Millian Metaethics*

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In remarks in passing in his essay on Auguste Comte, John Stuart Mill suggests that—as we would nowadays put it—utilitarianism is the only substantive moral theory that lives up to the standards of a positive metaethics. Mill’s remarks are too abbreviated for speculation as to why he thought that to be more than speculative. So although I will get around to speculating, I propose in the first place to use them as an entry point into a discussion of what a positive metaethics could be.

Once we have sketched some of the ideas that Mill appropriated from positivism, I will introduce the Puzzle of Positive Metaethics. I will suggest (but not argue for) a reading of Mill’s remarks that explains how he perhaps thought he had solved it, and then turn to the theory of practical reasoning to show how the solution it provides to the Puzzle allows us to exit the sterile back and forth between ever more sophisticated versions of noncognitivism, naturalism, and Moorean supernaturalism that make up the lingering history of twentieth-century metaethics. By the lights of Mill and Comte, the parties to that debate are, as I will explain, superstitious.

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Towards the end of his first essay on Comte's life and work, Mill remarks that

theological and metaphysical conceptions [applied] . . . to the rule of duty, and conduct in life . . . [were] based, either on a divine will, or on abstract mental conceptions, which, by an illusion of the rational faculty, were invested with objective validity.

When these opinions began to be out of date, a rival theory presented itself to take their place . . . to [which] the term metaphysical, in M. Comte's sense, cannot justly be applied. All theories in which the ultimate standard of institutions and rules of action was the happiness of mankind, and observation and experience the guides . . . are entitled to the name Positive.¹

Taking the happiness of mankind as the standard for political and personal decision is the familiar doctrine still taught from Mill's short classic, *Utilitarianism*. However, although Comte has been quite influential at various times and places (and even has a museum dedicated to him in Paris, the Maison d'Auguste Comte), in the English-speaking world his positivism came to be overshadowed and displaced by logical positivism, a movement with a similar-sounding name, but very different ideas and forms of expression. In order to determine what claim Mill is advancing on behalf of his own ethics, we first need to reintroduce the terminology he is adopting from Comte.

As they mature, Comte held, sciences progress through three stages, the theological, the metaphysical and the positive. In the theological stage of a science, facts are explained by invoking deities or other supernatural beings. For example, in the theological stage of physics, objects move because gods push them around, and in the theological stage of biology, human beings are alive because God has breathed life into them, or invested them with an immaterial soul. In the metaphysical stage of a science, the gods, spirits and so on are no longer in play, and their role is taken by forces; in the metaphysical stage of physics, objects move because forces push them, and in the metaphysical stage of biology, life is explained by a vital force (VIII:929n). Forces, however, are just sanitized superstition; the étal vital is just a theologian's soul in disguise, and a physical force is merely a

¹References to Mill's work by volume and page in the standard edition of Mill's works (1967–1989); “Auguste Comte and Positivism” is to be found at X:263–368; the quote is from pp. 298f.
somewhat less colorful god or spirit. In a fully mature science, forces have been expunged; all that remains are patterns. In the sciences, these patterns allow one to make predictions on the basis of observations of parts of the pattern. When positive physics describes the orbits of the planets, it allows you to predict where they will be in the future; when positive biology picks out patterns in the structure and activities of organisms, it allows you to predict how a particular organism will, in the normal course of things, develop and behave. Although Mill found many of Comte's views to be wrongheaded (and some, even ridiculous), he accepted this analysis of progress in science as an important insight, and in his own magnum opus attempted to extend it to logic. The System of Logic is Mill's dramatic and insufficiently appreciated attempt to move the science of logic from its metaphysical stage—in which it presents itself as the study of logical necessity, a force exerted perhaps on reasoners, or perhaps by the premises of arguments toward their conclusions—to its positive stage, at which we see logic to be merely a science of patterns.

A quick terminological parenthesis: To keep the exposition uncluttered, I'm going to use 'ought' as my representative of and stand-in for the family of terms that are the markers of ethical or moral or practical subject matter—I mean terms such as, for instance, 'good,' 'should', 'right', or 'duty'. What is more, I'm going to construe them broadly rather than narrowly: as figuring not only into precepts covering the treatment of our fellow human beings, but into all sorts of pronouncements about what to do, what not to do, assessments whose primary function is to determine what is to be done, etc. Finally, because use-mention pickiness turns into visual clutter after a while, I'm going to take the quotes off the oughts, even when I am talking about the term “ought,” and I'm going to let context distinguish between mentions of the term or notion and assertions or directives whose main operator is an

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2For the full story, see Millgram, 2009b. It is quite unusual for Mill to allow humor into his writing, but he makes an exception when the time comes to mention certain features of Comte’s religion of humanity (X:343f). However, we should not allow Mill’s evident amusement to obscure his respect for Comte’s accomplishments. Bain, 1882, p. 63, reports Mill as stating that Comte “makes some mistakes, but on the whole I think [the Cours de Philosophie Positive] very near the grandest work of this age.”

3I'm not, of course, suggesting that only such terms can be so used. There has been a good deal of discussion contrasting ‘thin’ terms like these with ‘thick ethical concepts’ (see Millgram, 1995, for an overview of some of it), and one can obviously discuss moral matters without using a distinctive vocabulary at all.

I'm putting to one side the 'epistemic' versions of 'ought' and its relatives, i.e., the usages that appear in such exchanges as this one: “Have you seen my umbrella? No, but it ought to be in your backpack.” I'll touch on these below, in note 43.
The announcement that with utilitarianism ethical or moral theory has entered its positive stage accordingly tells us that moral theory too is going through a similar process of maturation. Mill means, then, first that moral theory at one point went through a theological stage, in which the ethical requirements—the strictures that laid down what one ought and ought not to do—were accounted for as the dictates of God, or of the gods.

Mill further means that, to the extent that moral philosophy has emerged from the theological phase of its development, it is for the most part trapped in its metaphysical stage. Mill of course had in mind his own time, but we can be quite sure that he would take turn-of-the-millenium moral philosophy not to differ significantly in this respect. In its metaphysical stage, moral and ethical theory delineates the forms, operations and nature of a peculiar but compelling force. Registered by oughts and their ilk, this force is referred to in the contemporary literature as “normativity”. But, and Elizabeth Anscombe has made us familiar with this line of criticism, the alleged moral ought is merely a divine command with the backstory that had once made it intelligible taken away; in the old days, when people believed in God, moral oughts were a superstition; now that people no longer believe in God, moral oughts are an unintelligible superstition. When moral philosophy emerges from its metaphysical teething stage, the illusion of this peculiar force will vanish, and ethics as well will simply render patterns.

Metaethics as we know it is in the business of explicating the force of the moral ought and its relatives. When Mill tells us that utilitarianism is positive, he is claiming that it no longer postulates an intangible force analogous to the forces of physics, at that science’s metaphysical stage, or to the logical necessity that coerces the processes of inference, in the metaphysical stage of logic, or to the vital force that putatively animates living things, in the metaphysical stage of biology. Positivism about ethics, restated in our own vocabulary, seems at first glance to be the position that metaethics has no subject matter.

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4See Anscombe, 1997; as a religious Catholic, Anscombe was not herself suggesting that divine prescriptions are to be dismissed, but that is the way her point has been taken by her secular readers.

5This view is to be contrasted with the similar sounding but importantly different suggestion advanced in Crary, 2007, that ethics has no subject matter.
In the exemplary domains we have reviewed, positivism commits us to deleting necessity operators. Where the operation of a force allowed a metaphysical-stage physicist to conclude that an unsupported object has to fall with an acceleration of 32 ft/sec\(^2\), the positive-stage physicist concludes that it does fall with an acceleration of 32 ft/sec\(^2\). Where logical necessity allowed the metaphysical-stage philosopher of logic to determine that the conclusion of a sound and valid argument must be true, the positive-stage logician concludes merely that it is true.\(^6\) All of that seems like something a reasonable philosopher can swallow: since you never saw the ‘necessity’, but only the truth, the appearances (adapting a turn of phrase taken over by another positivist philosopher) have been saved.\(^7\)

Analogously deleting the deontic necessity operator from a precept or guideline is, by contrast, quite evidently unacceptable. What is left of “You ought to do it,” after we delete the “ought to,” is just that you do it. But it is an uncontroversial observation that people do not do everything they ought, and do things they ought not to.

The Puzzle of Positive Metaethics, then, is that if metaethics has no subject matter, we can’t tell ‘is’ and ‘ought’ apart. In one way or another, there have to be, after all, oughts and something to say about them. Let’s designate whatever that turns out to be as the subject matter of positive metaethics. I am going to advance a positivist way of construing and answering the question of what the force of an ought is. I will not claim that my proposal is unique: it is meant to show how positive metaethics might proceed.\(^8\)

Let’s begin by distinguishing central from penumbral instances of an ought. Suppose someone tells you that you ought to do something, that

\(^6\)That can be heard the wrong way: the clear-headed metaphysical-stage philosopher intends the must to stick to the entailment, not to the conclusion itself.

Mill himself dismisses deductively valid arguments as misinterpretations of a mnemonic device; his positive-stage logician determines the conclusion of a correctly performed inductive inference to be true, but does not insist that it has to be true. (VII:186–193; Millgram, 2005, p. 81n.18, is a brief explanation, in contemporary terms, of Mill’s reconception of deduction.)

\(^7\)Duhem, 1985.

\(^8\)Carla Bagnoli has convinced me that constructivism, understood as a metaethical position, could count—once one has allowed that construction procedures are themselves to be the products of construction—as positive in the sense I am spelling out. However, a recent collection (Lenman and Shemmer, 2012) shows that many of those who self-identify as constructivists are continuing to practice old-school metaethics. I will briefly compare the view am developing to positive constructivism in note 32, below.
you ask why, and he provides a response on the order of “just because” or, “no whys, you just ought to.” In that case, you’re likely to think that he’s bullying you; recall the context of one extreme and memorable pronouncement of this sort, Hier ist kein Warum.\textsuperscript{9} Or you might take him to be patronizing you, or to be mouthing off; when you think any of those things, you’re rejecting the thought that you ought indeed to do it. This tells us that ‘just oughts’ are not where we should begin. Perhaps there really are such oughts; it’s too early in our investigation to say. But it’s not too early to decide that we’ll figure out what to say about them after we’ve figured out what to say about the oughts that come supported by reasons.

How can we approach this latter sort of ought? There is a great deal of literature on reasons that is oddly oblivious of the fact that we philosophers have a method for spelling out reasons, namely, representing them as arguments. (This is the distinctively philosophical use of the term “argument,” opposed both to popular usage in which it is roughly a synonym for “quarrel,” and to many other disciplinary uses—e.g., that of the poets, in which the “argument” of a poem is, roughly, its drift.) To give an argument for \( p \) is simply to lay out reasons for \( p \) (generally only some of them), in a way that makes both the component considerations and the relations between them visible. Analytic philosophers, especially, have normally undergone explicit training in taxonomizing and dissecting arguments; while thinking about reasons, we would be foolish not to exploit that investment.

In trying to figure out what a positivist can make of an “ought,” we’re confining ourselves for now to claims about what someone ought to do that are the conclusions of arguments. Practical reasoning is reasoning about what to do, as opposed to reasoning about how the facts stand. So an argument about what someone ought to do is practical reasoning. Accordingly, the oughts we are now considering are supported by practical reasoning.

Here’s some foreshadowing: Contrast the ways in which ordinary people and metaphysical-stage moral philosophers are going to construe the question, “What’s the \textit{force} of the claim that I ought to do such and such?” Metaphysical-stage metaethicists look for an analysis of the force (rather as though it were a sort-of-magnetic field accompanying an imperative, or a special sort of motivational pressure): perhaps it asserts a complicated natural fact; perhaps it derives from a desire or motivation; maybe it states an irreducibly normative fact, one involving some non-natural property of

\textsuperscript{9}Levi, 1996, p. 29; Williams, 2001, p. 87, is exhibiting this reaction when he presents the appeal to irrelevant would-be reasons for action as “bluff.” (Irrelevant, he thinks, because they do not motivate their audience, but we don’t need that diagnosis for the present point.)
some object. Ordinary citizens, on the other hand, will take the question as a request for the reasons supporting the claim, and so as a demand for supporting argumentation; if no arguments are forthcoming, they will dismiss the demand as having “no force”.

Positivist moral philosophers, I want to suggest, should follow the ordinary citizens, and construe the claim that one ought to do such and such as (in the central cases) implying that there is a good argument for doing such and such. (In less central cases, there is room for the thought that something on a par with an argument, in ways we can for the moment leave open, is waiting in the wings. We will take up a couple of classes of these cases shortly.) If someone asks you what the force of the claim that you ought to do such and such amounts to, the default answer is to give him an argument for doing such and such (or reasons that could be unpacked into an argument), and when you have done that, you have given the force of the ought.  

Analogous remarks are in place vis-a-vis the proper account of terms like “may,” “right,” and so on; see, for instance, Schmidtz, 2009, esp. pp. 75, 93f, on “required” and “right”. However, the ways in which these terms reflect patterns in argumentation differ. Scanlon, 1998, pp. 96ff, proposes a ‘buck-passing’ account of “good” that is in some ways in the spirit of the present approach. A way of stating it that emphasizes the common ground might run like so: something is good when it has features that make appropriate one or more of a range of responses, where the entailment is understood to be defeasible, and where the appropriate responses may include both attitudes and actions; the proposal has generated a mushrooming literature. (See Liao, 2010, and Stratton-Lake and Hooker, 2006, for some followup discussion.)

I’ll leave to one side the question of just what the right way of reading Scanlon’s account is, in favor of pointing out two ways in which the position the literature discusses—whether it’s Scanlon’s or not—differs from the positive view. First, the position is not construed as a rejection of old-school metaethics; for instance, there’s discussion of the objection that buck-passing defers the reason-giving force of ‘good’ to thick ethical concepts (i.e., concepts which mix the factual and the evaluative) and it is taken for granted that one’s account of these must be realist, or noncognitivist, or whatever. Second, it treats ‘good’ as a property to be analyzed, rather than an intellectual device whose function has to be clarified; I discuss this contrast further in [“Why Do We Think There Are Things We Ought to Do?” unpublished mss].

Although the buck-passing account of ‘good’ is in various ways continuous with the account I am proposing of oughts, I am uncertain whether to endorse its nuts and bolts: I am not myself confident that I know how to use the concept ‘good’, but I suspect that one of its homes, maybe its primary home, is satisfying or some relative thereof. (I mean this: when the waitress comes back to refill my coffee for the fourth time, and I say, “No thanks, I’m good,” that is usage that should be taken as central: a way of marking that we have had enough, or that sufficiently many items on a checklist have been gotten to; thus, we need the contrasting “better” and “best,” whereas there are no analogous superlatives of “ought”.) And I don’t see this side of ‘good’ highlighted in any of the treatments of buck-passing I have encountered.
Before considering further what, in view of the Puzzle, positive metaethics can be, I want to take time out to explain why a self-aware positivism will contrast itself not only with the descendants of Moorean views (on which “good” signifies a non-natural property, “ought” points towards an irreducibly normative fact which functions as a divine command for the godless, and so on), but with noncognitivist and naturalist views as well. These latter today make up the mainstream of contemporary metaethics, and they present themselves as resolutely antimetaphysical.

Let me quickly remind you what these are. *Noncognitivist* views have become progressively more complicated, as they have been reformulated to preempt a long series of objections to them, and recent examples are hard to present quickly. Nonetheless, the earliest members of the tradition give the flavor of the position: emotivism had it that putative moral judgments were merely expressions of the speaker’s emotions, rather than genuine assertions; prescriptivism had it that they were concealed commands; projectivism, that they were projections of the speaker’s emotional responses onto the world.\(^{11}\)

Turning now to *naturalist* theories: these purport to identify the referents of terms like “good” within the natural world, and to manage something of a piece with that, when, as in the case of “ought,” the terms don’t present themselves as referring expressions. It’s hard to tell just what natural objects or properties are being identified as goodness and so forth by squinting at the available formulations of these theories, but it’s easy to give a toy example: a theory on which being good is being made of heavy cream would count as a naturalistic theory, one on which ice cream turns out to be good, the topping of a strawberry shortcake turns out to be good, and so on.\(^{12}\)

Now, if positivism is the stage to which a theory proceeds as it emerges from its metaphysical stage, why are these metaethical positions not themselves positive? Consider the postures that might be adopted in a debate about the existence of ghosts. A realist theorist who argues that ghosts are supernatural beings composed of ectoplasm obviously believes in ghosts. But a naturalist theorist, someone who argues, in book after scholarly book,

\[^{11}\text{Ayer, 1951, ch. 6; Stevenson, 1944, Urmson, 1968, esp. ch. 2, pp. 48, 64, Hare, 1961, Mackie, 1977, ch. 1. For the most recent (‘expressivist’) iteration of noncognitivism, see Blackburn, 1998, Gibbard, 1990, Gibbard, 2003, Richard, 2008, ch. 3.}\]

\[^{12}\text{This toy theory would have the merit of providing, at any rate by some people’s lights, a counterinstance to Moore’s Open Question Argument: if it’s made out of heavy cream, how could whether it’s good be an open question? For examples of such theories, see Jackson, 1998, ch. 6, Boyd, 1988, Brink, 1989.}\]
that ghosts are the shaking of leaves in the wind on a dark night also, in his own backhanded way, believes in ghosts. (If you don’t believe in ghosts, you don’t try to say what they are.) And a noncognitivist about ghosts, say, a theorist who argues, again in book after scholarly book, that ghosts are merely the projection of one’s fear of ghosts onto the branches shaking in the dark, believes in ghosts in rather the same way as does the naturalist. Worse, both the naturalist and the noncognitivist are obviously afraid of ghosts: you do not write book after scholarly book unless there is a real fear to assuage. The positivist way with ghosts is short: enough with the campfire stories already. If you have a great deal to say about what ghosts are, you’re not a positivist.  

A positivist thinking about moral theory is in the metaethics game in this sense: he’s willing to give you an account of the force of an “ought”. But his treatment is orthogonal to the way of framing the topic that is shared by the twentieth-century debate, in something like the way that a number theorist’s answer to “What is a number?” is orthogonal to those provided by twentieth-century philosophy of mathematics. (Where the philosopher of mathematics starts in on, say, modal structuralism, the mathematician gives you the Peano axioms, or rather, directions to an elementary exposition of them.) The positivist treats the request for an account of the force as shorthand for: Back up your insistence that you ought to do such and such with an argument, or a decent surrogate for one. The ‘force’ isn’t a something that takes supernaturalist or naturalist or even noncognitivist analysis.  

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13 Is error theory (the view that practical judgments are, one and all, mistaken) a distinct and antimetaphysical position? Is it perhaps a form of positivism itself? Error theory differs from positivism in its insistence that something has been lost. It is taken to entail that you have no reason to do anything, because you have no metaphysical reason; that is, error theory amounts to nihilism about reasons. In a much reprinted chapter of Mackie’s Ethics (1977), he tells his readers that moral judgments are uniformly false. (This was also our example of projectivism, so maybe error theory isn’t a distinct position after all.) In subsequent chapters, he goes on to present the particular moral theory that he endorses (as it happens, a version of utilitarianism), and this strikes most of his readers as a lurch. When a positivist informs you that there are no invisible glows, and then goes on to tell you what you have reason to do, there is no lurch. Thus, if error theory is antimetaphysical, it’s in a different sense than positivism’s.  

14 Is positivism naturalist by the naturalists’ own lights? I’ve never met anyone able to give me a satisfactory explanation of the term ‘naturalism’—Stoljar, 2010, is a useful first pass over the difficulties in attaching a thesis worth defending to the label—and I suspect that it takes an emotivist analysis (i.e., that it boils down to, “Hurrah for science!”). But for those who think that naturalism does have cognitive content, and thus that the question is well-posed, I have a further question. Naturalists exhibit enthusiasm for only
A positivist looks to replace forces with patterns. The distinction between what one ought to do and what one does that will resolve the Puzzle of Positive Metaethics requires a pattern found not in what one is now doing, or is presently motivated to do, but somewhere else.

Mill was an instrumentalist, that is, someone who thought that all practical arguments consist in means-end reasoning, in showing that a proposed action is a way of attaining something one desires. But he was also in the business of telling people that they ought to do one thing or another—even when they didn’t want to, and when no end of theirs would be served by doing what they ought. I’m going to say how I think that Mill thought he had solved the Puzzle of Positive Metaethics, but once again, I don’t think that we’re in a position to nail down any particular reading of the texts on this point.

In a very well-known passage in *Utilitarianism*, Mill wrote that

> Of two pleasures, if there be one to which all or almost all who have experience of both give a decided preference... that is the more desirable pleasure.\(^\text{16}\)

In the literature nowadays, the assessment method being introduced is called the Decided Preference Criterion.

Asking other people what they think of the choices you face is not itself practical reasoning; rather, the results of the poll are inputs to your practical reasoning. The divergence between what you’re inclined to do as things are, the sorts of item that they expect to end up in science textbooks of the future; so, do you anticipate that arguments will turn up—not as part of the presentation, but as the purported objects of a science—in the science textbooks of the future? That’s not meant merely as a rhetorical question; logic might be candidate for such a science.\(^\text{15}\) Vogler, 2001, ch. 6, helpfully emphasizes this last point.

\(^{15}\) Vogler, 2001, ch. 6, helpfully emphasizes this last point.
\(^{16}\)X:211; shortly thereafter, he adds:

> From this verdict of the only competent judges, I apprehend there can be no appeal. On a question which is the best worth having of two pleasures, or which of two modes of existence is the most grateful to the feelings... the judgment of those who are qualified by knowledge of both, or, if they differ, that of the majority among them, must be admitted as final. (X:213)

Mill is in the middle of telling you that you can use the preferences of other, more experienced people to establish, in contemporary terminology now, lexical preference orderings. He subsequently uses these preference rankings to argue for such important theses as this one: liberty and certain sorts of personal security must be given absolute priority over other goods in the design of political institutions.
and what the survey results advise you to do, is discernable (sometimes only potentially). If you are considering seeing two rather different movies this evening, and someone recommends that you change your mind about which one to go to, you can ask what the force of that recommendation is. The Millian response to the request for the force of this sort of ought is, as you no doubt expect, that most of the critics (or perhaps most of the lay audiences) who have seen them both prefer this one. And this reply isn’t unreasonable; that’s why we ask people for such opinions.

The traditional metaethicist will be wondering where the normativity has gotten to: Why should you pay any attention to what other people think or prefer? What’s the force of the recommendation that people ought to follow that policy? And this is a genuinely hard question, because there are many reasons against treating the Decided Preference Criterion as a uniformly good policy. For one thing, suppose that I am faced with the prospects of watching *Alien vs. Predator* or *Rambo IX*; as far as I am concerned, merely having seen both of those movies disqualifies a volunteer informant from being a decent source of advice.\(^{17}\)

However, it is clear what must be, by Mill’s lights, the principled positivist answer to the question. What recommends the Decided Preference Criterion is that people who have tried it both ways—who have both listened to the voices of the experienced, and, on other occasions, hardened their hearts and refused to listen—now prefer to take account of and do their means-end reasoning on the basis of the deliverances of those experienced judges.

As far as I know, no one has done a survey to show that this last claim is true, and no one has produced the sort of social-science argument that Mill thought it methodologically imperative to substitute for such surveys.\(^{18}\) I have by this point shifted into the grey area between a reconstruction of what Mill said and what he should have said, and my own sense is that Mill never pushed his arguments on this topic out to the end. So even though it’s midstream, I will in a moment change stalking horses, and turn back to what I was earlier calling the central oughts. Before switching, let’s just

\(^{17}\)The move is a variant of the Conditional Fallacy, first laid out in Shope, 1978. For another thing, doing something on the basis of others’ recommendations is often very different from doing it unrecommended. Before the Grand Tour became mandatory for fashionable Europeans, travelers had gone to Italy on their own, and encountered Roman antiquities which they found deeply moving. Those who followed the guidebooks written on the basis of the original travelers’ enthusiastic recommendations had a very different and far less valuable experience, that of following a beaten path from one must-see to the next.

\(^{18}\)For a recap of his reasons, see Millgram, 2009c, sec. 3.
recall that the role which Mill allocated to the preferences of other, more knowledgeable people, is typically, in contemporary moral theory, occupied by one’s own informed preferences or desires: not the ones you actually have, but the ones that you would have, if you were improved in one way or another—paradigmatically, by being better informed.

Now that we’ve taken a look at Mill’s appeal to the preferences of the experienced, and reminded ourselves of the contemporary literature on counterfactually informed preferences and desires, we see that there are at least a couple of categories of penumbral oughts: not the evidently central oughts that are supported by practical reasoning, but not ‘just oughts’, either. This is a good occasion to make three points. First, on the basis of my earlier remarks, you might have been anticipating an account of oughts on which they are solely quantifiers over arguments. (I.e., “You ought to do such and such” is correctly analyzed as the assertion that there are good arguments for doing such and such.) But heuristic devices like the appeal to other experienced people or to counterfactually improved desires or preferences show that that can’t be all there is to it.19

19There are other reasons that treating oughts as quantifiers over arguments is more complicated than it sounds. Mostly (though perhaps not always) what is meant by an ought is that there is a good argument for doing it. And often an argument is defeasible, i.e., is a good argument only when there are no defeating arguments in the sheaf. So when you indicate that an argument is good, you’re not normally talking about just that argument. However, notice that we can expect anyway nonphilosophers not to have tightened up their views about whether a decisive argument is required, or rather merely an argument that establishes its conclusion prima facie or pro tanto; this range of options will be relevant when the time comes to consider whether ordinary people can live up to the commitments involved in advancing a claim about what someone ought to do. A more startling option—that you can have good, i.e., decisive, arguments for doing each of two incompatible actions—might allow us to accommodate Williams’s view of tragedy, on which it arises when you ought to take each of two incompatible courses of action (1973, p. 173).

Notice also that treating oughts as quantifiers over arguments allows a positive metaethics to make sense of the debate as to whether oughts are objective or subjective or contextual or relativist. (See Kolodny and MacFarlane, 2010, for recent discussion of the options.) On this way of thinking about oughts, whether they are, say, objective or subjective will be a matter of whether we allow in the domain of quantification only arguments whose premises are accepted by their consumer, or rather arguments with true premises (more generally, premises having whatever counts as the thumbs-up designation for practical argumentation), regardless of whether they are accepted by their consumer.

Likewise, topic-restricted oughts are sometimes contrasted with ‘all things considered’ oughts; I expect these contrasts can also be construed as restrictions on the domain of quantification. That you legally ought to do so-and-so implies that there are good legal arguments for doing so-and-so; that you prudentially ought to do so-and-so, that there’s a good prudential argument. None of these suggestions address the substantive question
Second, we have seen one relatively straightforward way that the positivist project might pan out in metaethics. There are no ectoplasmic forces, only patterns: in Mill’s case, patterns in other people’s preferences.

Third, we can finally assess Mill’s explicit claim that utilitarianism is positive (and his implicit claim that only utilitarianism is positive). A positivist’s oughts point to patterns—in argument, and, for Mill, in other people’s preferences. Mill was an instrumentalist, that is, his official view was that all practical argumentation is means-end reasoning; means-end arguments point you to your ends, that is, to the desires you are attempting to satisfy. The Decided Preference Criterion points you to preferences corrected by the preferences of others. (Mill doesn’t distinguish preferences from desires in anything like the way we do.) But now, utility (or happiness) is Mill’s label for the satisfaction of suitably corrected desires and preferences. Millian utility is accordingly a kind of compendium of the possible drivers of practical reasoning, and so a substantive moral theory that tells you to pursue (and even to maximize) utility amounts to a theory that merely tells you to do what you ought to do, that is, to do what there are arguments for doing: and what could be more positive than that? However, Mill’s understanding of utilitarianism as positive evidently depends on his background view of the mechanics of practical rationality. If we are more open-minded than he was about what practical inference can be, we will be unlikely to accept that positivism commits you to utilitarianism.

The penumbral oughts we’ve identified point us not to arguments, but to, as it turns out, shortcuts. For both types of penumbral ought, it’s clear enough, first, where the patterns that a positive metaethics relies on are to be found. Second, it’s clear enough for the Millian version (and although I won’t argue it here, the point goes as well for the contemporary alternative) that shortcuts are important, but they have their limitations, and it’s essential to be aware of what they are. The Millian strategy of relying on the preferences of others is sometimes an effective heuristic, but sometimes it’s not a good idea at all. For instance, when you do rely on somebody else’s preferences, you’re free riding on his cognitive investments; not everybody can always be a free rider, and whether the strategy is a reasonable one depends on the quality of those investments, from your point of view. You need to ask yourself whether you are merely harvesting other people’s brute responses, responses that may have very little to do with what makes sense for you, or of what to decide when several arguments, perhaps of different types, point in different directions (in an older vocabulary, when different types of oughts conflict).

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20 To fill in steps of this very terse recap, see Millgram, 2005, ch. 3, but see also pp. 13–16, for caveats.
whether these are the results of careful and experience-driven deliberation, results to which you should be giving a good deal of credit.\textsuperscript{21}

Mill’s use of his Decided Preference Criterion amounts to an example of a positive metaethics. As I will shortly explain, I think that the view of practical reasoning that underwrites it is unsatisfactory, but the technique is nonetheless likely to be a (penumbral) part of a correct positive metaethics.

Let’s return now to those central, argument-supported oughts, and to the prospects and methods of positive metaethics. Is positive metaethics merely a bit of belated Enlightenment housecleaning, or does it have substantive content and a promising agenda? Consider some positivist responses to a series of objections on the part of a traditional metaphysician of morality.

“The job of metaethics isn’t to say what this or that particular ought amounts to, but rather to explain to us what oughts and their relatives amount to in general. What you have labelled positivism is really just quietism, a way of sidestepping the philosophical and metaphysical task of accounting for normativity—for the all-important difference between what is done, and what should be done.”

It is just here that the turn to practical reasoning makes positivism a philosophically empowering doctrine. In the central cases, an ought amounts to a gesture at a practical argument. It is the job of the theory of practical reasoning to survey and analyze the different forms that practical arguments can take, and here are a couple of examples.\textsuperscript{22} Some practical arguments are instrumental: they tell you to do such and such as a way of attaining a goal. Other practical arguments are inductive: they tell you that the lesson of your practical experience is that such and such matters or is important. A systematic theoretical treatment of the different sorts of reasons—that is, the different forms or modes of argumentation—that can be brought to bear on the question of what to do amounts to a general philosophical account of oughts and their relatives.\textsuperscript{23}

\textsuperscript{21} For discussion of when counterfactually informed preferences are a useful heuristic, see Millgram, 2009d.

\textsuperscript{22} For an overview of a number of them, see Millgram, 2001.

\textsuperscript{23} We inherit Aristotle’s logical hylomorphism, on which all the work done by argument is done in virtue of its form. If you believe that not all successful argumentation can be understood on the hylomorphic model, then you should also think that, however useful a taxonomy of the forms of practical argument turns out to be, it will not cover all of the territory: and then there will be the question of how a positivist is to make sense of the
In my own view, it is in great part the inattention to the varied forms of practical argumentation that made the metaethical back and forth over the last century contribute so very little to our philosophical understanding of ethics. Positive metaethics means no longer just spinning our wheels, because it is redirecting our attention to the real materials of practical thought: in the first place, the different forms of practical argumentation that might be deployed in the service of a claim that you ought (or ought not) to do something.

That inattention also explains why positivism has been so long overlooked by metaethics. An astonishing number of philosophers have assumed—‘assumed,’ because there is almost no actual argument for the view—that practical reasons are exclusively instrumental, that is, means-end. The instrumentalist rendering of practical rationality normally takes one of two forms. On the majority view, ends are set by desires, and all reasons for action boil down to: “I wannit!” With such an impoverished and in the strictist sense childish view of practical reasons, there isn’t a lot in the way of practical argumentation to work with. Where you’ve gotten rid of the practical argumentation, there’s nothing left for the force of an ought to be but a sort of magnetic field. And where you haven’t, practical argumentation that bottoms out in a desire—in “I wannit!”—leaves you wondering what there is to a desire that makes an appeal to one count as an argument. The upshot is that once you’ve gotten rid of all but instrumental practical argumentation, there’s nothing for you to theorize about but the peculiar sort-of-magnetic field induced by a desire—or alternatively, the peculiar sort-of-magnetic field induced without a desire.

I’m not the first to have noticed this problem with instrumentalism. Dewey, 2008, p. 208, remarks, “Only a child in the degree of his immaturity thinks to settle the question of desirability by reiterated proclamation: ‘I want it, I want it, I want it.’” Smith, 1987, is a well-known discussion of the former sort. Williams, 1995, ch. 3, is an attempt to work with the very minimal materials provided by instrumentalism, and one which exhibits the distortions to which the restriction gives rise.

The minority view of instrumental rationality holds that such reasons for action simply point out that the action is part of a larger action which you are already in the course of performing, as when someone asks you why you are getting in the car, and you answer that you are going downtown. (Vogler, 2002, and Thompson, 2008, Part 2, are two recent—but not exactly instrumentalist—variations on the Anscombian view; for the qualifications, see Millgram, 2006, Millgram, 2009e. Andreou, 2006, is fully instrumentalist, but frames the conception of instrumental rationality in terms of intentions.) On this sort of view, instrumental reasons for action boil down to: “This is what I’m doing!” Here also there isn’t a lot in the way of practical argumentation to work with; and why does the expression of one’s dogged persistence—since the bottom line is an “I am doing it!”—count as an
“But.” (The traditional metaphysician of morality isn’t done yet.) “When you produce, or even only gesture at, the arguments for doing something, you’re implying that one ought to accept their conclusions, and act on them. What about that normativity? What’s force of those arguments? You haven’t answered the real question, only pushed it back a stage. And if you haven’t, your view still is just another philosophical quietism.”

Because John Stuart Mill did his very best, in his philosophy of logic and science, to adhere to the strictures of the British Empiricist tradition in which he was raised, and thus also, where they overlapped, to the strictures of positivism, he can serve as our guide at this point. Humean skepticism about causation was out of place, he thought, because there are inductive arguments that such and such causes are followed by such and such effects. And where Hume pressed the question of what force could underwrite such an inductive argument, if not causal necessity, Mill responded by gesturing at a grand inductive argument, to the effect that inductions have been observed to work in the past, and so they will continue to work in the future. This is not the place to explain why Mill thought the position he was spelling out to be other than viciously circular. What I want to emphasize now is that Mill is showing us how, from the positive point of view, the right response to the demand for the force of some class of arguments is normally a further argument, to the effect that you should take arguments in that class seriously—that is, accept their conclusions.

Let’s use Mill’s treatment of the Problem of Induction as a model for a positivist response to the traditional metaethicist’s second objection. The force of practical arguments of one or another sort is to be made out by giving a further argument (a practical argument, no doubt) to the effect that one should deploy and act on arguments of that sort. Such meta-arguments might take the form of practical inductions: we have learned from experience that such and such a sort of practical argument is a good idea. They might take the form of transcendental deductions: deploying practical arguments of such and such a sort is a necessary precondition of agency, or of figuring out what to do. They might take the form of specificationist arguments: when we engage in the practical task of specifying more concretely the abstractly described goal of figuring out what to do, what we come up with is argumentation of such and such a form. Or one might try to give them a Kantian form: a demonstration that you cannot will the universalization of the maxim, ‘I will not reason using such arguments.’

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26 For that part of the story, see Millgram, 2009b.
27 For practical induction, see Millgram, 1997; for a sample transcendental argument
These meta-arguments are, however, unlikely to consist in demonstrations that deploying arguments of such and such a form will help us attain our goals. The target argument type has to be understood as legitimate, and “I *waaannnttt!*” is just about never a good way of establishing legitimacy. This is a further manner in which instrumentalism has impeded the progress of positive metaethics.

One more objection from, and response to, a traditional metaethicist. “Look, it’s all very well to complain that my conversation partners and I have been arguing about ghosts, but we were trying (for an entire century!) to give an account of what oughts mean. You owe us that account; it’s no good to tell us that oughts are the conclusions of practical arguments if we don’t know what oughts are telling us, or if they’re even telling us anything!”

28However, not all traditional metaethicists focus on content analyses, and in particular, some expressivists have had second thoughts about it (e.g., Blackburn, 1998, p. 85).

A great deal of contemporary metaethics consists in debate over what sorts of mental items make up the trains of thought in which practical reasoning consists. Surely a positivist owes answers to these questions, and when he tries to supply them, won’t his position turn out to rest on metaethics of the traditional sort? For instance, if he holds that the trains of thought consist of beliefs and desires, won’t the argument for that claim be that we can’t make sense of mental states that represent moral facts? And won’t that argument presuppose a refutation of moral realism, or anyway, take moral realism on its own terms, as an alternative to be refuted? (I’m grateful to Benjamin Kiesewetter for this objection.)

For what it’s worth, I don’t think we have a way of characterizing the psychological stages of a stretch of practical reasoning, independently of and prior to figuring out how arguments of its type go. Recall how the logical positivists (not the positivists, now) thought that you could make one and the same philosophical claim in startlingly different vocabularies. For instance, if you said that there were such things as sense data, you would be speaking in the ‘material mode’; if you said that our language contained sensation-terms, you would be saying the same thing, but in the ‘formal mode’.) Most philosophical talk of the ‘mental states’ that figure into practical reasoning is what we might as well call the *psychological mode* of expression of views about what counts as a legitimate form of argument; talk about values and whether or not they are real is the *material mode* of expression of those same views. We read what we’re going to say about the ‘mental states’ off the slots that a particular form of argument (or the particular forms that intersect at a slot) provide. And this is what you’d expect of a positive metaethics: the investigation of forms of thought that appear in practical deliberation will be conducted by investigating what legitimate patterns of practical deliberation are.

Certainly if some deliberative move cannot be cognitively implemented, that may constrain our theory of deliberation: if your theory of deliberation calls for a Halting Problem
In my own view, the semantic analysis of ought and its relatives comes last, both in the order of priority, and in the order of explanation. You know, philosophers are often historians of philosophy as well, and when they are, they learn from their professional experience that the best way to figure out what an obscure claim or term means is to see how the dead philosopher one is reading uses it in argument. Since a conclusion of an argument must mean something that follows (or would have seemed to follow) from its premises, seeing what arguments the dead philosopher gives for it normally tells you what it means; seeing how that conclusion is used in further ongoing argumentation likewise tells you what it means. Here's a method of semantic analysis that works: why abandon it when we come to moral subject matter, and practical subject matter generally? The semantics-first approach has had quite long enough to convince us that it’s going somewhere, and what we see now is a century’s worth of progressively higher-entropy reformulations of a handful of very tired proposals. It’s time to cut this short, and try it some other way—the positive way.29

The positive metaethicist, then, can respond to the request for a general philosophical account of the force of an ought, in the first place with a taxonomy of the different varieties of practical argumentation which might

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29However, here’s an objection to register and to take seriously: we philosophers are much more expert, and have a great deal more control of arguments that are, roughly, truth-preserving than we have with practical argumentation, that is, argumentation whose ultimate conclusion is about what to do.

Wedgwood, 2007, shares a roughly Brandomian approach to understanding oughts, by which I mean that he attempts to make sense of oughts in terms of the inferential commitments involved in advancing one; this is a good occasion to mark some of the ways in which our views differ. First, and borrowing vocabulary from Millgram, 1997, Wedgwood focuses on forward-directed inferential commitments, where I have been pointing towards backward-directed inferential commitments. That is, he is concerned with what the ought commits you to doing next (namely, acting), where I am directing our attention to the arguments that support the decision to act. (Belated acknowledgement: when I published Practical Induction, I had not yet read Brandom, 1994, which should get the credit for introducing inferential commitments into the current debate.) In a response to an objection which he attributes to Foot (p. 106), Wedgwood shies away from deploying backward directed inferential commitments and when he attempts, at another point, to tie different senses of ‘ought’ to different types of reasoning, he picks out types of reasoning by the characteristic mental states in which they terminate, rather than by differences in the inference patterns that lead up to those states (p. 120ff., see esp. p. 124). And second, of course, Wedgwood goes on to address the traditional metaethical questions, rather than do the positive thing, which is to dismiss them.
support it. Second, he may also respond with a taxonomy of heuristics and shortcuts, such as informed desires, or surveys of other people’s preferences, which can be used to supplement practical arguments. Third, he may respond with further practical arguments, to the effect that one ought to deploy and act on the varieties of practical argument adduced in his first response, and to the effect that one ought to use heuristics and shortcuts enumerated in his second response. If the traditional metaethicist replies by asking for an additional and very different sort of account of the ‘normativity’ of an ought, one that won’t accept a practical argument as a response, he really has lapsed back into superstition: he is someone who believes in ghosts, and is insisting that you tell him what a ghost is.

If positivism is committed to making sense of oughts by anchoring them in patterns, then a positive account of particularist reasons must also appeal to patterns. One familiar characterization of particularism has it that reasons of this type can’t be understood simply as the applications of general rules. If we allow the characterization, a positive account of particularist reasons would turn on appropriate patterns that do not conform to general rules. Whether there are such patterns, and, if so, how we work with them, are questions I don’t want to start in on right now.

I don’t myself regard it as profitable to spend a great deal of effort on those ‘just oughts’. (Millgram, 2012, attempts an explanation of moral philosophers’ preoccupation with them.) For now, let me parry a Moorean reason for these philosophers accepting ‘just oughts’ as a sort of bottom line. Our conviction that one ought to do such and such is often visibly more secure than any of the arguments for so doing; philosophers too easily assume that this sort of security must be due to the foundational role played by their moral intuitions. But if oughts amount to—again, in the central cases—quantifiers over arguments, then a practical conclusion may be supported by many arguments, in which case the conclusion can be expected to be more secure than any one of those arguments, or any step in one of those arguments. (Compare Wimsatt, 2007, on multiple derivations in the sciences.)

Blackburn, 1998, p. 295, complains about Dworkin’s rather different attempt to turn away from metaethics (1996) that noncognitivist treatments “are not on the face of it moralizing;” whatever Dworkin may think, there is obviously a difference between first-order moral theory and what Blackburn and his interlocutors are doing, and therefore it is illegitimate to insist “that there is no such thing as metaethical thought at all.” As it stands, Blackburn’s objection to rejecting metaethics in favor of “internal, first-order moral questions” begs the question: someone who thinks that what metaethicists have been doing is philosophically worthless will not regard their alleged accomplishments as evidence that there is a task there to be accomplished. However, notice that the distinction that Blackburn is appealing to is saved by the present account; there is a difference between first-order argumentation, and second-order argumentation that takes as its subject matter the efficacy and point of one or another type of first-order argumentation. The point overlooked by Blackburn is that although the latter is not necessarily moralizing, it is...
The turn to the practical argumentation that is invoked by central rather than penumbral oughts is a solution to the Puzzle of Positive Metaethics: the account of the force of an ought is to be found, not by purporting to analyze ghosts, but by investigating the forms of practical reasoning: that is, patterns which can be taken by practical argumentation. It is also a promising research agenda: where obsessively reanalyzing the nonexistent ghost of an ought will improve neither our philosophical understanding of our choicemaking nor the choices themselves, an investigation of the patterns of argument legitimately used to support choicemaking will plausibly do both.

But before I take my leave, I want to do another pass over one of our traditional metaethicist’s complaints. “Suppose that we accept, for the sake of the discussion, that the central oughts are to be explicated in terms of patterns of argumentation. Still, that argumentation cannot be merely those arguments that someone has actually advanced in public, nor even the arguments that someone has gotten around to thinking up. Rather, he must have in mind the possible arguments, and the relevant notion of possibility is itself normative: it counts as a possible argument if you ought to draw the conclusion! The oughts haven’t been discharged, and if positive metaethics isn’t viciously circular, it presupposes old-school realist metaethics, or one of its old-school alternatives.”

And he might continue: “It’s not the traditional metaethicist who is superstitious, but you, the positivist. Imagine someone who thinks that prepending a ritual inscription to an ought makes it be the case that you indeed ought to do it. And imagine that when you ask him why his ritually required orthography and arcane calligraphy have that effect, his response is to produce more oddly spelled and peculiarly written inscriptions. Isn’t this just magic? What difference could it make to then be told that the ritual form of the inscription is numbered steps, some of which are labelled as “premises,” and others of which are followed by incantations such as “universal instantiation”? What difference could it make that the inscriptions contain such exotic glyphs as “∧” or “⊃” or “∃”? That is, what difference could it make if we don’t know, ahead of time, what makes those inscriptions into an argument?”

formally of a piece with what we do when we moralize.

The objection is adapted from Hussain and Shah, 2006. They take their foil to be constructivism, and I need to explain the differences between constructivism and the view I have been developing.

A glance at an anthology I have already mentioned (Lenman and Shemmer, 2012) will
There is a real problem here, but we need to get it clearly in focus before we can consider how a positivist is going to address it. The problem is not circularity: while it is true that on a positivist account, an ought may amount to insisting that there is a good argument for doing such and such, that is, an argument whose conclusion you ought to draw, the contents of those two oughts are not identical: the first one commits its user to there being good arguments for doing such and such, whereas the second one commits its user to there being good arguments for drawing the conclusions of the arguments picked out by the first ought. The arguments being existentially quantified over need not be the same arguments, and it is not viciously circular to appeal to further arguments.\footnote{You might think that the conclusion of a practical argument is not that you’re going to do it (a decision), but that you ought to do it; in which case, how can an ought tell you that there’s an argument for doing it? You might think that, but using oughts to tag the conclusions of practical arguments is like announcing the conclusion of a bit of theoretical reasoning you have just given to be true: just as this sort of merely redundant suggest that “constructivism” has in recent years come to mean almost all things to all people; there is remarkably little focus on the important ideas that Rawls introduced a quarter of a century ago, and a great deal of recycling of the usual suspects: coherence, Aristotelian phronesis and so on. So we first have to say what we mean by it. Consider the status of being the winner (or loser) of a game of chess; this status emerges from executing a ‘construction procedure’, in this case, from playing the game out to its end, and there is obviously not much room for the sort of debate over the metaphysical status of someone’s being the winner that typified old-school metaethics—that is, over whether you are the winner in virtue of possessing a nonnatural property, or in virtue of attitudes of approval, etc. (Whoever won the game is the winner, and that’s that.) To be a constructivist about oughts would be to take oughts to emerge from an analogous construction procedure. (The clearest discussion is still Rawls, 1989, where the technique in question is the Kantian ‘CI-procedure’.)

A construction procedure should be uniform and well-defined: not Calvinball—“never the same...you’re making it up as you go”—(Watterson, 1996, p. 101)—but something you can step through. If you take the outcome to be determined by how the procedure would turn out, as opposed to how it did, you will need an especially well-specified procedure, one that supports counterfactuals of this kind. Such procedures must be uniform: roughly, you do it the same way every time, for everybody, in the way that, whenever people play chess, the rules, the starting position on the board and so on are the same. And it’s only a procedure if, after you walk through it, it’s over (and it’s clear when it is). Now, recall that existentially quantifying over arguments doesn’t commit you to being able to produce them, and notice that ‘finding arguments’ isn’t a procedure, or anything like one: we’re not in a position to point to the arguments we would find, if we went looking. Different people on different occasions will go about hunting for arguments in very different ways. We don’t yet have so much as a catalog of all the forms a practical argument can take; so there’s no way to marshall all of the practical arguments there are in any systematic way. And procedures terminate, but when you’re assembling arguments for and against a claim, there’s nowhere definite that you have to stop.

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The problem is also not that you had better be able to delineate the oughts without giving arguments; that would amount to a variation on the back-and-forth in Lewis Carroll’s famous parable of Achilles and the Tortoise.\(^{34}\) Spelling that shorthand out a bit, the traditional metaethicist had better not be adopting this posture: presented with an argument (any argument), he consistently responds, “So far, that’s just an inscription; I’ll accept it as an argument only after you show me—give me an argument—that it is one.” If he does adopt such a posture, he will not accept any response a positivist might muster, but he also will never be able to nail down the sort of traditional theory of normativity that he hopes for and insists on (because surely we are supposed to accept whatever the right metaethical theory is on the basis of an argument). So we must presuppose that we are able to give arguments.

Of any argument that you do give, the demand that you show it to be an argument may well be in place; that demand gets addressed by a further argument, if you can think of one. And that’s fine, because we’re now allowing that we’re able to argue. However, that each such demand can be so addressed doesn’t entail that there’s one response that addresses all those demands together: the demand to exhibit what makes anything an argument is off the mark. The thought that first of all we need to know what ‘normativity’ is involves the unsustainable assumption that there is one answer to the question: what makes something an argument whose conclusion you should draw? (Actually, of course, it rests on an even broader assumption, that there is one answer to the question: what makes an action use of ‘true’ is allowable but dispensible, so the use of ought to mark the conclusion of a practical argument that you have just given is allowable, but (normally) dispensible.

Here’s what that ‘normally’ marks. You can draw a practical conclusion but not act on it; that’s the observation that generates the age-old philosophical puzzle of akrasia, or weakness of will. So practical conclusions can’t always be decisions or intentions or (as Aristotle famously suggested) the action itself. An akratic is best construed as drawing a practical conclusion, but not one that’s as final as that; an ought—which the akratic can use to acknowledge that there’s a conclusive argument for doing it—can serve as such a conclusion.

It doesn’t follow, however, that the conclusion of every practical argument must already contain an ought. (The weak-willed need fancier ways to think their waffling conclusions than more straightforward folk, and that shouldn’t be surprising.) It’s also worth reminding ourselves that there are likely to be other forms that not-yet-final practical conclusions can take. I’ve picked oughts as a representative metaethical device, and focused the present investigation on them, but evaluative concepts—metaethicists love to discuss “good”—can also be brought to bear in evaluative judgments that seem often to function as not-yet-final practical conclusions, i.e., steps arrived at in the course of a practical argument that are not yet the final determination to act.

\(^{34}\)Carroll, 1895; Carroll was the pen name of the Oxford logician Charles Dodgson.
something you should do?) Arguments differ, and what makes it be the case that you ought to draw their conclusions also differs, rather dramatically, from type to type.\footnote{An updated version of the objection we are considering, found in Hussain, 2012, presents a variation that we are now in a position to disentangle. (I’m going to change out his talk of construction procedures with the relevant notion here, that of argumentation.) One strand is the worry that there is likely to be a symmetry between good arguments that such and such is a good argument, and bad arguments that what is in fact a bad argument is a good argument. The other strand is that, if all we have is regresses of arguments that such and such is an argument, “at the most fundamental level there is nothing to make it the case that one normative claim is correct rather than another” (p. 193). Hussain seems to think that presenting these worries side by side makes them more pressing, but I don’t see that we should take them that way. On the one hand, it is a familiar point that there are such symmetries, and you have to live with them whether you are a positivist, or a constructivist, or you have some other old-school metaethical view: as Salmon, 1974, p. 56, long ago reminded us, if you are willing to affirm the consequent, it is easy to argue that affirming the consequent is a valid mode of inference. Insisting that there is something that makes modus ponens valid, and that makes affirming the consequent invalid, is perhaps an expression of conviction and of frustration, but it is not a way of telling which is which: only a good argument will do that. (“Really, really, REALLY!” is never a good response to a skeptical worry.) And because a good argument is, in the first place, something whose conclusion you ought to draw, and because oughts are, in the first place, existential quantifiers over arguments, it does seem to me that the closest thing we have to something that makes so and so an argument is: another good argument. (However, because these arguments can be expected to be substantively as different as you like, from occasion to occasion, we should not expect there to be any one thing that makes any one “normative” claim rather than another correct.)}

On the other hand (and this is warmup for ideas I’ll develop less imagistically in the main text), the notion that at the most fundamental level we need a brute metaphysical fact to make a “normative” claim true is on a par with the thought that drives confused lay economists to insist on the gold standard: that there has to be something that’s really, intrinsically valuable—gold—to make banknotes into money (into something of value), as opposed to worthless paper. Thus, old-school metaethicists appear to positivists as rather like monetary metaphysicians who think we need, and try to supply, a theory of the intrinsic value of gold.

In fact, banknotes are money largely because other people will accept them as money, and those people are willing to do so because they expect that further people, in their turn, will accept the bills as money. Is this a regress? How could anyone know that, in a million years, American dollars will still be accepted as currency? —On the contrary, a long track record of defunct currencies tells us that, in much less time than a million years, the dollar will no longer be in use. And that does not stop anyone from spending their dollars (even though if we knew that next week the dollar would be defunct, everyone would stop accepting dollars as payment right now). Our requirement that a currency be a going concern, while apparently involving the expectation that the currency will continue to be in use indefinitely, does not commit anyone to insisting that it will always be in use. When it comes to money, regresses of value don’t have to be stopped by bimetalist doctrine; and when they are not stopped, they don’t turn out to be full-fledged infinite
Continuing to leave penumbral oughts to one side, allow that telling someone he ought to do something is committing oneself to there being a good argument for doing it. Allow that to be a good argument is to have a conclusion that one ought to draw. And allow that it follows that in telling someone he ought to do something one further implies that there is an argument to the effect that you ought to draw the conclusion of the initial argument. What will that second-order argument look like?

Sometimes the further argument, that you should draw the conclusions of an initial argument, appropriately consists in spelling out the initial argument more clearly. However, if that is all you ever do, your further arguments turn into redundant table-thumping. If you have an instrumentalist’s impoverished sense of what forms of argumentation are available, and so if you give practical arguments that are all of the same form, you are likely to feel that a general account of the ‘normativity’ of a practical argument is a reasonable request, and even that a general account of ‘normativity,’ plain and simple, is a reasonable request. After all, those reasons all seem the same to you, and why shouldn’t there be a homogeneous account of a homogeneous phenomenon? But in this case, the charge of vicious circularity, and the charge that your arguments are no more than magic inscriptions, is entirely in order.

Those further arguments, to the effect that the arguments gestured at by your initial ought really are arguments, must be substantive additional contributions: by and large, they must be different arguments. So far, so good; my experience is that, when you go looking, there are often interesting arguments to be had about what counts as a legitimate form of practical argumentation. But there is a regress pending, and now we are getting to the real problem at the bottom of objection.

The regress is problematic because it seems to involve a commitment on the part even of ordinary users of ordinary oughts to the availability of an endless number of very complicated arguments about what counts as a good argument for being a good argument. How can they be so sure? That is, the concern at the heart of the objection is that the view I have been developing makes out almost anyone who deploys an ought to be full of hot air and talking through his hat. It is this concern that most charitably explains Why shouldn’t the regress of arguments we are now considering behave like this?

36Compare Nozick complaining about the sort of back-and-forth that tends to characterize discussions of Newcomb’s Problem: “it will not do...to just repeat one of the arguments, loudly and slowly” (Nozick, 1997, p. 48).
the turn to superstition in metaethics that so bothered Mill. On the one hand, our survey of the various oughts tells us that they mark a course of action as supported; in the central case, supported by argument. On the other hand, the upshot of the regress we’re considering is that, even when you’re in a position to spell out the first round of arguments, you’re never in a position to spell out all the argumentative or other support that the ought tells you—once you squint at it a bit—has to be in place. In circumstances like these, philosophers easily get confused, and are prone to reify demands and commitments into facts: here, a fact which inexplicably provides the impossible-to-spell-out support. Such a philosophical discussion too often turns into the attempted analysis of the mysterious fact, the one that might

37It’s unsurprising that, when it comes to arguments, philosophers look for intrinsic features of the argument—most prominently, its form—that will certify its correctness. This variant of the turn to superstition consists in imagining a substrate whose possibilities of configuration will determine what the possible (that is, correct) arguments are. (A variant of this way of thinking: you want a notion of ‘possible argument’ that includes even the awful arguments, so that you can come up with a way to distinguish the bad ones from the good ones. In that case you also need a medium whose combinatorial possibilities will give you all of those ‘arguments,’ rather in the way that the alphabet determines what books are to be found in Borges’s ‘Library of Babel’ (1999).)

But there is no single medium in which all arguments, practical or otherwise, can be exhibited. I am, on and off, convinced that the intense interest taken in propositions by twentieth-century philosophy of language was due in large part to thinking that there must be one medium in which all arguments can be realized. Propositions were abstract objects with the look and feel of metaphysics in the old-school and pejorative sense: they behaved like what architects call glepsite, and engineers call unobtainium. Like the impossible product advertised in Tom Waits’s track, “Step Right Up” (1976)—which slices and dices, entertains visiting relatives, walks your dog, disinfects and sanitizes, delivers the pizza, mows the lawn, finds you a job, makes excuses for unwanted lipstick on your collar, and much else besides—propositions had too many jobs to do. As per usual, the search for the impossible object arose from mistaking requirements (in this case, requirements that change from dialectical occasion to dialectical occasion) for a thing.

In fact, there are, as far as I can tell, indefinitely many kinds of argument, and different media are suitable for different forms of argumentation. Some arguments really can be thought of as patterns in (say) counterfactual mental states, and in fact, to the extent that they depend on unformalizable judgment calls, really have to be construed that way. Some arguments (especially, the deductive and formalizable ones) can be represented as idealizations of inscriptions. Some arguments require diagrams, or, as in Plato, dialog (complete with tone of voice). There are indefinitely many media in which different sorts of argument might be realized, and each has its pros and cons: features which suit a medium for one sort of argument rather than another. The media in which arguments are conducted are not fixed; we invent and fabricate new ones. For instance, when Cora Diamond complains about a very crude form of cookie-cutter argumentation prevalent in moral philosophy, she lauds the alternative as “anything but argument” (the title of a paper in Diamond, 1991). In fact, she is developing a new and very interesting form of philosophical argumentation, and a novel prose medium in which to conduct it.
as well be an invisible glow.

But the misstep is motivated by a mistake—albeit a very natural one—that of assuming that the scope of a commitment can generally be read off its overt content. Here are a couple of related applications of the distinction I’m making, just to give you a sense of how I mean it. If you believe that $p$, you are taking $p$ to be true, and then you are inferentially committed to the entailments of $p$. However, if you advance $p$ as a simplification or an approximation or an idealization, then you don’t take $p$ to be true, but rather true enough; you don’t believe it; and your competence in deploying this sort of partial truth is in large part a matter of knowing when not to draw apparently entailed conclusions.\footnote{For further description, examples, and supporting argument, see Millgram, 2009a.} In this case, you can’t just read what you’re inferentially committed to off that propositional content, $p$. Or again, Margaret Bowman has argued that the point of having many of our long-term plans is not to execute them; if we are at all self-aware, we expect to abandon most such plans somewhere in the middle, and we will not regard that as any sort of failure. (Little boys and girls plan to become firemen and ballerinas when they grow up, but usually they don’t, and that’s just fine; we’re all like little boys and girls in that respect.) The cognitive function of such plans is to guide choice in the here and now, not to bring one to attain the goals at the farther reaches of the plans. When you go into a job interview or an oral examination—though these are shorter-term examples of the sort of thing Bowman has in mind—you are well-advised to work up an agenda, that is, a plan for how the conversation will go, in advance. You may fully expect to be derailed in the course of the conversation; in fact, if the interview or exam goes well, it will not look anything like the plan you made for it. Nonetheless, the guidance provided by such an agenda, even and especially as you cope with unexpected swerves, can be invaluable.\footnote{Bowman, 2012.} When it comes both to partial truths and to Bowman’s ‘aspirations,’ the explicit content (the goals specified by the plan, the sentence used to express the true-enough approximation) outruns the commitments of the user.

If I am right, oughts exhibit a similar sort of divergence of commitment from content. The regress we were worrying about is a way of spelling out what the content of a central ought amounts to. But the commitments of non-PhD-bearing laypersons (and even of reasonably alert philosophers who specialize in practical rationality) give out long before the end of the regress: my own experience is that if you get those laypersons to embark on the regress, and then ask how they know the arguments won’t run out at
the \( n \)th stage, they just *shrug*. They are willing to assume a commitment to there being support, for some indefinite stretch of the way out; they hadn’t immodestly meant to assure anyone that the arguments would turn up *all* the way out.

When it comes to practical matters, the real question is normally not one of fact, but rather about what to do.\(^{40}\) Here we’re dealing with a practice, one of saying what you have reason to do. Experience with the practice of argument might lead philosophers, especially, to develop a tentative but reasonable confidence in their arguments, accompanied by a characteristic phenomenology.\(^{41}\) Perhaps the phenomenology sometimes leads people to overreach, and make a habit of insisting, dogmatically, that you ought to do this or that: I mean, in a manner that commits them to a panoply of supporting arguments in whose existence they really shouldn’t have their sort of confidence at all. But in that event they *shouldn’t* insist, and many of us don’t. The reasonably thoughtful rather exhibit a distinctive sort of tentativeness in their pronouncements about what one ought to do; this consists in a willingness to retract their judgment when it turns out that the arguments for it are not really very good arguments after all, together with a lively sense that turning out that way isn’t impossible or unprecedented.\(^{42}\)

\(^{40}\)I’m adapting the following move from a manuscript by Sarah Buss, “Against the Quest for Normativity.” I’m very grateful to her both for allowing me to read it and for conversation; of course, she’s not responsible if I’ve misrepresented her ideas.

\(^{41}\)As with much phenomenology, the phenomenology of argument is most naturally described imagistically. Someone who encounters a rope descending out of the fog can come to be pretty sure that it is tied to something, even if he cannot see the top of the rope. If it doesn’t fall of its own accord, if he can tug at it, and it stays more or less where it was, if he can climb it and so on, he will eventually come around to the working assumption that it’s not about to just come down. (And that’s likely to be true whether he thinks it’s attached at the top to something that’s not a rope, or that it’s a skyhook: rope all the way up.) The experience of working with arguments is a lot like that; some of them come down when you give them a tug, but a lot of them, even when they move a bit, stay suspended. After enough pulling and tugging, you become confident that a lot of them, anyway, aren’t going anywhere, in something like the way that—reverting to the comparison of note 35—you experience with a currency gives you confidence in it.

\(^{42}\)There is a further respect in which our commitments may be more muted than the regress as we characterized it presupposes. Arguments can’t generally be assessed in a vacuum; accordingly, a more contoured rendering of what you are committed to by treating an argument (or a penumbral substitute for one) as satisfactory is that there’s a further argument for doing so—provided that there is an *occasion* for such an argument, one that gives content to a substantive demand that the further argument might meet. If this is correct, the regress of commitments has been modulated into a form that is much more reasonable to take on, because you may be pretty confident that the arguments you are invoking are unproblematic, and that occasions for providing further defenses of them are unlikely to arise.
Heuristics, shortcuts and perhaps other exceptions to one side, oughts point us to arguments. And that means that once we put the superstitious obsession with the ghost of an ought to one side as well, the core of metaethics—positive metaethics—is, in a likely and promising incarnation, the theory of practical reasoning. Metaethics as the theory of practical reasoning is much more promising than old-school, superstitious metaethics. An alleged analysis of supernatural magnetic fields can’t improve your thinking or your ability to get around in the world. But positive metaethics can improve your reasoning: by forcing you to figure out which forms of (putative) reasoning work—and work best for what applications. Millian metaethics has a great deal to recommend it, not least that it might in this manner make us more intelligent. (Millian metaethics makes you smarter!) With this sort of payoff in prospect, we definitely ought to be pursuing the power of positive thinking.

What about those ‘epistemic’ oughts? “The umbrella ought to be in your pack” might mean that there’s a case to be made that it’s in your pack. However, that’s a good deal weaker than there being a good argument that it’s in your pack, which would entail that the umbrella is in your pack. And that wouldn’t dovetail with the way in which the ‘epistemic’ ought is used to express one’s reservations.

We can now return briefly to the charge of ‘quietism’. Usage in this debate has little to do with the literal and religious sense of the word, and seems to label three related claims: 1) that “there is, in some sense, no way of getting outside normative thought to explain it”; 2) that “no metaethical theories are possible”; and 3) that it is pointless to attempt to “give an account of what it is to think a normative thought” (Hussain and Shah, 2006, pp. 268f). Since the view on offer here is that giving an account of what it is to think a normative thought (not all of them at once) is perfectly possible, but doesn’t require stepping outside all normative thought, and that this is what a successful metaethics consists in, these claims needn’t travel together, and the very use of the one word, “quietism,” is evidently question begging. Hussain and Shah frequently repeat the phrase, “the failure to distinguish normative from metaethical questions,” but it likewise begs the question against positive metaethics to assume there is a distinction to be made.

Let’s now consider the sound of the word, which suggests that someone is disposed to sit there in a blissful stupor and leave everything that needs fixing in its dilapidated state. A ‘quietist’ philosophical view would be one that assuaged your worries about ‘normativity,’ and so allowed you to go on in your deliberative and moral practice just as before. That sounds like old-school twentieth-century metaethics. Whereas positive metaethics gives you an incentive to improve your understanding of practical argumentation, and even to invent new kinds of practical argument—i.e., it encourages you to do things differently—and so positive metaethics is precisely not a form of quietism.

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