Copping out on the Anything-Goes Objection

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Abstract: I suggest a strategy for defending the Divine Command Theory of morality against the familiar "anything goes" objection. The objection is that this theory of morality has counter-intuitive moral implications. I argue that the objection fails to notice the difference between a first-order expression of a moral proposition and a second-order metaethical account of what justifies moral standards. The objection treats the theory as if it were the former, when it is actually the latter.

The most important, troublesome, and popular of objections to the Divine Command Theory of morality (DCT) is the familiar "anything goes" objection (AG). DCT is thought to imply the following conditional:

(AG)   If God were to command that we torture an innocent child to death, then

              torturing an innocent child to death would be morally right.

Since, as most people think, AG is false because it would be morally wrong for us to torture an innocent child to death under any set of circumstances, moral standards cannot be appropriately justified in terms of divine commands. DCT does not provide the correct account of what justifies a moral standard and so does not provide the relevant

truth conditions for moral propositions. Any theory that implies that anything goes in morality is wildly counter-intuitive.

It seems true that AG is an implication of DCT. Therefore, proponents of DCT require some way of affirming consistently that DCT provides the correct account of what justifies moral standards, that AG is an implication of DCT, and that this result is not morally counter-intuitive. Is there any way to do this? David Copp has suggested one in the context of his own "society-centered" theory (SCT) of the justification of moral standards.[1] The way he defends SCT against criticisms that it has morally objectionable normative implications can be adapted for a defense of DCT.

Copp's moral theory is a standard-based theory. "Standard" is used in this context to name a rule or imperative, for example, "Do not torture innocent children to death." Imperatives have no truth conditions. But this does not prevent a moral claim from having truth conditions. A claim endorsing the standard, like "It is wrong to torture innocent children to death" expresses a proposition *about* the standard. It asserts that a standard that calls upon people to avoid torturing innocent children to death is appropriately justified. This proposition is true only if there is a standard that calls upon people to avoid this behavior, and this standard is appropriately justified.[2]

There are, certainly, many different accounts of the conditions under which a moral standard is appropriately justified. The *correct* account will be the one that gets things right about what actually justifies the standard; it will determine the truth

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[1] David Copp, "Morality and Society – The True and the Nasty," *Analyse & Kritik* 20 (1998): 123-140.

[2] Ibid., 124.

conditions of moral propositions. Copp's moral theory is society-centered. This means
that the theory justifies moral standards in terms of the needs of a society. By the lights
of SCT, a moral standard is justified upon the condition that the society, given its needs,
would be rationally required to select the standard as part of its moral system.[3] By the
lights of SCT, a moral proposition endorsing the standard, asserting in effect that the
standard is justified, is true if and only if it would be rationally required for the society to
select the standard given its needs. The proposition *really is* true if SCT provides the
correct account of the conditions under which a moral standard is appropriately justified.

I deny that SCT provides the correct account of the conditions under which a
moral standard is appropriately justified, but the reasons for this are beside the point of
this essay. However, I will discuss one reason that has been offered for the rejection of
SCT.[4] The reason I will discuss, I think, fails to undermine SCT, and it turns out to be
essentially the same "anything goes" objection that is frequently lodged against DCT.
The objection is that the society-centered account of the justification of moral standards
is supposed to lead to morally "nasty consequences". Just like DCT, SCT may be
vulnerable to the objection that it implies counter-intuitive normative propositions.
Whether it is vulnerable will be contingent upon what standards a society would be
rationally required to choose were it in very different circumstances, possessing very

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[3] See ibid., *Morality, Normativity, and Society* (NY: Oxford University Press, 1995),
104ff.

[4] Anton Leist, "For Society—Against Morality? On David Copp's Attempt to Put
Society at the Centre of Ethics," *Analyse & Kritik* 19 (1997): 213-228.

different needs. For example, the objection may go, by the lights of SCT, torturing innocent children to death would not be wrong if our society were in circumstances in which its needs would be better served were we to have a moral system that permitted torturing innocent children to death. This, however, conflicts with our established, pre-theoretical moral beliefs. Therefore, SCT does not provide the correct account of the conditions under which a moral standard is appropriately justified.

Copp responds to this criticism that his theory implies counter-intuitive normative propositions by noticing a scope ambiguity in statements having the following form, where X refers to something that conflicts with our established, pre-theoretical moral beliefs:

(AΓ)   If circumstances were otherwise, then Xing would be morally right.

According to one interpretation of this, the scope of what Copp refers to as the "moral operator"[5] is narrow:

(AΓ1)   If circumstances were otherwise, then *morality would be such that* Xing is
             morally right.

The moral operator could also have a wide scope:

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[5]Copp, "Morality and Society – The True and the Nasty," 131.

(AΓ2)   *Morality is such that*, if circumstances were otherwise, then Xing would

be morally right.

Given the structure of the theory, AΓ1 is an obvious implication of SCT. If society were

radically different such that its needs would be better served by torturing innocent

children to death in some cases, then a standard that called for this would be justified.

However, whether AΓ2 is true depends upon the actual needs of society. According to

Copp, the moral proposition expressed by AΓ2 is false by the lights of SCT. SCT has it

that torturing innocent children to death is morally wrong, and would be morally wrong

in any society.[6] Therefore, there is no conflict between SCT and our established, pre-

theoretical moral beliefs.

　　Disambiguating AΓ and being explicit about the position of the moral operator

serves to distinguish a second-order account the conditions under which a moral standard

is appropriately justified, a *metaethical theory* proposition, from a first-order expression

of a *moral* proposition. AΓ1 is an example of the former. As such, it is not in

competition with, and cannot conflict with, a first-order moral proposition. The

proposition "Morality is *not* such that, if circumstances were different, then torturing

innocent children to death would be morally right"[7] is in competition with, and does

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[6] Ibid., 133.

[7] This is a moral proposition. Above I explained what this means. It asserts that a moral

standard prohibiting torturing innocent children to death is justified. This proposition is

true by the lights of SCT only if it is rationally required for the society to select that

conflict with, AΓ2. But SCT does not imply AΓ2. According to Copp, SCT implies the

moral proposition that torturing innocent children to death is wrong, period.

Therefore, normative objections to SCT, objections to the theory made on moral

grounds, fail to notice the difference between a first-order expression of a moral

proposition and a second-order metaethical account of what justifies moral standards.

Copp's strategy suggests an important lesson:

LESSON: Established, pre-theoretical moral beliefs can conflict with a normative

                    proposition, but they cannot conflict with a metaethical proposition.

The normative objection to DCT suggested by AG makes this same mistake. Proponents

of DCT can make use of the lesson in order to show that the "anything goes" objection to

DCT fails.

Copp's strategy suggests that AG is ambiguous between the following:

 (AG1)   If God were to command that we torture an innocent child to death, then

                  morality would be such that torturing an innocent child to death is morally

                  right

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standard given its needs. It is *really* true only if the correct account of morality calls for

this standard.

(AG2)   *Morality is such that*, if God were to command that we torture an innocent child to death, then torturing an innocent child to death would be morally right.

AG1 provides the narrow reading where the moral operator governs only the consequent. AG2 provides the wide reading of AG where the moral operator governs the entire conditional.[8]

If DCT provides the correct account of the conditions under which a moral standard is appropriately justified, then AG1 must be true. Since the theory justifies moral standards in terms of God's commands, if God commanded the torture of an innocent child to death, then morality would be such that the torture of that child to death is morally right. But this is simply a theoretical point. AG1 is a second-order, metaethical proposition, not a normative proposition. As such, it is not in competition with, and cannot conflict with, any of our established, pre-theoretical moral beliefs. In this case, the relevant pre-theoretical moral belief is "Morality is *not* such that, if (circumstances were different and) God were to command that we torture an innocent child to death, then torturing an innocent child to death would be morally right." DCT does not imply that this belief is false. This belief is a moral proposition, like the one discussed above.[9] Like that one, it asserts that a moral standard prohibiting torturing

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[8] Another way to put the difference is that AG1 asserts that it is a metaethical fact that AG. AG2 asserts that it is a normative ethical fact that AG.

[9] Cf. note 7.

innocent children to death is justified. This proposition is true by the lights of DCT if

God has issued a command to avoid the behavior. If DCT provides the correct account of

what justifies moral standards, then the proposition *really is* true.

If this is the case, that is, if our pre-theoretical moral belief is true by the lights of

DCT because there is a standard forbidding that anyone torture an innocent child to

death, and this standard is justified in terms of God's commands, then the obvious

implication is that by the lights of DCT, AG2 has to be false. AG2 and our pre-

theoretical moral belief are first-order moral propositions. They conflict with each other

and so they cannot both be true. Since our pre-theoretical moral belief is true by the

lights of DCT, AG2 has to be false by the lights of DCT.

The purported problem for DCT is that it is supposed to be incompatible with

many of our established, pre-theoretical moral beliefs. This incompatibility is merely

apparent. "Do not torture innocent children to death" is a moral standard. Proponents of

DCT claim, roughly, that *moral standards are justified in terms of God's commands*.

This claim is a metaethical proposition offering an account of what has to be true about a

moral standard in order for the moral standard to be justified. As we discovered in the

earlier lesson, it is not possible that a metaethical proposition could conflict with any

moral belief, not even firmly established, pre-theoretical intuitions. A claim expressing a

proposition about the standard, like "It is wrong to torture innocent children to death"

may conflict with our moral beliefs, but in this case it simply does not.

Someone could respond that the pre-theoretical intuition is actually not offered as

a first-order, substantive moral judgment. Rather, it is a second-order, metaethical theory

claim. The idea is that what people really object to about DCT is that if God's commands

had been different, then morality would have been such that a standard permitting the torture of an innocent child to death is justified. Understood that way, the intuition really is in conflict with AG1 and so the theory. However, this move would be somewhat disingenuous. Originally, the intuition was offered by way of an argument that DCT has counter-intuitive *moral* implications; it is most typically presented as an objection made on moral grounds. Defenders of DCT should take such arguments seriously. But it is no surprise that, and defenders of DCT need not take seriously the fact that many will have theoretical intuitions incompatible with DCT. That is just to say they have a different theory and that is no argument against DCT. It is merely the expression of disagreement. Every standard-based moral theory offers a different account of what makes moral standards appropriately justified. Even if the proposed standards are very similar under alternative accounts, the facts that justify the standards will be different if the accounts will be different. Therefore, it would be very strange indeed if people did not find accounts that justify standards in ways different than their own to be counter-intuitive.

This is not to say that we must throw up our hands because there is nothing a theorist can say to motivate accepting one account over another. It is just to say that the anything-goes objection is not relevant here. A relevant critique would raise issues such as the cogency of the theory's semantics of moral judgment, its view of the nature of moral properties, its identification of the properties on which moral properties may supervene or refer to, or its story about the source of moral obligations. Concerning these matters, proponents of DCT appeal to divine commands and there may be problems with

them doing so.[10] However, moral intuitions cannot conflict with a meta-theory

proposition; no normative considerations are relevant to an evaluation of a metaethical

proposition.

       Therefore, the only way to make the anything goes objection to DCT stick is to

deny that it is possible to make a distinction between a metaethical position and a

substantive normative position. However, this is implausible. Such a distinction is

commonplace in ethics and made quite easily.[11]

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[10] For example, proponents of DCT could be confronted with the open-question argument

or issues involving Moral Twin Earth. See R. M. Hare, *The Language of Morals*

(Oxford: Oxford University Press, 1961), 148-149, and Terence Horgan and Mark

Timmons, "New-Wave Moral Realism Meets Moral Twin Earth," *Rationality, Morality*

and Self-interest, ed. J. Heil (Lanham, MD: Rowman & Littlefield, 1993), 115-133.

[11] The theories discussed in this essay are cognitivist theories. These theories may make

the distinction in the way I have followed Copp: a metaethical proposition makes a claim

about what justifies moral standards; substantive normative propositions express the

belief that the standard is justified, a person's endorsement of the standard, or perhaps

both of these. Of course, noncognitivists also make the distinction. It remains true that

substantive claims are the ones made within the realm of evaluative discourse and

metaethical claims are strictly *about* moral claims. The difference is that, for

noncognitivists, only the latter are considered genuine propositions.