceded that the moral concern expressed by MORAL NEED can somehow be met by NCNO, and once we have realized that NCNO can refute Enoch's charge of ad hocness—the

theoretical metaphysical question of how exactly the objectivity invoked by the objectivist as its *explanans* is understood *cannot* be put aside. On the contrary, it becomes central in order to establish what is the better metaethical explanation of the objectivist behavior that we display in moral conflicts.

Moreover, once we have conceded that NCNO has a way of not having morally objectionable implications, in such a way that the existence of a moral objectivity, after all, does not matter so much in order to take morality seriously, the ontological question of whether *there is* such an objectivity—especially an objectivity metaphysically understood as an independent non-natural realm of facts—can be evaluated on the basis of the usual theoretical considerations about the costs that admitting such an objectivity would have.

7 Conclusion

What I have tried to show is that Enoch does not succeed in building a positive argument for moral objectivism that puts the taking-morality-seriously thought to work.

I first unpacked this thought as follows. The moral domain displays objective-seeming features, as moral phenomenology shows (PHENOMENOLOGY). We need to save our serious engagement in morality, and doing this requires vindicating moral experience with its objective-seeming features (MORAL NEED). Objectivism is the metaethical option that best vindicates our moral experience with its objective-seeming features. The reason for this is that it does not imply ad hoc mechanisms or revisionary accounts that explain these features away, but accept the latter as a trustworthy and reliable road to follow in order to establish how things really are (EXPLANATION).

I then argued that, of the three assumptions that constitute this thought, MORAL NEED can be somehow satisfied also by NCNO. We can embrace NCNO and still take morality seriously. As far as PHENOMENOLOGY is concerned, by considering the complexity of our experience of disagreement, one can question the extent (and consequently the relevance) of the phenomenon that Enoch's argument assumes as the *explanandum* that he challenges NCNO to explain. Finally, as far as EXPLANATION is concerned, even if this phenomenon could be detected in a clear-cut way, objectivism would still have no obvious explanatory advantage over NCNO.

In conclusion, it seems to me that trying to put the need to take morality seriously to work within the theoretical inquiry into the nature of morality and the comparative evaluation of the plausibility of different metaethical views does not work, since it can lead one: (1) to selectively focus on certain features of moral experience, leaving out of the

²⁰ Notice that, as far as the *following* chapter's sections are concerned – where the argument does not result in a *reductio* of a caricatured view, but in the posing of an explanatory challenge to non-caricatured views – Enoch concedes that the metaphysical understanding of objectivity does count something, even if this something, in his opinion (that I do not share), is "at most very little" (17).

picture other equally relevant features; (2) to underestimate the explanatory resources of competing metaethical theories (cf. Sinclair 2012, 173 ff.); (3) to dismiss questions that are actually relevant when an explanatory advantage over the competing metaethical views is claimed.

Acknowledgements I would like to thank Luca Fonnesu, Aldo Frigerio, Alessandro Giordani, Bruno Niederbacher, Renato Pettoello, Paolo Valore and two anonymous referees for their useful comments on early versions of this paper. I especially wish to thank David Enoch, both for reading an early version of this paper and providing some useful suggestions on how to make my reconstruction of his positions fairer, and for having accepted to write a reply to my paper. Of course, I claim full responsibility for the paper's final version.

References

- Atiq EH (2016) How to be impartial as a subjectivist. *Philos Stud* 153:757–779
- Björnsson G (2012) Do 'objectivist' features of moral discourse and thinking support moral objectivism? *J Ethics* 16:367–393
- Björnsson G, Olinder F (2016) Enoch's defense of robust meta-ethical realism. *J Moral Philos* 13:101–112
- Brink DO (1989) *Moral realism and the foundations of ethics*. Cambridge University Press, New York
- Cowie C (2014) A new explanatory challenge for nonnaturalists. *Res Philos* 91(4):661–679
- Enoch D (2011) *Taking morality seriously. A defense of robust realism*. Oxford University Press, New York
- Enoch D (2014) In defense of *Taking morality seriously*: reply to Manne, Sobel, Lenman and Joyce. *Philos Stud* 168:853–865
- Enoch D (forthcoming) Non-Naturalistic Realism (Draft 2015). In: McPherson T, Plunkett D (eds) *The Routledge handbook of metaethics*. Routledge, London
- Horgan T, Timmons M (2005) Moral phenomenology and moral theory. *Philos Issues* 15(1):56–77
- Joyce R (2014) Taking moral skepticism seriously. *Philos Stud* 168:843–851
- Kirchin S (2003) Ethical phenomenology and metaethics. *Eth Theory Moral Pract* 6:241–264
- Loeb D (2007) The argument from moral experience. *Eth Theory Moral Pract* 10:469–484
- Manne K, Sobel D (2014) Disagreeing about how to disagree. *Philos Stud* 168:823–834
- McGrath S (2014) Relax? Don't do it! Why moral realism won't come cheap. In: Shafer-Landau R (ed) *Oxford studies in metaethics*, vol 9. Oxford University Press, Oxford, pp 186–214
- Sayre-McCord G (2006) Moral realism. In: Copp D (ed) *The Oxford handbook of ethical theory*. Oxford University Press, New York
- Sinclair N (2012) Moral realism, face-value and presumptions. *Anal Philos* 53(2):158–179
- Timmons M (1999) *Morality without foundations. A defense of ethical contextualism*. Oxford University Press, Oxford-New York
- Wedgwood R (2013) Review to David Enoch's *Taking morality seriously: a defense of robust realism*. *Philos Quart* 251:389–394