ESSAY 9.3

Substance, Content, Taxonomy and Consequence:
A Comment on Stephen Maitzen

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According to Restall, Russell, Schurz and myself, although it is possible to derive conclusions that are *formally* moral from *formally* non-moral premises, the inferences in question are not genuine counterexamples to No-Ought-From-Is, at least as correctly construed. For though the conclusions of Prior's counterexamples are *formally* moral, containing as they do authentically moral expressions, in the context of the inference (an important qualification!) they are not *substantively* moral (though we each give different accounts of why this is so). Maitzen ingeniously turns the tables on the autonomists (the partisans of No-Ought-From-Is). If you can have formally moral *conclusions* which are not substantively moral, why not formally moral *premises* which are not substantively moral? In which case it might be possible to derive substantively moral conclusions from *formally* but not *substantively* moral premises. This would not invalidate the proofs of autonomists such as myself, but it would tend to deprive them of philosophical interest. Can it be done? Here is Maitzen's first Is/Ought derivation:

(1) At least one (non-negative, atomic) moral statement is true.

(2) No (non-negative, atomic) moral statement is true, or Rothenberg's setting
   his son on fire was morally wrong.

Therefore:

(3)   Rothenberg's setting his son on fire was morally wrong

No problem about validity; no problem about the substantively moral status of the conclusion. (Maitzen spills *way* too much ink placating the ghost of Alan Gewirth.) As an error theorist in ethics I dispute its soundness, but that is not the issue. The question is not whether Maitzen's premises are *true,* but whether they are *substantively moral.* Maitzen thinks not, but I think otherwise.

As I understand it, No-Ought-From-Is is simply an instance of the conservativeness of logic, the general principle that in a deductive inference you don't get out what you haven't put in. As noted in 3.4 and 6.2, there is a version of this principle that is susceptible of proof. If expressions of kind C are not logical symbols, then they cannot occur non-vacuously in the conclusion of a logically valid inference unless they appear in the premises. Hence, you cannot derive *substantively* C conclusions from *formally* non-C premises. But if Maitzen is right, this does not show that in logic you cannot get out what you haven't put in. Although his primary interest is in morals his

argument is a general one, and does not turn on specific features of the moral concepts. So it shows (if it succeeds) that it is possible to derive substantively C-type conclusions from substantively non-C premises, for many kinds of contents C. Logic may be conservative in one sense, but it isn't in another. You can't get out anything substantive that you haven't *formally* put in, but you can get out something substantive that you haven't *substantively* put in. Logic permits us to move from premises which lack substantive content of a certain kind to conclusions which possess it.

That's a very big claim. And if Maitzen has managed to make it good, that would make him one of the greatest philosophers of the age. But it is *such* a big claim that it ought to give us pause. It means for example that it is possible *by logic alone* to derive substantively theological conclusions from substantively non-theological premises. And it means that it is possible *by logic alone* to derive substantively Presidential conclusions from substantively non-Presidential premises (where being Presidential means being about US Presidents). We can illustrate the point by constructing parallel inferences. First let's define a *theological property* as a property that confers godhead. (Note that you don't have to have the full panoply of Omnigod characteristics, to be a god, so the concept of a theological property is pretty unspecific.) We then define a non-negative atomic theological statement as a statement which assigns a theological property to some specific thing. (E.g: 'Zeus is a god.') We can now construct an inference from 'substantively non-theological' premises to a substantively theological conclusion.

(1T) At least one (non-negative, atomic) theological statement is true.

(2T) No (non-negative, atomic) theological statement is true, or Jesus Christ is the son of God who died for our sins. [Remember the premise does not have to be *plausible* to illustrate this point - only substantively non-theological according to Maitzen's criteria]

Therefore:

(3T) Jesus Christ is the son of God who died for our sins.

Again, we can define a Presidential property as a property something can only possess if somebody is President of the United States, such as *being the President*, *being the First Lady*, *being the current President's Presidential Seal* etc. We then define a non-negative atomic Presidential statement as a statement which assigns a Presidential property to some specific thing. (E.g: 'Michelle Obama is the First Lady'.) We can now construct an inference from 'substantively non-Presidential' premises to a substantively Presidential conclusion.

(1P) At least one (non-negative, atomic) Presidential statement is true.

(2P) No (non-negative, atomic) Presidential statement is true, or Barack Obama is President.

Therefore:

(3P) Barack Obama is President.

If Maitzen's premise (1) is not substantively moral, then my premise (1T) is not substantively theological and my premise (1P) is not substantively Presidential either. But (IT) looks substantively theological and (1P) looks substantively Presidential. After all, (1T) is analytically equivalent to the claim that there is a god (though it is rather unspecific about the nature of this god) and (1P) is analytically equivalent to the claim that there is a President (though again it is rather unspecific about the nature of this President). Furthermore, Maitzen endorses the principle that a statement is *not* moral if there is a value-free or nihilistic world at which it is true. This strongly suggests (though of course it does not imply) the converse principle - that if there is *no* value-free or nihilistic world at which a contingent statement is true, then it *is* a moral statement. It is notable Maitzen's Premise (1) meets this condition, whereas the conclusions of Prior's counterexamples to No-Ought-From-Is do not.

So why does Maitzen think that (1) isn't moral? Because statements such as (1), asserting the existence of truths in a given domain, don't automatically belong to the domain. Indeed they had better not on pain of paradox, specifically the Liar.

It is of course true that some statements of the form 'Some statements of kind K are true' are not of kind K. 'There are some truths that I have not considered' is not a truth that I have not considered. On the other hand, some statements of the form 'Some statements of kind K are true' *are* of kind K. 'There some truths that I have considered' *is* a truth that I have considered. But actually this is beside the point. For in claiming that 'At least one (non-negative, atomic) moral statement is true' is *moral*, I am *not* claiming that it is a non-negative, atomic moral statement - I'm claiming that is *about* the moral properties, that it is *made true* (if it is true) by facts involving the moral properties and that it *would not* be true in the absence of such facts. The fact that it is not itself a non-negative, atomic moral statement is neither here nor there. As for the Liar, even if we adopt a Tarskian hierarchy of languages, a meta-linguistic statement to the effect that object-language claims of a certain kind are true can share some of the properties of those object-language claims, specifically *aboutness*. Thus the metalinguistic claim 'John's [object language] claims about frogs are true' shares with John's frog-related claims the property of *being about frogs*, though we would only be able to say so in the meta-meta-language.

These arguments are hang-overs from Maitzen's preferred strategy. What he would really like to do is replace (1) with

(1') At least one moral statement is true,

 and (2) with

(2') No moral statement is true or Rothenberg's setting his son on fire was morally wrong.

Since it is essential to this strategy that the first disjunct of (2') is coherent, he would have to adopt (AC), the principle that a statement only qualifies as moral if it attributes a specific moral property to at least one specific thing. This would mean that the *only* moral statements were non-negative atomic moral statements (or possibly conjunctions including non-negative atomic moral statements among the conjuncts). Given this strategy, Argument A) would be relevant but redundant. It would be *relevant* because if statements of the form 'Some statements of kind K are true' are not automatically of kind K, the statement 'At least one moral statement is true' would not be automatically moral. But it would be *redundant* because given (AC), it would follow automatically that neither (1') nor (2') were moral.

On this strategy Maitzen's central thesis divides into two: a claim about *content* - namely that there is a range of semantic properties K, including at least *being moral*, such that a statement is only a substantively K-statement if it ascribes a specific K-property to some thing or other (that is if it is non-negative atomic K-statement or a conjunction with a non-negative atomic K-statement as a conjunct) - and a rather soporific claim about *consequence*, namely that it is possible to derive non-negative atomic K-statements from premises that are not non-negative atomic K-statements. As for the second claim, 'there needs no ghost, my lord, come from the grave / to tell us this' - nor even a Stephen Maitzen come from Canada. It is the first claim that beggars belief. To begin with it has the bizarre consequence that (as Maitzen himself admits) Maitzen's Brutus-and-Cassius inference is, despite appearances, an inference to the moral from the non-moral. Secondly it has the consequence that moral conditionals, including quantified conditionals are *never* substantively moral. Maitzen thinks he can get around this difficulty by converting act-types into things and recasting some conditionals, such as 'Every citizen ought to vote' as non-negative atomic statements attributing the property of moral *obligatoriness* to complex action-types, such as the action-type of voting-by-citizens. This is a desperate remedy, but even if it succeeds for some conditionals it won't work for others. Consider for instance

(GW) If catastrophic global warming is a genuine threat, then we ought to do something about it.

It's bad enough to say with Schurz and myself that (depending on how the conditional is construed) there *may* be inferential contexts in which (GW) is not substantively moral, but to say, as Maitzen must, that it is *never* substantively moral is to adopt a taxonomy that not only defies our linguistic intuitions but tramples them underfoot.

Let's get back to the official argument and the official strategy. Even if Maitzen can establish that (1) is non-moral, his strategy collapses if, in the context of the inference, (2) qualifies, as a moral claim. As he himself makes plain, it comes out moral according to my criteria and Schurz's, since neither the second disjunct ('Rothenberg's setting his son on fire was morally wrong') nor the proposition within the scope of the moral operator ('Rothenberg set his son on fire') can be replaced by any grammatical equivalent *salva validitate.* Furthermore there is another reason for taking (2) to be moral. If the argument is sound, as Maitzen believes it to be, then (2) derives its truth from the second disjunct. Thus the argument is only sound if the truthmaker for (2) is an authentically moral fact. Since Maitzen thinks that his argument is indeed sound, he is committed to the view that (2) has a moral truthmaker. Why then isn't (2) moral? Because Maitzen subscribes to taxonomic essentialism. The semantic status of a statement does not vary from world to world. Hence if (2) is not moral at *any* world it is not moral at this one. A statement is not of kind K if there is a possible world at which it is not of kind K and (2) would not be moral at a value-free world. Thus despite its moral appearance, and despite the fact that (given (1)) it has substantively moral implications, premise (2) lacks substantive moral content.

As Maitzen notes, Prior's original argument against No-Ought-From-Is was a dilemma. A disjunction (F v M) with a non-moral disjunct F and moral disjunct M is either moral or non-moral. If it is moral then $F \Vdash (F$ v $M)$ is an Is/Ought inference. If it is non-moral then F v $M, \sim F \Vdash M$ is an Is/Ought inference. So either way, it possible to get a moral conclusion from a non-moral premise. Autonomists deal with the dilemma by denying that statements of the form (F v M) are *either* moral or non-moral: sometimes they are moral and sometimes not. But if Maitzen is right this is a mistake. Statements of the form (F v M) are *never* moral. Hence valid Is/Ought inferences are a dime-a-dozen and if the error theory is false (perhaps an important proviso!), many of them are sound. Thus by insisting on taxonomic essentialism, Maitzen poses a fundamental challenge to autonomists such as myself. Is he right?

The principle, I take it, is this.

TAX) For any semantic kind K such as *being moral*

I) a statement is not of kind K at a world if it is a) true at that world and b) it is not *made* true by a fact or facts of kind K.

II) if a statement is not of kind K at any world it is not of kind K at every world.

Schurz (9.1) thinks that TAX) leads to contradictions. As Maitzen demonstrates if K is *being moral* then given TAX), (2) is not moral. But suppose K is *being non-moral.* Then at a world at which it is wrong for Rothenberg to set his son on fire, a) (2) is true and b) (2) is made true by facts that are *not* non-moral since it is made true by a moral fact - namely that it is wrong for Rothenberg to set his son on fire. Hence it is not non-moral at that world. But if (2) is not non-moral at any world, then by II) it is not non-moral at every world. So (2) is not moral and not non-moral at every world. Contradiction!

I suspect this difficulty can be dealt with by restricting TAX) to *non-negative* semantic kinds. Being moral is a non-negative semantic kind. Not so being non-moral. But even if TAX) can be saved from contradiction, there is another problem. It has the consequence that many disjunctions in which the disjuncts are of different semantic kinds will not be of either semantic kind. Suppose we have a disjunction (*P* v *Q*) in which the disjuncts are of radically different semantic kinds. (*P* v *Q*) will be true at a *P*-world in virtue of non-*Q* facts and true at a *Q* world in virtue of non-*P* facts. Hence it will be neither of kind *P* nor of kind *Q*. And the kinds we have been considering are kinds involving some notion of *content* or *aboutness.* So by disjoining a statement about one topic with a statement about another we get a new statement that is about neither. Or by disjoining a statement with one kind of content with a statement with another kind of content we get a new statement with neither kind of content. Thus neither (2T) nor its slightly more idiomatic variant (2T') 'Either there is no god or Jesus Christ is the son of God who died for our sins' are theological statements, because both would be true at a godless world. Neither (2P) nor its slightly more idiomatic variant 'Either there is no such thing as the Presidency or Barack Obama is President' is a Presidential statement since they would both be true at a world in which the USA was a monarchy or did not exist. There is a conversational trope in which we disjoin our claims with an absurd or unlikely statement for rhetorical emphasis. In Australian English people sometimes employ the phrase 'the Pope's a Jew' for this purpose. But if TAX) is correct, if instead of saying 'Sidewinder will win the 3:30', I say 'Sidewinder will win the 3:30 or the Pope's a Jew!' (or equivalently 'If Sidewinder doesn't win the 3:30, the Pope's a Jew!'), I will no longer be making a racing-related prediction since my pronouncement would be true at world in which there is no such thing as racing and the Pope is in fact Jewish. Thus even if TAX) can be saved from inconsistency it succumbs to absurdity. Or to put it another way, if TAX) is true, the Pope's a Jew.

What about Maitzen's analytic derivation? Well if (1) is substantively moral, we don't have an Is/Ought inference since (1) is common to Maitzen's original disjunctive syllogism and his

analytic derivation. And I have already argued that (1) is substantively moral. But what about the second, supposedly analytic, premise?

> (2a) No (non-negative, atomic) moral proposition is true, or any case of deliberately setting a normal, sleeping child on fire is morally wrong unless it produces a net balance of favorable over unfavorable consequences

I am prepared - for the moment - to concede that (2a) is analytic. It seems plausible to suppose that our conception of wrongness is such that wrongness, if it exists, cannot but apply to acts of setting fire to children unless the consequences of doing so are *much* better that the consequences of doing otherwise. But it does not follow that (2a) is not substantively moral. Here I refer to the recent work of one of our contributors, Gillian Russell (2008). Russell's aim is to vindicate the notion of *analyticity* or *truth in virtue of meaning* in the face of Quine's criticisms (1936, 1951, 1963). One of these criticisms, developed further by Boghossian (1997) and Sober (2000), is that many supposedly analytic truths seem to be true in virtue of real-world traits of real-world items. According to Quine it seems sensible to say that the truth of '"Everything is self-identical" … depends for its truth on traits of the language … [but also] alternatively, that it depends on an obvious trait, viz., self-identity, viz., of everything' (Quine, 1976, p. 113). Bachelors really are unmarried, and the fact that they are unmarried does not seem to depend on the meaning of the word 'bachelor'. Russell's answer is that with a synthetic statement S, its truth value is *partially* determined by its meaning (or more properly one aspect of its meaning) and *partially* determined by the way the world is, but with an analytic statement A, its truth value (true) is *fully* determined by its meaning and *redundantly* determined by the way the world is. Thus the meaning of 'All divorcees were once married', fully determines its truth - if it is read without existential implications it would still hold true if nobody ever got divorced - but this does not mean that it isn't *also* and *redundantly* determined by the real-world traits of real-world items, namely the world's divorcees and their shared characteristic of *having once been married*. Moreover, at least in worlds in which divorcees exist, the fact that the meaning of 'All divorcees were once married' fully determines its truth does not mean that it is not *about* divorcees and their former marriages. Applying this to (2a), even if we concede that its meaning fully determines its truth-value, it does not follow that in worlds where the first disjunct is false - and it is only if the first disjunct is false that the moral conclusion follows - (2a) is not *about* the wrongness of setting fire to children, and therefore substantively moral. Indeed the only reason to think otherwise is TAX) which, even if it can be rescued from contradiction, leads to consequences that are palpably absurd.

Thus premises (2) and (2a) of Maitzen's derivations are substantively moral and (1) is probably moral too. It may be possible to derive substantively moral conclusions from premises that are *not* substantively moral, but if it is, Maitzen has failed to prove the point.