

On Standing One's Ground

Neil Sinclair

Department of Philosophy, University of Nottingham, NG7 2RD

neil.sinclair@nottingham.ac.uk

Abstract: I provide a positive expressivist account of the permissibility of 'standing one's ground' in some cases of moral conflict, based in part on an illustrative analogy with political disputes. This account suffices to undermine Enoch's recent argument against expressivism.

Key words: Expressivism, Moral Attitudes, Moral Disagreement.

Can expressivists accommodate common-sense views about permissible and impermissible ways of proceeding in moral debate? Enoch argues that they cannot.¹ This objection is welcome insofar as it involves refreshing levels of detail about the mechanisms of moral disagreement, thus eschewing a far-too-common tendency for meta-ethicists to describe moral practice in excessively abstract terms. Nevertheless, I shall argue that the objection fails. But the manner of this failure is illuminating. First, it helps emphasise the difference, on the expressivist view, between moral attitudes and mere preferences. Second, it highlights a potentially fruitful analogy between moral and political disagreement.

1. Enoch's Argument

According to Enoch, expressivism implies that certain ways of proceeding in moral debate – viz.

¹ Enoch 2011: 16-49. Subsequent numbers in brackets are references to this book.

‘standing one’s ground’ (17) – are not permitted, when intuitively they (sometimes) are. Insofar as one desideratum in meta-ethics is to ‘save the appearances’ of moral practice, such revisionism counts as a serious loss of ‘plausibility points’ (14).

Enoch’s argument concerns cases of ‘interpersonal conflict’ (16), that is, conflict concerning the best way of proceeding in cases where distinct agents need (in some loose sense) to agree on a joint course of action. In such cases, at least two incompatible courses of joint action are available, with different agents preferring distinct courses. Some such conflicts are based on ‘mere preferences’. Consider:

Anyone for Tennis? We're spending the afternoon together. I want to catch a movie I've been looking forward to seeing. You'd rather play tennis. But both of us really want to spend the afternoon together. (17, my label.)

Here there are at least two ways of proceeding. First, impartially. This involves adopting a decision-procedure which counts each of our preferences equally, e.g. tossing a fair coin. Second, one or both of us could adopt a particular type of partial behaviour, viz. that of 'standing our ground' and 'insisting' that our own preference be satisfied (17).

Enoch's refreshingly detailed premise concerns the type of conflict resolution appropriate for cases of interpersonal conflict based on disagreement in moral judgements (call these ‘moral conflicts’). Consider:

Experiment. Suppose that I believe that there is nothing wrong in causing animals (say, dogs) serious pain....You, on the other hand, believe that there *is* something morally wrong in subjecting dogs to serious pain. And suppose we find ourselves in the kind of

situation where...we need to decide about a joint course of action, with one alternative causing serious pain to dogs, and the other involving no such thing. (23, my label.)

In such cases, Enoch claims, it is permissible for at least one agent (you) to stand their ground and insist that the course of action followed is the one that is recommended by their moral belief (23).

The permissibility of proceeding partially by standing one's ground in such cases depends, according to Enoch, on two conditions being met. First, that the mere fact one finds oneself in dispute with another judge does not undermine the justification for one's conflict-grounding judgement. Second, that no 'seriously problematic consequences' will follow from standing one's ground. These conditions define what Enoch calls conflict cases 'of the relevant kind' (25) and all of what follows should be understood as implicitly restricted to such cases.²

Given this terminology, Enoch's argument against expressivism proceeds as follows (35-38):

- (1) If expressivism is true then in moral conflicts it is not permissible to stand one's ground.
- (2) In moral conflicts it is permissible to stand one's ground (26).

Therefore

- (3) Expressivism is false.

The argument is valid, so attention turns to the premises.

² In cases where these conditions are not met, the relevant version of premise (2) in Enoch's argument (as set out below) is implausible.

Begin with (2). This premise is understood by Enoch to be an existentially quantified proposition, stating merely that in *some* moral conflicts, *someone* standing their ground is permissible (26). Enoch supports this premise by reflecting on *Experiment*, where

...it seems intuitively clear that you are justified in standing your ground, making sure that we don't proceed in the way that will subject the dog to serious pain. (23)

I share Enoch's intuition and thus accept (2).

That leaves (1). Given the understanding of (2), to secure validity this must be understood as the claim that if expressivism is true it is *never* permissible to stand one's ground (in the relevant cases). Enoch does not define expressivism explicitly, but it is common enough to take it as the view that moral judgements express a particular type of non-cognitive attitude rather than moral beliefs. Like Enoch, I take Blackburn (1984; 1998) to be a paradigm expressivist.

2. *First Argument for (1)*

Why accept (1)? One of Enoch's arguments proceeds via a comparison with conflict cases based on mere preference, such as *Anyone for Tennis?* It runs as follows:

(1a) In cases of interpersonal conflict based on mere preference it is not permissible to stand one's ground (19, my wording).

(1b) If expressivism is true then moral conflicts just are cases of interpersonal conflict based on mere preference.³

³ This premise is not explicitly stated by Enoch. But it follows from two claims he does make. First, that a structurally similar claim is true of 'Caricaturized Subjectivism' (25). Second that the argument presented against Caricaturized

Hence

(1) If expressivism is true, then in moral conflicts it is not permissible to stand one's ground.

Again the validity of the argument shifts attention to the premises.

Why accept (1a)? According to Enoch, to deny (1a) is to think that my preferences are more important just because they are *mine*. Further, there are niggling Nagelian doubts that this latter claim expresses an unpalatable normative truth: the normative relevance of preferences cannot depend on such non-universalizable features (18, cf. Nagel 1986).

That leaves (1b). As Enoch notes (31-32, 38), this premise is vulnerable because the expressivist can claim that the non-cognitive attitudes expressed by moral judgements are importantly different from the preferences involved in cases such as *Anyone for Tennis?* – different enough so that disagreements involving the former *do* permit some agents to stand their ground. How damaging is this vulnerability? Not very, according to Enoch. This is because although drawing this distinction is in principle available to the expressivist, it is not obvious that there is an independent motivation for doing so (32-33). According to Enoch, to distinguish between moral attitudes and mere preferences in this way is just to hold that moral attitudes are 'normatively special' – special in precisely the sense that generates the conclusion that it is sometimes permissible to stand one's ground by them (31). But in the dialectical context this is unsatisfactory because it ad-hoc-ly posits one normative truth merely to explain another. As Enoch puts it: 'In order to avoid normatively problematic consequences, [the expressivist] explicitly introduces the normative input needed to get the right normative input. But he has nothing to give by way of

Subjectivism generalizes to the expressivist case (16, 27). Similar remarks apply, *mutatis mutandis*, to (1).

rationale for this normative input. We know all along, after all, that *there was* this normative difference. The question is *why* there is such a difference. And here the [expressivist] just has no answer' (32-33).⁴

This defence of (1b) fails because the expressivist is not committed to the view that there is (purely) a normative difference between moral attitudes and mere preferences, rather she can and does claim that there is a *psychological* difference between these two types of state. This same difference is enough to show that (1b) is false. Elucidating and defending this difference is best left until §4, when there will be further cause to examine the expressivist account of moral attitudes.

3. *Second Argument for (1)*

The second argument for (1) relies on the claim that if expressivism is true then moral truths are in some sense dependent on our responses. Enoch revs up: 'the expressivist...has to believe that morality depends on us, that the ultimate explanation of why it is that certain moral claims are true has something to do with our feelings and attitudes' (36). Swerving the sticky issue of the expressivist understanding of counterfactuals that might encapsulate this dependence, Enoch cites Blackburn's claim that 'the [expressivist] holds that our nature as moralists is well-explained by regarding us as reacting to a reality which contains nothing in the way of values, duties, rights and so forth'. Moving through the gears, Enoch continues: 'Arguably, this explanatory priority of our...emotions and reactions over the normative truths and facts...suffices to show that [expressivism] is committed to a contingency (of moral truths) of the kind Blackburn is eager to avoid' (37). And reaching full throttle Enoch states the second argument: 'If what explains certain moral truths is something about my emotions or reactions, and if my emotions are *prima facie* just as important as those of others, then it *must* be wrong to just stand one's ground in cases of conflict

⁴ Note that the text here is part of an argument against response-dependent views of morality, but Enoch is explicit that the same reasoning applies to expressivism (38).

(of the relevant kind) due to disagreement' (37). Here's the argument bit-by-bit:

(1c) If expressivism is true then what explains certain moral truths is something about my emotions or reactions.

(1d) My emotions and reactions are prima facie just as important as others' emotions and reactions.

(1e) If what explains moral truths is something about my emotions or reactions and if my emotions and reactions are prima facie just as important as others' emotions and reactions then in moral conflicts it is not permissible to stand one's ground.

Hence

(1) If expressivism is true then in moral conflicts it is not permissible to stand one's ground.

This argument fails because (1c) is false. To see this, it is necessary to distinguish two explananda which Enoch runs together: *moral judgements* (such as my judgement that eating meat is permissible) and *moral truths* (such as the truth that cruelty is wrong). According to expressivism, in order to explain the first, all that is required is a naturalistic view of the world as containing natural properties, agents and their responses. As Blackburn puts it: 'The only things in this world are the attitudes of people and those, of course, are trivially and harmlessly mind-dependent' (1993: 174). But expressivists explicitly deny that the second explananda – *moral truths* – are explained by (or dependent upon) our emotions or reactions in the same way. Blackburn again:

It is because of our responses that we *say* that cruelty is wrong, but it is not because of

them that it is so...our actual responses are inappropriate anchors for the wrongness of cruelty. What makes cruelty abhorrent is not that it offends us, but all those hideous things that make it so. (1993: 172; cf. 1984: 217 and 1998: 296.)

Of course, Enoch might reply, it is one thing for an expressivist to *say* such things, another to show that doing so is consistent with expressivism. Enoch's underlying suspicion is that the explanatory priority expressivism gives to our emotions and reactions when explaining *moral judgement* suffices to show expressivism to be committed to the same explanatory priority when it comes to explaining *moral truths*.⁵ To rebut this suspicion, the expressivist needs show how she can assert the claim: 'What explains moral truths is *not* something about my emotions and reactions' whilst still committing to expressivism. In so doing, she will show how one can accept the antecedent but not the consequent of (1c).

That the expressivist can assert such claims is not news. The standard account has three steps (see Blackburn 1981: 179-80; 1993: 4, 172-8; 1984: 218-9; Sinclair 2008). First, the relevant claim of explanation or dependency is stripped of any supposed metaethical (specifically, realist) commitments. So rather than understanding the claim here as the view that there are robust moral properties (such as the realist believes in) whose distribution is not explained by our reactive tendencies, we understand it as the claim that the correct application of (attitude-expressing) moral predicates is not explained by (dependent upon) our reactive tendencies. Second, such claims are given an 'internal reading', that is, they are understood as substantive moral positions. In this case, we understand the claim as stating that the correct application of moral predicates *should not* be taken to be explained by (depend upon) our reactive tendencies. Third and finally, the expressivist

⁵ Enoch's suspicion is largely based on Blackburn's use of the metaphor of 'moral features' as the 'children' of our 'sentiments' (37, 80n.). Yet even in the quoted passage Blackburn is explicit that the explanandum is 'our nature as moralists'. In cases of interpretative tension such as this, it seems reasonable to place less weight on multiply-interpretable metaphors.

‘stands with the righteous’ and asserts this moral claim.⁶

So understood the expressivist can consistently hold that it is not the case that what explains moral truths is something about my (or anyone else’s) emotions or reactions. Thus (1c) is false and the second argument fails.

4. *Against (1)*

Enoch’s arguments therefore fail to support (1). There is also positive reason to think that (1) is false. This reason is provided by the availability of an expressivist explanation (that is, an explanation that includes some of the claims of expressivism in the explanans) of the sometime permissibility of standing one’s ground in moral conflict.

To begin, compare the realist explanation. As Enoch notes, the realist can explain the permissibility of standing one’s ground in the relevant cases by citing a (response-independent) realist truth which matters to the resolution of the dispute (32). Since the expressivist cannot appeal to such a truth, it might seem that she lacks the explanatory resources available to realism, again leading to a loss of plausibility points. But, I shall argue, a rival expressivist explanation is available. Providing it also delivers on the earlier promise to distinguish between moral attitudes and mere preferences.

I will present the expressivist explanation in two stages. First I distinguish a type of interpersonal conflict, based on what I call *serious negotiating concerns*, where standing one’s ground is sometimes permitted (for non-realist reasons). Second, I show that expressivists can hold that some moral conflicts are relevantly similar to these types of conflict.

⁶ In addition to offering this ‘internal reading’ of claims about the grounds of moral truth, expressivists typically argue that no non-question-begging ‘external reading’ is possible. ‘Talk of dependency is moral talk or nothing’ (Blackburn 1993: 173).

First Stage: In some cases of interpersonal conflict based on serious negotiating concerns, standing one's ground is permitted.

What is a serious negotiating concern? It is, first, a *concern*, that is, it is a motivationally-infused non-cognitive attitude that disposes an agent to favour certain courses of action over others. An example would be an environmentalist concern for the preservation of wilderness areas. Second a serious negotiating concern is *serious*. A serious concern is (i) reflectively endorsed, (ii) one about which the agent is resistant to change and (iii) one the satisfaction and preservation of which is considered by the agent to be very important (measuring importance psychologically, in terms of motivational strength and pervasiveness within the agent's motivational profile). For some environmentalists, the concern to preserve wilderness is serious in this way. Finally, a serious negotiating concern is a *negotiating* stance, that is, one which one hopes will be shared by others, and which is partly constituted by a disposition to engage with others in ways which (one hopes) will lead to them sharing it. Again, the environmentalist concern is a good example.

Given this definition, it is plausible to argue that, in some cases of interpersonal conflict based on serious negotiating concerns, it is permissible for one or both parties to stand their ground.

Here's why. When agents clash practically and their conflict is based on serious negotiating concerns, there is much at stake. Each agent is putting forward their concern as a potential shared public policy. Each concern is reflectively endorsed, stable and motivationally important for the agent. By definition, therefore, agents will not give up their serious negotiating concerns lightly. Having one's serious negotiating concerns respected by others will be an important part of what an agent considers to be important in life. Given this (psychological) importance, it is plausible to say that agents are (at least in some cases) permitted to stand their ground and insist on the path

mandated by their own concern. This last is a moral claim, of course, but it is a claim which seems plausible in the context of (at least some) deeply held concerns. To put the point another way: Agents are not required to sacrifice their deeply held negotiating concerns to the altar of an impartial decision-procedure (such as a coin toss) purely because they come into conflict with other agents. Serious negotiating concerns are too important to put aside in this way, and the permissibility of standing by them (in some cases) is dependent on this deep psychological importance. (This last is, of course, a claim of moral dependence, given an ‘internal reading’.)

Does this argument fall foul of the Nagelian point that by admitting the permissibility of standing one’s ground here one is implicitly, and falsely, accepting that one’s own concern is more important simply by being *one’s own*? No. One is accepting that one’s concern is important (to one), and that important concerns should not be set aside lightly (*ceteris paribus*). One can accept the same thing about one’s disputant: they also have a concern that is very important (to them) and important concerns should not be set aside lightly. So to think standing one’s ground is permissible in such cases need not involve the Nagelian mistake.

To further support this stage of the explanation, consider:

Cry Me a River. Two nations, bordered by a river, lay claim to a disputed eyot. For both, the eyot is crucially important in narratives of national identity and culture. The nations need to decide which of them will have sovereignty over the eyot.⁷

In this case, suppose that there is no tie-breaking realist truth concerning which nation has better claim to the eyot, so no realist justification for either nation standing their ground. But there is still justification for (both) to stand their ground based on the cultural and social importance of the eyot

⁷ My inspiration is the Nina Simone version of the song of the same name. Though the term ‘eyot’ is most commonly used to refer to islets in the River Thames, it is not restricted to that context.

to them. When a concern is important in this way, it is permissible for nations not to sacrifice it by submitting to an impartial decision-procedure (*ceteris paribus*). To be prepared to make such a sacrifice would undermine each nation's professed view of the *eyot's* importance. Furthermore, standing one's ground may be further justified in this case, if by so doing one party can extend the dispute until such a time as new, more mutually agreeable solutions present themselves. (Recall that the sort of cases we are concerned with involve no 'seriously problematic consequences' of standing one's ground.) For example contemporary international law may not allow for joint sovereignty over territories, but it may be possible, over time, to successfully lobby for change. If so, both parties standing their ground and prolonging the dispute seems to be justified as a step towards a more constructive solution.

Second Stage: Expressivists can accept that some cases of moral conflicts are relevantly similar to such conflicts.

The second stage has two parts. The first is to show that, according to expressivism, moral attitudes are sometimes very similar to (if not identical with) serious negotiating concerns. This is borne out by the claims of actual expressivists. First, expressivists hold that moral attitudes are concerns. That is, they are non-cognitive attitudes that dispose agents to favour certain courses of action over others (Blackburn 1984: 181; 1998: 48-51). Second, they are sometimes serious. As Blackburn puts it:

...when values are involved, we typically resist anything likely to destabilise them.

Such processes would be regarded as undermining and threatening. So, if we imagine the general field of an agent's concerns, his or her values might be regarded as those concerns that he is also concerned preserve: the ones by which he stands. He would contemplate losing them only with dismay...To hold a value...is typically to have a

relatively stable disposition to conduct practical life and practical discussion in a particular way, it is to be disposed or *set* in that way, and notably to be set against change in this respect. (1998: 67)

Third, they are negotiating, that is they are concerns we would prefer others to share. As Blackburn puts it, they are ‘emotionally ascended’ concerns, that is directed not just at particular actions, but at others’ responses (positive and negative) to those actions, and at responses to those responses, and so on (1998: 8-9).⁸ It thus seems not unreasonable to interpret some expressivists as holding that moral attitudes are sometimes very similar to (even identical with) serious negotiating concerns.

The second part of this stage of the explanation is to show that, according to such versions of expressivism, some moral conflicts are relevantly similar to the type of conflict based on serious negotiating concerns where ground-standing is permissible. This is easy to do. In *Cry Me a River* what made ground-standing permissible was the fact that the dispute-grounding concerns were serious and negotiating (and perhaps also the fact that ground-standing may be a good way to a constructive solution). These conditions will often hold in moral disputes, understood on the expressivist model. For example, in *Experiment* the conflict may reflect serious negotiating concerns; concerns that both parties are (seriously) concerned to preserve. If so, and given the general moral truth that agents should not give up deeply held concerns lightly, it will be permissible for both parties to stand their ground. Further, it may be the case that the protracted impasse brought on by such ground-standing would give rise to better solutions to the conflict (a pain-free experiment-design, perhaps). If so, this is additional reason to think that standing one’s ground here is permitted, even given an expressivist understanding of the conflict.

5. Conclusion

⁸ These three features of moral attitudes roughly correspond to the features of *aversion*, *personal level acceptance* and *social hostility* distinguished in Björnsson and McPherson (forthcoming).

If the above arguments are correct. Enoch's argument against expressivism fails. It fails because it is not true that expressivism entails that in moral conflicts standing one's ground is never permissible. It fails, further, because expressivists can explain (just as much as the realist) why standing one's ground is sometimes permissible. This explanation employs a claim about the relative psychological importance of the concerns typically expressed by moral judgements, a claim which follows from common expressivist accounts of the nature of moral attitudes. The availability of this explanation highlights two important features of expressivism. First the distinction drawn between typical moral attitudes and mere preferences. Second, the possibility of an illuminating analogy between expressively-understood moral disputes and political disputes, such as *Cry me a River*. The latter in particular is a much under-explored strategy for the development of expressivism.⁹

References

Björnsson, G. & McPherson, T. Forthcoming. 'Moral Attitudes for Non-Cognitivists: Solving the Specification Problem' *Mind*.

Blackburn, S. 1981. 'Reply: Rule-Following and Moral Realism' in Holtzmann, S. and Leich, C. (eds.) *Wittgenstein: To Follow a Rule*. Routledge & Kegan Paul.

----. 1984. *Spreading the Word*. Oxford University Press.

----. 1993. *Essays in Quasi-Realism*. Oxford University Press.

----. 1998. *Ruling Passions*. Oxford University Press.

⁹ A noble exception is Lenman 2007.

Enoch, D. 2011. *Taking Morality Seriously*. Oxford University Press.

Lenman, J. 2007. 'What is Moral Inquiry?' *Aristotelian Society Supplementary Volume* 81: 63-81.

Nagel, T. 1986. *The View from Nowhere*. Oxford University Press.

Sinclair, N. 2008. 'Free Thinking for Expressivists' *Philosophical Papers* 37(2): 263-278.