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Defending Moral Mind-Independence:

The Expressivist's Precarious Turn

A central feature of ordinary moral thought is that moral judgment is mind-independent in the following sense: *judging* something to be morally wrong does not *thereby* make it morally wrong. To deny this would be to accept a form of subjectivism. Neil Sinclair (2008) makes a novel attempt to show how expressivism is simultaneously committed to (1) an understanding of moral judgments as expressions of attitudes and (2) the rejection of subjectivism.   In this paper, I discuss Sinclair's defense of anti-subjectivist moral mind-independence on behalf of the expressivist, and I argue that the account does not fully succeed. An examination of why it does not is instructive, and it reveals a fundamental dilemma for the expressivist.   I offer a suggestion for how the expressivist might respond to the dilemma and so uphold Sinclair's defense.

I. Introduction

Expressivism has often been thought to entail a subjectivist form of mind-dependence whereby moral judgments are responsive to agents' attitudes. On an expressivist view, given that moral judgments express our attitudes, it might seem that whether something is morally wrong is merely a matter of our having the relevant attitudes toward it. But a central feature of our ordinary moral thought is that competent moral judgment is not subjectivist in this way.

Neil Sinclair (2008) makes a novel attempt to show how expressivism is simultaneously committed to (1) an understanding of moral judgments as expressions of attitudes and (2) the rejection of subjectivism. While others before and after him have argued that expressivism does

not entail subjectivism,[1] Sinclair goes beyond making this logical point to offer an explanation for *how* expressivism is inherently *anti*-subjectivist.   Sinclair argues that expressivism can accommodate the intuition that the mind-independence of competent moral judgment (understood as the rejection of subjectivism) is a conceptual truth. He goes on offer a nonsubjectivist account of the nature of morality on behalf of the expressivist. Mere dismissals of the charge of subjectivism by expressivists have been found by its critics to be lacking, and expressivists have been notoriously reticent about the nature of morality. Sinclair's discussion is noteworthy for its effort to take up and respond directly to these central challenges.

Sinclair defends anti-subjectivist mind-independence by reinterpreting the conceptual status claim itself as a substantive moral commitment. But the reinterpretation of the conceptual status claim does not fully discharge subjectivism, unless the expressivist can ground the mind-independence of fundamental moral principles via an "external" reading. An external reading, however, would be in tension with expressivist semantics. At the end of my discussion, I offer a suggestion for how this tension might be favorably resolved.

II.   Moral Mind-Independence as a Conceptual Truth

The expressivist takes a moral judgment to express a complex mental state, typically a combination of a belief and a non-belief-like, action-oriented state, where the expression of the latter is constitutive of the normative judgment. So, moral judgments are (non-trivially) mind-dependent in the sense that they do not track a realm of judgment-independent facts. However, the expressivist who is a quasi-realist will want to acknowledge that moral judgments are mind-independent in the sense that a person's *thinking* an action is wrong does not thereby *make* the action wrong. Moral value should not be responsive to our thoughts in such a way that a change of moral value could be brought about by a mere change of mind.

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[1] See, for example, Blackburn 1984: 217-19, 1993: 173-74, and 1998: 296n, and Gibbard 2003: 183-84. For an entirely different argument, see Schroeder 2008: 110-11, 113 and 2010 ms.

For the expressivist, to think an action morally wrong is either to adopt an attitude of disapproval toward the action or to accept a norm that prohibits the action and warrants an attitude of disapprobation toward it. The mind-independence thesis, then, that the expressivist is concerned to uphold can be characterized by the *denial* of the following pair of conditionals:

(A)   If I/we disapprove of X, then X is morally wrong.

(B)   If I/we do not disapprove of X, then X is not morally wrong.

If moral judgments were responsive to our attitudes in the way that is characterized by the conditionals (A) and (B), morality would be unacceptably subjectivist because if our attitudes were to change, then so would the associated moral values.[2]

It might be thought that expressivist semantics directly entails mind-dependence because 'X is morally wrong' just means 'I (or we) disapprove of X'. But this would be a misconstrual of expressivist semantics. Just as the sentence 'snow is white' does not mean 'I believe that snow is white', the sentence 'stealing is wrong' does not mean 'I disapprove of stealing'. The meaning of 'X is morally wrong' is identified with the mental state that it canonically expresses.[3]

Although the mind-dependence conditionals do not give the meanings of normative sentences, the expressivist does take sincere moral judgments to express moral attitudes. And if the attitudes were to change, so would the moral judgments. But the expressivist can maintain that genuine moral values reflect *appropriate* attitudes, so the fact that people sometimes make bad moral judgments does not make morality implausibly mind-dependent.

The traditional quasi-realist defense of a realist-sounding claim is to give it an "internal reading," whereby the claim is reinterpreted within the theoretical constructs of expressivism. An internal reading of the mind-independence thesis would be the following: our moral judgments *ought to* depend on factors other than the attitudes we happen to have. Someone who

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[2] These conditionals are counterfactual-supporting, and so they must be interpreted in a way that is stronger than the material conditional. For present purposes, I will follow Sinclair in taking them to be modals.

[3] See Schroeder 2008 for an in-depth discussion of this general point.

asserts moral mind-independence expresses an attitude of disapproval toward a sensibility for which first-order moral attitudes hinge on beliefs about the attitudes themselves. The expressivist thus understands the mind-independence thesis as expressing a *second-order* moral attitude toward the attitudes that our first-order moral judgments express.[4]

The expressivist's internal reading has been criticized by Nick Zangwill (1994) as being inconsistent with the *conceptual status* that moral judgments enjoy of being mind-independent, a status that they have in virtue of the constitutive demands of competent moral reasoning. The thought is that if moral mind-independence is constitutive of competent moral reasoning, it cannot be reconstrued as a substantive moral commitment: one could coherently challenge a substantive moral commitment whereas one could not abandon a constitutive principle of competent moral reasoning without changing the subject away from morality (211).

Zangwill's argument for the conceptual status of moral mind-independence runs as follows: Moral judgments are normative, which is to say that a claim of correctness is built into the making of a moral judgment. Given the normativity of moral judgment, and on the assumption that one is at least tacitly aware of this normativity, it follows that it is part of making a moral judgment that one knows that there is a difference between making a judgment and making the *right* judgment. So one knows that one's own moral judgment could, in theory, be mistaken. But if one knows that one's judgment could be mistaken, then one also knows that it is not the case that if one makes a judgment it is thereby correct (214-15).

For the moral realist, there will be facts in virtue of which a moral judgment is correct, so moral value is mind-independent. But moral mind-independence is not a direct consequence of expressivist metaphysics. The expressivist will need to explain how moral mind-independence should likewise be understood to enjoy a conceptual status on his view, given that moral judgments are expressions of attitudes.

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[4] This quasi-realist defense of mind-independence originates with Simon Blackburn (1984: 217-19).

III. The Expressivist Account of the Conceptual Truth of Mind-Independence

Neil Sinclair (2008) offers the following explanation of the conceptual status of mind-independence on behalf of the expressivist: the second-order attitude toward our first-order moral judgments that tells us to treat our first-order judgments as mind-independent is a *constitutive requirement* of competent moral reasoning.   Hence, the conceptual status claim is consistent with the internal reading. He argues as follows: Expressivists generally agree that the purpose of moral judgment is the mutual coordination of our moral attitudes and actions (Ayer 1936: 143, Stevenson, 1944: 13, and Blackburn 1998: 8-14).   In order to serve this coordinating role, moral judgments must be regarded as mind-independent because our reasons for our moral judgments must be reasons of the sort that would be persuasive to others; otherwise, we could not bring our attitudes into alignment. For example, if I think that kicking dogs is wrong merely because I have an attitude of disapproval toward kicking dogs, *my* disapproving of kicking dogs is not a reason for *you* to share my disapproval. But if I say that I disapprove of kicking dogs because it causes them pain, this might be a reason for you to likewise disapprove of kicking dogs. It is thus a requirement of competent moral reasoning that one adopt a second-order attitude toward one's first-order moral judgments that takes the latter to be mind-independent. So it is a conceptual truth for the expressivist as well as the realist that competent moral judgment is mind-independent (273-76).

Sinclair develops his argument in terms of a requirement on moral concepts: moral competence requires the adoption of a substantive moral attitude that treats the application conditions for moral concepts as mind-independent (276). But the extension of the internal reading to the application conditions for concepts offers no incremental advantage over an internal reading for the mind-independence of moral judgments because application conditions for moral concepts would typically also be application conditions for moral judgments. Sinclair's important insight is that the (tacit) acceptance of mind-independence is a constraint on competent moral reasoning which is generated by the demands of mutual coordination.

I think Sinclair gives a convincing account of why, on an expressivist view, moral mind-independence is required for competent moral reasoning. However, the internal reading does not fully secure the conceptual status of moral mind-independence because it relies on moral framework principles, the mind-independence of which must also be established. A distinction needs to be made between acceptable and unacceptable framework principles in order to explain how the former should be understood to be mind-independent. But an internal reading of the acceptability (or correctness) of framework principles will secure their mind-independence in only a qualified sense, and an external reading will be in tension with expressivist semantics. Or so I will argue.

Recast as a substantive moral principle, the internal reading of the mind-independence claim demands that we refrain from taking a moral predicate to be correctly applied merely in the event that we so apply it. Instead, we should offer reasons in support of our moral judgments that *inter alia* make reference to facts. While moral judgments are consequential on facts, for the expressivist, moral judgments do not primarily express psychological states with representational content. When the expressivist says that we should not torture dogs because it causes them pain, she appeals to the pain caused in conjunction with a more basic, general principle that prohibits inflicting unnecessary pain on innocent creatures. Referencing the pain that torture causes gives a reason to refrain from torturing for someone who accepts the more basic, general principle. The general principle is part of a moral framework (or code) which constitutes an engaged moral stance and in virtue of which torturing dogs is prohibited: torturing dogs is wrong *relative to moral framework M*. The reasons adduced in favor of not torturing dogs, then, involve both facts and the presupposition of a moral framework from within which the judgment is made.

A moral framework is a system of fundamental principles comprising third-person, evaluative standards and first-person, action-guiding rules – collectively, norms. Moral frameworks can be conceived as sets of general normative propositions or as sets of rules (Boghossian 2006: 22-24). For the expressivist, an agent's acceptance of a general normative proposition is to be explained in terms of non-belief-like attitudes, so a normative proposition

that is a framework principle for an agent encodes an agent's attitudes toward a particular action or set of actions. Alternatively, a moral framework might be understood as a system of condition/action rules or direct imperatives. Conceived of as a systems of action-guiding rules, on an expressivist analysis, statements of framework principles are direct or indirect representations of non-belief-like, action-oriented states that may include preferences, policies and plans. The question of mind-dependence can be raised again, albeit less succinctly, as the question whether moral principles are responsive to *these* attitudes in the way that is characterized by the mind-dependence conditionals.

So, the internal reading of the conceptual status of the mind-independence claim requires that we adopt a second-order attitude toward our first-order moral judgments whereby we refrain from basing our first-order judgments on our attitudes and, instead, make our them responsive to facts that could serve as genuine reasons. However, such reason-giving tacitly invokes moral frameworks. For the expressivist, moral framework principles are, at root, attitudes toward suitable objects of moral assessment, where these 'attitudes' should be understood to include preferences, policies, and plans. The internal reading will secure the conceptual status of mind-independence just in case the moral framework principles can be understood to be suitably mind-independent.

To establish the mind-independence of framework principles, a distinction will need to be made between principles that express appropriate attitudes and principles that do not. The expressivist can explain the appropriateness of the attitudes that a moral framework reflects – and hence the correctness or acceptability of the framework principles themselves – in terms of an agent's idealized beliefs and attitudes, namely those beliefs and attitudes that would survive some course of improving changes. A framework principle will be "correct" or at least acceptable if (1) it is free of readily-correctable faults of evidence and reason and (2) it is, for an agent, stable on reflection. The expressivist can then distinguish between a faulty framework

principle and one that an agent would, by her own lights, recognize as a genuine moral principle.[5]

But this line of reply will not suffice to refute subjectivism and secure mind-independence. The internal reading of moral correctness makes moral value dependent upon attitudes that may fail to respect our ordinary moral thought and practice. We might imagine a person who, over time, has become indifferent to the suffering of animals. Although he is well aware that torturing animals causes them pain, he does not accord animals any moral standing that would prohibit inflicting unnecessary pain on them. In addition to torturing animals, the set of moral principles that he would accept on reflection permit killing animals for fun, engaging in blood sports such as bullfighting, and using animals for scientific experimentation without taking any steps to minimize their pain. From *our* perspective, we would say that this person's moral system has deteriorated, but from *his* perspective, it may simply have changed. Perversely, he may even regard his changed system as an improvement over his earlier set of moral beliefs. On the internal reading of moral correctness or acceptability, moral value will depend on the idealized attitudes of an agent (or group), but the idealization conditions fail to block subjectivism.

Alternatively, the expressivist could take the position that acceptable framework principles represent *warranted* attitudes, where warrant is something more than surviving a course of improving changes from an agent's perspective. This strategy will require an external reading of 'warrant', and I discuss it in the next section.

Where does this leave us? I think the expressivist can give an account of the *conceptual status* of moral mind-independence on an internal reading, but when this internal reading is coupled with an internal reading of *correctness or appropriateness of moral judgment*, it cannot fully secure mind-independence. When correctness or appropriateness of moral judgment is given an internal reading, the conceptual status claim can assume that appropriate moral values

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[5] Blackburn 1998: 318 and Timmons 1999: 166-70. See Egan 2007 for a critique of this approach.

will reflect moral framework principles that are stable on reflection and free of readily-correctable faults of reason or evidence. This will be sufficient to secure a partial mind-independence: moral judgments would not be immediately responsive to occurrent attitudes in the way that the mind-dependence conditionals suggest. However, moral judgments would still be responsive to the attitudes that underlie moral framework principles, and these attitudes may or may not generate principles that coincide with those moral commitments that the quasi-realist wants to preserve.

IV. The Essentialist Challenge

The expressivist could attempt to give an account of mind-independence via an external reading, and Sinclair considers this line of response in reply to a direct metaphysical challenge raised by C.S. Jenkins (2005). Jenkins challenges the expressivist to give an analog of what she calls "essentialist" mind-independence. Something is mind-independent in the essentialist sense if and only if it is no part of what it is for that something to be the case that our mental lives be a certain way, where the relevant mental lives are understood to include the mental lives of any beings with some finite extension of our cognitive powers (199). According to Jenkins, it is essential mind-independence that is at the heart of the realist's position.

If the challenge is to provide a reconstruction of essentialist mind-independence within the constructs of expressivism, the quasi-realist should decline to take up the challenge because this notion of mind-dependence is what divides realism and metaphysical irrealism. However, another way to interpret the challenge is as a challenge to the expressivist to give an account of the nature of morality in such a way that secures its commitment to mind-independence, understood as the negation of the mind-dependence conditionals that characterize the shared and theory-neutral conception of it.

Sinclair offers the following reply on behalf of the expressivist for what it is for an action to have a given moral property, using moral wrongness as the target property:

For expressivists, an action's being wrong is *either* – on the internal reading – a matter of it meeting one's standards governing the formation of moral attitudes (e.g., being such as to cause pain) *or* – on the external reading – a matter of being such that a distinctive negative attitude towards it is warranted by the standards governing mutual coordination (of which, I have argued, judgement-independence is one, supervenience another) (285).

This is the right thing for the expressivist to say. This statement of the internal reading of the nature of moral wrongness is similar in spirit to the internal reading of correctness of moral judgment that was discussed in the prior section, and it secures mind-independence in the same restricted sense: moral value is dependent upon standards that reflect an agent's idealized, and not merely *occurrent*, attitudes.

The external reading, of course, derives from the expressivist's understanding of moral practice as serving the purposes of mutual coordination. The goal of moral practice, as Sinclair characterizes it, is that of "fostering patterns of action and attitudes that, at the very least, avoid ruinous conflict and, at the very most, allow for maximal flourishing of those things which people value" (273). The identification of warrant with standards that facilitate a coordinating practice with these aims will enable the expressivist to say what it is for something to be morally wrong. Roughly, it is for "the particular moral attitude that is expressed by judgments of wrongness to be warranted by the standards applying to the distinctive practice of mutual coordination of attitude and action that is morality" (283-84). (Sinclair notes that this statement still requires much elaboration: among other things, the expressivist will need to say what the distinctive attitude is and what the standards governing the coordinating practice are.)

But the external reading is in tension with the expressivist's analysis of moral judgments as being constituted by non-belief-like, action-oriented psychological (or psycho-functional) states.[6] The coordinating practice will generate some conditions of adequacy for moral systems.

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[6] C.S. Jenkins (2005: 207-08) argues that the external reading is in tension with the expressivist's anti-realism. But, *pace* Jenkins, if realism is interpreted as the ontological thesis

These should include *stability* and *universalizability* (Rawls 1971) and, one might add, *practical consistency*: a principle that failed to synchronize our attitudes and actions with our values would not serve the purposes of coordination. Additional standards of a coordinating practice will likely include provisions for the promotion of key moral values such as equality and personal autonomy – precisely the values that moral constructivists try to capture through idealization assumptions under which moral principles would be agreed to by moral agents. These standards of coordination, in conjunction with facts about persons, would be expected to generate some fundamental moral principles that have objective standing as well as related rights, responsibilities, and other moral "facts." It is plausible to think that these moral principles and related "facts" could be represented in thought and hence described. Moreover, if the standards of the coordinating practice are to constrain our choice of a moral system, this is how the principles that are generated by the standards must be understood.

The resulting picture of morality is one for which there would be intersubjective correctness conditions for at least some moral judgments. One might want to further allow that there are some moral truths. However, such moral truths would not exist independently of the standpoint of practical reason: they would be constituted by the standards of the coordinating practice, in conjunction with universal (or nearly universal) facts about persons. On this picture, moral properties such as wrongness will be evaluative, attributive properties. To say that an action X is morally wrong is to make a negative evaluative judgment about X, a judgment which, at least for some cases, will be true or correct in virtue of standards that are generated by a distinctive coordinating practice.[7]

The expressivist may want to resist this partially descriptivist picture of morality on the grounds that no moral principles which would be generated by the coordinating practice can be identified with moral correctness: it is always an open question whether such principles are

that moral properties are mind- or judgment-independent, then Sinclair's external reading is consistent with his anti-realism.

[7] See Thomson 2008 for a recent analysis of normative properties along these lines.

correct because the notion of 'correctness' outruns any actual moral code (Timmons 1999: 92-94). But this is a faulty picture of moral correctness. A moral principle may *be* correct without its being identified with correctness itself. A correct moral principle, on the view sketched above, is one which reflects our best judgment with respect to protecting and promoting values that are understood to be universal. The lesson to draw from the irreducibility of correctness is *not* that a correct moral principle would fail to admit of description but that the correctness of a moral principle is a matter of its representing our best practical judgment.   And our judgments of practical reason, like other judgments, are in principle subject to further improvement.

On an expressivist analysis, moral judgments do not express psychological states that represent moral principles with truth conditions (or at least intersubjective correctness conditions) and related (constructed) moral facts. So, the external reading is in tension with expressivist semantics.

V. Conclusions (and a Suggestion)

The expressivist who is concerned to uphold moral mind-independence must choose between one of two approaches to distinguish genuine moral value from mere judgments of value: an internal reading or an external reading. An internal reading will enable the expressivist to require moral judgments to be answerable to standards that are stable on reflection. This will be sufficient to ensure that moral judgments are not responsive to merely occurrent attitudes or dispositions. If the expressivist opts for an external reading, he will need to acknowledge conditions of adequacy for moral systems that would be expected to generate at least some substantive fundamental moral principles and related moral facts. Acknowledging such conditions would be in tension with his semantics.

The internal reading of the conceptual status claim relies on an understanding of moral practice as serving the purposes of mutual coordination. If the requirements of mutual

coordination generate substantive moral standards, the internal reading of the conceptual status claim will likewise be in tension with expressivist semantics.

As I have argued elsewhere (Warenski ms.), the expressivist might do well to recognize any fundamental principles that are generated by the standards of mutual coordination as limit cases. Although judgments about limit cases would not be included in the range of moral judgments that could be given a purely expressivist analysis, limit cases might be understood to acquire a connection to motivation in virtue of protecting universal (or nearly universal) values and by being constitutive of an appropriate morally-engaged stance. By acknowledging limit cases, the expressivist could both uphold a pure expressivist semantics and defend the conceptual status of the mind-independence of moral judgments – in precisely the way that Sinclair articulates.

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