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CHAPTER ONE

KOVESI'S REFUTATION OF HUME

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I

For at least the past half-century, the doctrine of the logical independence of description and evaluation (hereinafter 'The Doctrine') has been regarded, by most moral philosophers, at least in the English-speaking world, as unassailable. The Doctrine is generally taken to assert, at least for the purposes of a rough and preliminary formulation, that no *purely* descriptive statement ('purely' descriptive, that is, in the sense of entirely lacking evaluative content) can entail any *purely* evaluative sentence, and vice-versa.

Most readers find it disconcerting, therefore, when, in Julius Kovesi's dense and difficult little book *Moral Notions*, they encounter the confident assertion that, in moral discourse, evaluation is, logically, a function of description. The book ends, indeed, with the gnomic assertion,

> What I have been trying to say in this study is that moral notions do not evaluate the world of description; *we evaluate that world by the help of descriptive notions*. [my italics][1]

Despite my teacher Professor Bernard Mayo's prediction, in his critical notice in *Mind*, that *Moral Notions* not only deserved to have, but must inevitably have, a profound effect on subsequent discussion in moral philosophy, the book has languished half-forgotten since its appearance. Partly, I think that is explained by the astonishing density of argument in the book. As Mayo put it, 'fresh ideas crowd in so thickly that the pattern of argument is easy to lose.'[2] But at least one other main source of the neglect which the book has suffered is to be found, I suspect, in the apparently paradoxical character of the claims it advances. As Mayo himself

[1] Julius Kovesi, *Moral Notions*, 1967, p. 161; 2004, p. 115.

[2] Bernard Mayo, 'Critical Notice' of *Moral Notions*, *MIND*, N.S. 78, no. 310 (April 1969), pp. 285–92.

observes, 'Time and time again a startling paradox brings us to a halt....'[3] And nothing can seem more starkly paradoxical, to anyone widely read in the moral philosophy of the past three centuries, than the suggestion that evaluation requires 'the help of descriptive notions.' The average philosophically trained reader cannot but find that concluding head-on denial of the logical independence of description and evaluation, at first sight not so much implausible as incomprehensible. Worse still, nothing that the average reader has found himself or herself able to extract from the varied, subtle, involved and at times digressive reasonings that make up the remainder of the book has, I also suspect, in any way served to soften that concluding note of—apparently—defiantly embraced paradox.

What the book needs, in short, if there is to be any just revaluation of its philosophical significance, is to be given space to breathe. We need to separate out each of the various topics far too closely crowded together in its densely-argued pages, with a view to teasing out and clearly displaying the precise structure and content of the arguments appertaining to each. That job needs doing most of all, perhaps, in the case of Kovesi's critique of Hume; not least because that is one of the topics expressly excluded from Bernard Mayo's—itself densely-argued—Critical Notice. I shall confine myself here, therefore, to displaying the nature and structure of that critique. One result of doing so, I hope, will be to dispel the air of paradox surrounding the book's concluding remarks, by rephrasing and slightly—but only very slightly—extending some of Kovesi's arguments, in such a way as to show that, and how, they actually do cast doubt on the doctrine of the logical independence of description and evaluation: a doctrine originally bequeathed us, after all, by David Hume.

II

To begin with, something needs to be said concerning the history and the conceptual ramifications of 'the fact–value distinction'. It might be complained that both are too familiar to need further rehearsal here. Nevertheless this tediously well-trodden ground must be trodden again, however briefly and summarily, if we are to focus clearly on the precise points in the tangle of supporting arguments for The Doctrine at which Kovesi's criticisms bite home.

[3] Mayo, 'Critical Notice', p. 285.

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We may start with the term 'evaluative discourse'. In the 60's of the last century, when Kovesi was writing, 'evaluative discourse' meant one of two things: either (i) discourse in the imperative mood, or (ii) emotive discourse. The two correspond to two different accounts of the distinction between description and evaluation, and thus to two versions of The Doctrine, differing in both content and motivation. On the first account, associated with the work of Professor R. M. Hare at Oxford, the reason why no purely evaluative statement can entail a descriptive one, and vice versa, is that no logical relationships obtain between statements, respectively, in the indicative and imperative moods. On the second, 'emotivist', account, whose main proponents included A. J. Ayer, and my friend and teacher C. L. Stevenson at Michigan, the logical disconnection of description and evaluation is grounded in the fact that the function of an evaluative statement is not to assert any proposition that might be true or false, but simply to express a certain type of emotional commitment, or, as Stevenson put it, an 'attitude'[4], either of approval or disapproval.

The two accounts have more in common than might be supposed at first sight. Hare's views, because they offer an account of moral rationality founded upon a notion of universalisability, are often taken to represent a rare incursion of Kantianism into the broadly empiricist tradition of English-speaking moral philosophy. But Hare's debt to Kant, while real, is neither profound nor exclusive. It is belied by two aspects of Hare's account. One is the pervasive utilitarianism of his thought. The other is the fact that, for Hare, the test of whether a moral principle is, or is not, universalisable, is not to be found in the austerely impersonal abstract rationality of the Categorical Imperative; but rather in the personal preferences (in effect, in Stevensonian terms, the *attitudes*) of the particular moral reasoner attempting to decide which of two competing, but equally universal principles he wishes to consider binding upon anyone in his situation, and thus upon himself.[5]

In fact, it seems to me, the intellectual ancestry of the entire tradition of thought against which Julius Kovesi was reacting, in both its Harean and in its emotivist versions, is to be traced, not to Kant, but rather to Hume;

[4] C. L. Stevenson, *Ethics and Language* (New Haven: Yale University Press, 1944), p. 3 and *passim*.

[5] For a more extended discussion of Hare's relationship to Kant, along these lines, see Bernard Harrison, 'Kant and the Sincere Fanatic', in S. C. Brown (ed.), *Philosophers of the Enlightenment*, Royal Institute of Philosophy Lectures, 1975–76, (Brighton/NY: Harvester Press, 1979), pp. 226–61.

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specifically to the Hume of Book III of the *Treatise*.[6] Hume's account, for one thing, combines both of the theoretical elements which Hare and the emotivist tradition develop in quasi-isolation from one another. Hare, that is to say, emphasises the action-guiding character of moral discourse, from which he derives its association with the imperative mood. Stevenson and Ayer, on the other hand, emphasise the functions of moral discourse in both expressing and influencing the emotional states, or attitudes, of speakers and hearers. For Hume, these two functions of moral discourse are hardly to be regarded as separate, so closely are they bound up with one another in his account of morals.

Hume's aim in Book III, as he states it in the opening section, is to show that 'the rules of morality [...] are not conclusions of our reason.'[7] The argument for this conclusion has already been deployed, however, in Section III of Book II: *Of the influencing motives of the will*. Hume there distinguishes between two types of 'reason'; two ways in which 'the understanding exerts itself'. The first is 'abstract or demonstrative reasoning', of which the palmary instance is mathematics. Its 'proper province', says Hume, 'is the world of ideas', and since 'the will always places us in that of realities', neither mathematics nor any other form of abstract reasoning can ever *of itself* move the will to action. Mathematics has practical uses in mechanics, and arithmetic 'in almost every art and profession'. In these areas it may seem, since the results of calculation often carry with them implications for action, that abstract mathematical reasoning does have some influence over the will. But it would be a mistake to think that. In such cases mathematical reasoning does not influence the will directly. It does so only because its conclusions bear on some matter *in which we have an interest*. It is *that interest* which moves the will, and not, 'of itself', any mathematical reasoning concerning it.

The second 'operation of the understanding' to which we give the name of reason, is, Hume tells us, reasoning concerning cause and effect. Here again we find that, insofar as such reasonings have any power to affect the will, it is solely because the causal connections they reveal carry with them, at times, 'the prospect of pain or pleasure'. The prospect of pain or pleasure arouses in us 'a consequent emotion of aversion or propensity' towards things capable of offering one or the other. Empirical discoveries concerning cause and effect can thus sometimes appear to exert an

[6] David Hume, *A Treatise of Human Nature*, 2nd edition, Peter Nidditch ed. (Oxford: Clarendon Press, 1978).

[7] Hume, *Treatise*, p. 457.

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influence on the will, and move us to action. But once again the power to direct action is contributed, not by the abstract knowledge of cause and effect which reason itself has contributed, but by the interest we take, because of the prospect of pain or pleasure, in the causes and effects in question. 'It can never in the least concern us to know, that such objects are causes, and such others effects, if both the causes and the effects be indifferent to us.'

To sum up: for Hume, evaluative discourse, including moral discourse, is capable of moving the will, and so of guiding action, precisely because it is not, *pace* Kant, rational, but instead passional (or in modern terms, 'emotive') in character. Its business is not with establishing theorems or stating facts—not, that is to say, with anything that could *in logic* be assessed for truth or falsity—but rather with the expression and manipulation of emotion: of 'approbation' or 'disapprobation' in Hume's terminology, of approval or disapproval in ours.

These arguments of Hume's, of course, immediately entail The Doctrine, and in a very strong form. The concept of reason, for Hume, as for us, is intrinsically connected with the notions of truth and falsity. The object of all rational discourse is to arrive at truth, whether by deductive reasoning or by empirical investigation. 'Descriptive' discourse just is discourse that presents itself as embodying the results of such enquiries: as embodying, that is to say, statements capable of being assessed for truth or falsity. Logical relationships, whether of entailment, consistency or contradiction, can, in turn, only hold between statements capable of being so assessed. If Hume's arguments go through, however, evaluative discourse, including moral discourse, lies entirely outside the scope of such relationships, simply because the function of evaluative utterance is not to convey truth but rather to express and manipulate emotion. One might as well speak of a statement entailing, or being entailed by, a cry of pain.

At this point in the discussion we need to pay close attention to two further, and closely linked, consequences of Hume's argument. They are important because they have exercised a profound influence, not only on subsequent philosophy but also, as I shall suggest, on our everyday thinking concerning morality. And they are of crucial importance for our concerns here, because they mark, as I shall argue, the point at which Kovesi's thought begins to create serious difficulties, not merely for Hume, but for The Doctrine in all of its modern forms.

They are as follows:

(C1) The emotions expressed in a moral judgement, of approbation or disapprobation as the case may be, *belong to, are part of the furniture of, the*

mind of the individual person, making the judgement, in the same sort of way that a person's tastes in food *belong to* that person, are *part of the furniture of* his or her mind. When Alice says 'Abortion is wrong', the disapprobation she expresses is *her* disapprobation, just as the disgust she expresses in saying 'I find oysters revolting' is *her* disgust.

(C2) Just as there is no way of dissenting from Alice's distaste for oysters *on rational grounds*, so there is no way of disputing, *on rational grounds*, the moral disapprobation she feels towards abortion. In general, if Hume's arguments go through, no assignment of moral approval or disapproval to any descriptively specified state of affairs, or type of state of affairs, can be criticised as *irrational*, or *unintelligible*, or *absurd*. If Jones, following Aristotle, considers compassion to be a discreditable moral weakness, we may *dislike* his moral taste, or find it *unacceptable so far as we are concerned*, but we have no rational grounds on which to criticise it as *unreasonable*, or *unacceptable to any rational person*, any more than we could have rational grounds for criticising *in those terms* the taste for grilled bird-eating spiders which, for the sake of argument, we will suppose Jones to have picked up in the Amazon rain forest. We may not like eating spiders; equally, we may not find compassion morally discreditable. Nevertheless, Jones does; and there, if Hume is right, the possibilities of rational argument come to an end.

It is possible to rephrase C1–C2 in very much more dramatic ways. On some accounts what they show is that 'Nature', or 'Reality' *per se* is *indifferent* to our moral sensibilities, and hence, from the point of view of human moral concerns and aspirations, *meaningless*. If nothing in 'the facts' or 'the brute facts' can determine, on pain of some form of irrationality or logical absurdity, what we are to make of them, morally speaking, then 'the world' composed by the said facts, some feel inclined to say, is itself 'absurd'. Such feelings form part of the bedrock of many versions of existentialism, from Kierkegaard onwards to Nietzsche and Sartre (whose novel *La Nausée*, for instance, explores them in several forms). But, quite apart from that, they are also to be found lurking in one form or another throughout much of what we regard as 'modernism' and 'postmodernism', in literature, philosophy and general culture.

On other accounts, what C1–C2 demonstrate is the tragic fragility of any attempt to believe in the possibility of a common morality, let alone to sustain such a morality in practice. The late Bernard Williams' *Ethics and the Limits of Philosophy*, for instance, offers a kind of funeral oration over the graves, respectively, of the notion of objective moral knowledge, and

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that of a morality valid, not for one or another human culture or social system, but for humanity at large.[8] Williams grants the existence of what he calls 'thick' moral concepts—his examples include *treachery, promise, brutality*—which appear both to describe the world and to dictate a certain evaluative response as the only one appropriate to the realities they describe. Even more promisingly, he rejects Hare's treatment of such concepts as the analytically separable union of a descriptive component and a prescriptive one.[9] Following McDowell, however, he argues that the defect of Hare's analysis is that the alleged 'descriptive component' may be insufficient to single out fresh instances to which the concept applies.[10] It may only be possible for someone to make out what makes different instances *instances,* of promising, treachery, &c, if that person shares, at least in empathetic imagination, some sense of the evaluative role played by the concept in a given society; its 'evaluative point' as Williams puts it. But one can grasp, imaginatively, the evaluative point of the 'thick' moral concepts, without being, oneself, remotely inclined to take that concept seriously, in the sense of sharing the evaluative responses it appears to recommend as alone adequate to the realities with which it deals.

It is up to the individual moral agent, in other words, to decide whether to attribute serious moral weight to the 'traditional' morality, whatever that may enjoin, of his or any other society. Once 'critical reflection' has led one to that conclusion, Williams is doubtless right to argue, there can be no possibility of crediting oneself with rational grounds for belief in some body of common and 'objective' moral truths expressible in terms of 'thick' moral concepts. For any such set of grounds would have to be such as to constrain the moral allegiance of the individual moral agent. And we have already shown, it appears, that nothing can constrain the moral allegiance of the individual moral agent!

In this sense, says Williams, critical reflection 'can destroy knowledge.' And 'there is no route back from reflectiveness [...] no way in which we can consciously take ourselves back from it.' For the reflective mind, in short, there is no route that leads back to what Williams calls 'the

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[8] Bernard Williams, *Ethics and the Limits of Philosophy* (London: Fontana Press/Collins, 1985).

[9] Williams, *Ethics and the Limits of Philosophy*, p. 130.

[10] Williams, *Ethics and the Limits of Philosophy*, p. 140. The McDowell reference is to John McDowell's 'Are Moral Requirements Hypothetical Imperatives?', *Proceedings of the Aristotelian Society*, suppl. vol. 52 (1978), pp. 13–29.

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hypertraditional society' whose members find themselves equipped with a vocabulary of 'thick' moral concepts which for them simply reflect moral reality, and for that reason justify shared patterns of moral response whose validity they neither question nor analyse. The best we can hope for, Williams concludes, is not conviction, but merely 'confidence' concerning our moral arrangements, a confidence founded only in continual debate and hence more likely to be harmed than fostered by moral authoritarianism.

In effect, Williams' argument hinges on the thought that it is perfectly reasonable to envisage the possibility of the individual moral agent—at least one given to 'critical reflection'—standing back, as it were, from a 'thick' moral concept and saying, in effect, 'I see why the mediaeval Japanese (or whoever) had such a concept, and I see how it fitted into their society, and hence what its evaluative point was for them, *but the values it expresses are not, and never could be, mine*'.

That move is, it seems to me, essentially Humian in character. It simply re-expresses the essential content of C1–C2: that evaluation is ultimately a function of the mind and sensibility of the individual, and that there is therefore no way in which a reflective mind could be *constrained by reason alone* to take any moral concept, or any moral conclusion founded upon the deployment of such a concept, as *valid beyond question,* since there is simply no way in which either a grasp of the descriptive content of the concept, or an understanding of its role and function in the life of the society which produced it, could, *logically* speaking, possess the capacity to annul the power of the individual reflective mind to bestow its evaluative assent or dissent where it chooses. Here, as so frequently, the ideas of the *Treatise* turn out to be the engine driving a distinctively 'modern' point of view.

III

Let us now turn back to Kovesi, and to *Moral Notions*. Kovesi's business with Hume is settled, it seems to me, in the former's second chapter, which bears the unassuming title *Following Rules and Giving Reasons*. I shall be chiefly concerned with an imaginary example of a 'moral notion' which Kovesi there constructs, and with his brief, summary, but to my mind devastatingly telling, comments upon it.

The example is designed to illustrate the gradual development of a moral or quasi-moral notion within a community. The community in

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question is that formed by the bus-conductors and ticket-inspectors of a certain bus company. The company requires its conductors to issue, from a little machine, a ticket for each passenger, the value of which is supposed to correspond to the distance travelled by the passenger. The job of the ticket inspectors is to check that the money gathered in each collector's pouch tallies with the face value of the tickets issued. Sometimes a dishonest conductor will be caught in this way embezzling the Company's money. But sometimes the money in a conductor's pouch fails to tally with the little machine's record of tickets issued, merely because the conductor has made a trivial mistake. Meaning to issue a fourpenny ticket, he has inadvertently set the dial of the machine for a fivepenny ticket (all this proceeds in terms of the ancient British currency still in use in the 1960's, which gives this part of the book a certain nostalgic charm for those of us above a certain age)—which, of course, when an inspector boards the bus, will make the tally come out wrong, to the conductor's disadvantage. Many conductors are in the habit of dealing with this problem *ad hoc*, by keeping the mistakenly issued ticket aside for the time being and later giving it to a passenger who needs a ticket of that value. This is still liable to cause trouble, requiring an explanation from the conductor, if an inspector examines the ticket, since the time limit printed on it will by now have expired.

The conductors discuss this problem with one another during their tea-breaks, since it is something that happens not infrequently, and one of them coins the expression 'making a misticket'. Gradually this term becomes current not only among the conductors, but among the inspectors as well. Its invention brings with it certain practical advantages, which tend to improve relationships between conductors and inspectors. Formerly a conductor had no option but to engage in long-winded and shaming explanations, which wasted the inspector's time, and forced the conductor to give an impression of himself as careless and inefficient. Once the term 'misticket' has been coined, however, the conductor can simply tell the inspector 'there's a misticket in the back.' From the conductor's point of view, that carries the advantage of both immediately explaining any discrepancy in the tally, without the need for lengthy *ad hoc* discussion, and of bringing the occurrence under the rubric of common error, of something that 'happens to everyone sometimes', rather than under that of culpable individual carelessness. But the introduction of the term 'misticket' also carries with it advantages for the inspectors, and through them for the Company. It allows them to deal quickly and efficiently with a common error, which, since it is as likely to befall an

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efficient and loyal conductor as a careless and dishonest one, is not one on which any significant loss or advantage to the Company hinges, and thus is not one to which a competent inspector needs, or wishes, to devote a great deal of his valuable time. In this way, says Kovesi, 'misticket' comes to function as an 'excuse-word'. He means by this, I take it, that the explanation, on the part of a conductor, that he has in error issued one or more mistickets, comes to be accepted, by any competent inspector, as excusing any consequent discrepancy in the tally.

But he means more than this. Formerly, before the invention of the word, and the acceptance by the inspectors of misticketing as a valid excuse for discrepancy in the tally, it was up to each conductor, when he made a misticket, to excuse both himself and the misticketed passenger. But the success of this endeavour depended not only on the individual conductor's articulacy, and skill in putting his case; it also depended on the individual inspector, who might be more or less strict, more or less ready to tolerate inefficiency of any sort, more or less testy and short-tempered, more or less well-disposed, it might even be, to this particular conductor.

Once the notion of misticketing has been formulated, however, and once the inspectors have accepted, on the one hand that a certain amount of misticketing is inevitable, and on the other, that the conductors' *ad hoc* way of dealing with it involves no injury to the interests of the Company, and thus no injury to their own interest in being seen by *their* superiors as concerned and responsible agents of the Company, all that changes. A complex of generally accepted rules for dealing with such situations now exists, and those rules do not refer to this or that individual conductor, or to this or that individual ticket-inspector; but to *any* conductor and to *any* inspector.

The importance of this last point to the argument Kovesi is making here, implicitly at least, against Hume, is capital. A little later in the chapter, Kovesi discusses, with specific reference to misticketing, some ways in which one may break, or infringe, such systems. What he says is this:

> The employees of the bus company may break the rules for the use of the term 'misticket' in [...] two ways. A conductor may collect tickets from the box for used tickets and sell them to the passengers and then claim that they are mistickets, or an inspector may rebuke a conductor for making what is recognised to be a misticket.[11]

[11] Kovesi, *Moral Notions*, 1967, p. 59; 2004, p. 44.

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We need to look closely at the second of these two ways of breaking the rules. Suppose a ticket-inspector feels so strongly that no form of inefficiency on the part of the conductors should be tolerated, that, one day, he subjects a conductor who offers this as an excuse to a blistering dressing-down. Is one, now, to excuse *him*, on the grounds that his response was guided by a set of *personal* 'moral values' of his own choosing? Or is one, rather, to treat his outburst as an unfortunate aberration, perhaps brought on by the stresses of the job, and recommend that he takes a few weeks off work? In practice, I suspect, the response of his supervisor, when confronted with the protests of the injured conductor at the injustice of being so treated, would tend towards the second. Presumably Kovesi would have agreed with this, since he specifically tells us that such a rebuke would constitute an abuse of the system of rules within which the word 'misticket' has been assigned a role, and from which, therefore, it takes its meaning. But has Kovesi any argument to justify taking that line?

Yes, he has. His answer is that *private* feelings or attitudes, even when they are attitudes of quasi-moral approval or disapproval, have no place in the systems of rules which define moral notions. To see why not, we merely have to look back at the way in which the idea that the fact of having accidentally made a misticket can always, when that is actually the case, be advanced as a valid excuse, got off the ground. It got off the ground through a history of discussion between, and among, conductors, inspectors and other Company representatives, in the process of which it became clear that nobody's interests would be damaged, and everybody's interests served, by treating the matter in that way. But the interests and concerns which were addressed in this process were not the interests and concerns of individual conductors or ticket inspectors. They were the interests and concerns common to *any* conductor or *any* inspector. As Kovesi puts it,

> [O]nly those wants, etc., that are *anybody's* wants are incorporated in our social and moral notions, and the function and purpose of these notions in our lives must be such that anybody should be able to and should want to use them in the same way and for the same purpose. Since we form our notions from the very start from the point of view of anybody, these terms do not reflect my wants but anybody's wants. *The tension between* [...] *what I would like to do and what I ought to do enters into our life already with our language*.[12] [my italics]

In effect, Kovesi is denying the first of the two linked consequences of Hume's account of the nature of morality, the one which, earlier, I labelled

[12] Kovesi, *Moral Notions*, 1967, p. 57; 2004, p. 42.

C1. He is denying that the emotions, the attitudes, expressed in a moral judgement, as I there put it earlier, belong to, are part of the furniture of, the individual mind. Moreover, although I say 'in effect', it is only to mark the distinction between direct citation and paraphrase. This ground of objection to Hume's views is not, in other words, something I am reading into Kovesi. He levels the same objection himself, in so many words.

> I must emphasize that it is from the very start that we form our notions from the point of view of anybody. Terms used in our language are not formed by a single person who then trims them to suit others, nor are they a selection from private vocabularies made to suit, or be accepted by, others. Nor is it the case that we try to persuade others to accept our privately formed notions or that we address them to the whole world for general acceptance. I emphasise this because a large number and surprising variety of moral philosophers seem to talk about our moral life and language as if each of us spoke a private language and yet lived in society, as if our moral notions were private notions that we try to make universal. [...] [An] example is the critical as against the constructive part of Hume's moral philosophy. The fact that he regards the relationship of a son to a father as the same as that between an acorn and an oak tree shows that for him a moral agent does not live in society. *The only sentiment which he considers is his own disapproval in his own breast* towards what is (apparently) an inanimate world.[13] [my italics]

Clearly, now, to reject C1 in this way, and on these grounds, is also to reject C2. If the point of framing moral notions is not, after all, to give expression to the purely private feelings of approval or disapproval which animate the breasts of particular individuals, then there seems no reason why some responses, driven by feelings of that kind, to situations describable in terms of specific moral notions should not appear to us, by the light of the moral notions in question, to be absurd, unintelligible, irrational. That is the case, after all, with the hypothetical ticket inspector who 'rebukes a conductor for making a misticket'. His doing so, as we say, 'makes no sense'. He cannot be defending either his own interests *qua* ticket collector, or the company's interests, because both of those sets of interests are already best served by the *ad hoc* methods devised by honest conductors for dealing with the misticket problem. He cannot be justly rebuking the conductor, because the conductor has committed no offence. It is not the conductor, but the inspector who is, as Kovesi puts it (in a turn of phrase very redolent of its period, which has the disadvantage of making the issue seem much more a matter of *linguistic convention* than, on Kovesi's own

[13] Kovesi, *Moral Notions*, 1967, p. 57–58; 2004, pp. 43–44.

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account of the matter, it is), breaking 'the rules for the use of the term 'misticket' '. We thus find ourselves left with no option but to treat the inspector's rebuke as some sort of irrational outburst, to be accounted for, perhaps, by the heat, or by stress.

But if we accept that, then the doctrine of the logical independence of description and evaluation falls into doubt. One could rephrase that doctrine as asserting that no evaluative response to a statement of fact can ever be classed as absurd or unintelligible *in virtue of the descriptive content of the statement in question*. But that is precisely the situation we appear to be facing in the Case of the Intemperate Ticket-Inspector.

True, the statement 'there's a misticket in the back' is not, in the sense envisaged by many modern philosophers, 'purely descriptive.' Unlike, say, 'grass is green', that is, it does not describe 'the inanimate world.' But then, as Kovesi observes,

> In the case of our moral and social life [...] it is our wants and needs, aspirations and ideals, likes and dislikes, that provide the very material for the formation of our notions.[14]

In any case, for the purposes of Hume's arguments, it is the distinction between Reason and Passion, not the modern distinction between description and evaluation, which matters. What distinguishes the deliverances of Reason, whether they issue from demonstrative reasoning or empirical investigation, is that they are assessable for truth or falsity. That is, moreover, the very thing, according to Hume, which debars them from *moving us to action*. Only the impulses of the passionate individual heart can, supposedly, accomplish that. This is the point at which Kovesi's arguments impact upon Hume's. 'There's a misticket in the back' is certainly assessable for truth or falsity. But either way, it is also action-guiding. If it turns out to be false (if the alleged 'misticket' in the back turns out to be a discarded ticket illegitimately resold, say), the astute ticket-inspector will deem it his duty to investigate further. If, on the other hand, it turns out to be true, a valid excuse has been given, and will doubtless be accepted as such. Moreover the action-guiding powers of 'there's a misticket in the back' are intrinsic to it, given the little web of interest-reconciling conventions into which it fits and which establish both its meaning and its truth-conditions. They do not depend on any extrinsic relationship either to the passions, or 'attitudes' of this particular ticket inspector considered as a specific individual, or to any prospect of personal loss or advantage which

[14] Kovesi, *Moral Notions*, 1967, p. 53; 2004, p. 41.

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he himself, as an individual, might see as implied by this particular nugget of information. He may just be someone who wishes to do his job to the best of his ability. But *that* precisely *rules out* his 'evaluating' the information he has been given by the light of any 'attitudes' or 'values' or 'emotional commitments' *peculiar to him*.

In effect what this shows is that the vocabulary of 'description' and 'evaluation', 'fact' and 'value', as that has been developed by philosophers on the basis of Hume's critical arguments in Part I of Book III of the *Treatise*, is simply inadequate to capture the workings of our moral life. But if we are to do justice to Kovesi's position, there is still something more to be said. Let us, once again consider the situation before the invention of the descriptive term 'misticket', its taking over by the inspectors from the conductors and its eventual acceptance on all sides as the vehicle of a valid excuse. In that situation, there will be no way for an inspector to respond to a conductor who, clumsily and long-windedly offers just such an explanation of some trivial discrepancy in the tally, except to consult his own private inclinations, to lose his temper or to let the matter pass as seems best to him. One could say, then, that it is only when the little moral notion *misticket* and its surrounding web of conventions has come into being that an inspector has some means of *evaluating* the conductor's explanation, as distinct from merely *responding* to it. Thinking along these lines, one finds oneself saying, with Kovesi

> Moral notions do not evaluate the world of description; we evaluate that world by the help of descriptive notions.

In terms of the modern, Hume-derived, distinction between description and evaluation, that, of course, is nonsense, as many readers must have testily observed before throwing the book aside. But in terms of the vision of things that Kovesi has painstakingly built up, it makes perfect sense.

IV

I shall now attempt, very briefly, to relate Kovesi's treatment of the 'misticket' example both to other elements of the book, and to one or two of the wider questions that have emerged in the course of the foregoing discussion.

I shall begin with an obvious question. How far can the dummy moral notion *misticket* be taken as representative of moral notions in general? As Isaiah Berlin was at pains to establish, the demands arising from concerns

that we regard, intuitively as 'moral' are not necessarily satisfiable consistently with one another. That thought alone should alert us to the fact that moral notions need not all be of the same type nor share the same origin. Nevertheless, it seems to me relatively easy to extend the principles governing Kovesi's discussion of the 'misticket' example to cover at least some fairly central parts of our moral conceptual scheme.

Consider, for instance, the notions *adultery* and *non-combatant*. The first, one might say, adapting Kovesi's talk of *excuse-words*, functions morally as an *avoidance-word*, the second as an *exemption-word*. That is to say, adultery has traditionally been regarded as something that should, *given its nature*, be avoided, while the status of non-combatant has traditionally been regarded, *given what it is to be a non-combatant*, as one which should secure people against wanton attack by the enemy in time of war. Both, as it happens, have over the past century lost much of their moral lustre (which, of course, is one reason why I chose them). In the West at any rate, few take adultery as something that should rate *severe* moral condemnation, while the army, or the guerrilla movement, which displays the slightest concern to avoid injury to non-combatants has become a shining exception.

Nevertheless it seems to me, a Kovesian account of the rationale of each of these notions can quite plausibly be sketched in each case. Monogamous marriage is a contract between two people to care for one another and for any children they may have. Each partner to it depends upon the love and good faith of the other for much of the good that they hope to draw from the relationship. Adultery breaks the pattern of mutual give and take of correlative advantages by sacrificing the interests and feelings of one partner to those of the other. Given the nature and structure of the relationship, in other words, there is no way in which adultery could be considered as anything but a breach of its founding terms of agreement. As Kovesi would say, it 'breaks the rules', much as the Intemperate Inspector or the Dishonest Conductor breaks the rules surrounding and defining the use of the term 'misticket'.

The same sort of thing could be said of the quaint old principle that non-combatant status ought to exempt one from attack. We all subscribe to a general prohibition against wanton murder, for evident reasons that need not detain us. We have however to exclude the killing of enemy combatants in time of war from that prohibition, because otherwise no-one could defend himself against military attack. But since that exclusion clause is only justified by the potential threat posed by combatants, there is no way of justifying its extension to include the killing of

non-combatants on the enemy side. In their case, therefore, the prohibition—which we all accept—against wanton murder remains in force. That is *why* 'non-combatant' functions as an exemption-word.

These two elements of our former moral outlook have, as I say, suffered, over the past century, just the sort of decline in our estimation that Williams foresees overtaking the moral beliefs of the Hypertraditional Society. It has happened, it seems to me, for two main reasons. The first is the gradual diffusion throughout society of an outlook which Williams, in common with a majority of academic philosophers and cultural critics, regards as unarguable: that morality, by having being shown not to be 'objective' in any sense of that term which would have satisfied Plato or Kant, has thereby been shown to be *baseless*: a mere tissue of rationally unsupported convictions: hothouse plants with no option but to collapse at the first chill blast of 'critical reflection'. The second is the connected, and equally prevalent, idea that morality is a matter of the 'values' one happens, *as an individual*, to hold, and that therefore there is no reason why different individuals—or societies, or political movements, since the same reasoning must apply to corporate as to real persons—should not both hold, and hold their actions justified by, radically different and incompatible sets of 'values'.

Thus we find adultery justified, from the novels of John Galsworthy onwards, in terms of the values of true love, of resistance to the idea of marriage as a form of property, of self-discovery, or as a former colleague of mine liked to put it, of Saying Yes to Life. And in the same sort of way we find guerrilla movements, whether in the Middle East or Sri Lanka, or Indonesia or Thailand or Columbia, murdering non-combatants in large numbers in the service of 'the values of the revolution', and national armies doing the same thing in the service of the values of national security.

In both cases we witness, however, a curious tendency for the discarded 'traditional morality' to reclaim its ground among the very people who have been most ardent in proclaiming the primacy of individual or corporate 'values', no doubt because, as Kovesi says, a properly constituted morality defends not my interests or your interests, but *anybody's* interests. No defender of the duties of marriage, after all, is more tenacious than the former adulterer who finds himself or herself in turn deserted for another; no defender of the rights of non-combatants more outraged than the ardent supporter of suicide bombing whose parents have died in a retaliatory bomb blast.

With this much on board in the way of a defence of the wider moral relevance of Kovesi's ideas, it is perhaps time to turn to two larger, and

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related, issues which have surfaced intermittently throughout the discussion so far: those of respectively, the longed-for 'objectivity' and 'universality' of morals; and the putative 'absurdity' of a world in which no account of 'moral knowledge' matching the objectivity and universality of (at least some) scientific knowledge can be given.

To begin with, we need to look a little more closely at Kovesi's account of the distinction between moral notions and non-moral ones.

In one sense, for Kovesi, there is no difference. All concepts, moral and non-moral, operate in the same way. In forming a concept, one stipulates a set of rules ('the formal element') whose function is to single out the natural features ('recognitors') by appeal to which users can, independently of one another, recognise things to which the concept applies and things to which it does not. A closely related account, though one that differs in a variety of ways from Kovesi's, for example in making a rather sharper distinction between knowledge of the meaning of a word and possession of the ability to recognise cases to which it applies, can be found in a recent book by myself and my Utah colleague Patricia Hanna.[15]

Moral concepts thus work, according to Kovesi, in much the same way as non-moral ones. The 'formal element' of the concept *misticket*, for instance, is what enables the astute ticket-inspector to dismiss the dishonest conductor's plea that what is in the back of the bus is a misticket (it in fact bears the marks of a discarded and recycled ticket), just as (see Chapter One of *Moral Notions*) the 'formal element' of the concept *table*, which defines a table in terms of the functions which tables are constructed to serve, allows one to distinguish actual tables from, say, tableish-looking objects originating from another culture which possesses neither tables nor the concept *table*: a culture, say, in which people do not sit down to work or eat, and therefore have no need for a flat surface supported on legs or a pedestal at a height convenient to a seated user.

One central point Kovesi is making, of course, in thus emphasising the community of structure and function between moral and non-moral concepts, is that the one thing moral concepts are *not* (*pace* a vast amount of significant work on metaethics since the 1930's) is an analytically separable combination, or pairing, of a 'descriptive element' with *something else non-descriptive in character*: a prescription, or an emotion or attitude. No such larding of a 'moral' element on to a 'purely descriptive' one, he argues,

[15] Patricia Hanna and Bernard Harrison, *Word and World: Practice and the Foundations of Language* (New York and Cambridge: Cambridge University Press, 2004).

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could turn the resulting chimaera into a moral concept. The concept *misticket* serves, among other things, to exemplify this point, by the manner in which it is, simultaneously and *ab ovo*, *both* a moral concept *and* a descriptive one.

> Our sentiments do indeed enter our moral notions, but not as something extra added onto a 'pure description'. Our moral judgments do not express attitudes towards inanimate objects; if the employees [in the misticket example] were inanimate objects, not even the strongest sentiment of approbation or disapprobation towards them would help us form a moral or social notion.[16]

How then, *do* moral notions differ, in general, from non-moral ones? If I understand Kovesi rightly, they differ in two ways. The first is that their subject-matter is not the inanimate but the animate world (the point would be more accurately made, I suspect, by replacing 'animate' with 'sentient'); that is, the world composed by beings with needs, desires, interests, hopes, wishes and so on. The second is that the purposes served by the introduction of moral concepts are not purposes of the kind people have, or can acquire, *as solitary individuals*, but purposes they can only acquire as social beings: beings, that is, many of whose interests essentially involve relationship to others, and who need there to be in operation, therefore, some system of commonly-accepted rules and conventions for regulating relations between persons.

This last point is the crux of Kovesi's objection to Hume. It is that 'for him [Hume] a moral agent does not live in society. The only sentiment which he considers is his own disapproval in his own breast towards what is (apparently) an inanimate world'.[17] Hume stands in the tradition of what might be called *Cartesian epistemic individualism*,[18] for which the fundamental philosophical questions are always versions of Descartes' fundamental question, 'What can *I* be said to know?' [my italics]. In moral philosophy that question became 'What can *I* know to be my duty?', 'What can *I* know to be good?', 'What ought *I* to do?', 'How ought *I* to live?', and in those forms proceeded to dominate speculative discussion for the succeeding three centuries; has done so, indeed, down to our own time. One might say, to put it crudely, that Kovesi proposes, refreshingly, to break with the long tradition of Cartesian epistemic individualism by, in effect, replacing the question 'What ought *I* to do?' with the question 'What

[16] Kovesi, *Moral Notions*, 1967, p. 54; 2004, p. 41.
[17] See Kovesi, *Moral Notions*, 1967, p. 57–58; 2004, pp. 43–44.
[18] See Hanna and Harrison, *Word and World*, pp. 186–88.

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ought *we* to do?' as the fundamental and originary question which morality comes into being to answer.

On Kovesi's view, therefore, morality both functions and comes into being, not in the theatre of the individual breast, but in those of the marketplace, the dancehall, the battlefield, the hospital, the parliamentary assembly, the bus depot: that is to say, in the numberless theatres which continually form and reform themselves in the course of the detailed working-out of inter-personal relationship and social life. The function of morality is never to guide one living alone, but always to guide many living together.

That is why, according to Kovesi, the interests, desires, feelings, &c., which we take into account in framing a moral notion cannot be interests or feelings specific to *this or that individual person,* but have, rather, to be anybody's interests or feelings: the interests or feelings *anybody* in a given situation might have, or feel.

This need not debar morality from engaging the interest of the individual moral agent, since the bulk of a particular person's interests qua X (where 'X' names some role—*conductor*, *ticket inspector*, e.g.—that an individual may occupy, or some set of circumstances—famine, being a prisoner of war, e.g.—in which he may find himself enmeshed) will in the ordinary run of cases scarcely be distinguishable from those of *any* X. But it does mean, for instance, that a critique of moral notions which are felt to have had their day and run their course—the notions, let's say, of what Williams calls a 'hypertraditional society'[19] could not be conducted in the manner Williams envisages.

That thought brings us back to the linked issues of moral objectivity and universality.

Kovesi himself envisages the possibility that a moral notion may change its formal or material elements, or even fall into desuetude.

> Of course, the existence of the word 'misticket' does not settle the problem for good. Someone may subsequently question whether mistickets should after all be excused. He would not raise this question because the arguments embodied in the notion fail to come up to some standard or because they do not entail that mistickets should be excused. He might raise the question because he saw a new point that could be relevant to the excusability of mistickets. Or there may be a change because of a change in the standard of efficiency or because the frequency of mistickets increases to proportions not envisaged earlier. (The cause of these might be the very existence of the

[19] Williams, *Ethics and the Limits of Philosophy*, pp. 142–48 and 158–59.

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> new word.) These are changes connected with the formal element. The material elements could also change if the employees come to see that there are other ways in which mistickets could come about, or if the company were to introduce new machines which operate differently.[20]

What this passage shows, however, is that Kovesi envisages the loss of respect for the old moral certainties as arising from concrete, specific changes in the relationship between a specific pattern of moral practice, together with its associated conceptual vocabulary, and the specific features of everyday life in connection with which it has traditionally been invoked. Unlike Williams, that is, he does not see it arising as the result of the general realisation, brought about by the rise of a distinctly Humian style of 'critical reflection', that there is no moral principle, however great the respect traditionally granted to it, whose authority can withstand the power of the 'critically reflective' individual to withhold his evaluative assent. One significant difference here is that whereas the processes of moral revision envisaged by Kovesi are specific in their operation, changing or annulling specific moral tenets without prejudice to others, those envisaged by Williams are global in their destructive power. According to Williams the whole notion of 'moral realism' or 'moral objectivity', stands revealed, under the arc-lights of 'critical reflection', as a fiction, and for that reason subsides into the abyss of moral relativity thus opened up, taking along with it the authority of *all* morality whatsoever.

Kovesi evades Williams' dispiriting conclusions, it seems to me, because he shares neither Williams' essentially Cartesian (and for that matter essentially Protestant) conviction that what one might call the evaluative upheavings of the individual conscience are the last court of appeal in morals, nor Williams' conception of what moral objectivity would have to be like if such a thing existed. For Kovesi, the objectivity of morals and its independence of individual or personal disaffection (though not of collective revision conducted on the basis of relevant argument concerning the interests of *anyone* in the matter) are part and parcel of one another. Williams has in mind, I suspect, a notion of moral objectivity akin to that commonly supposed to have been Plato's. The thought, I take it, is that there are, or would be, 'objective' moral values, only if these were somehow guaranteed, *independently of any conceptually constitutive activity on the part of human beings*, by 'the nature of things' in some suitably inhuman sense of that rather elastic phrase. To think in this way is, of course,

[20] Kovesi, *Moral Notions*, 1967, p. 50; 2004, p. 38.

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to make oneself extremely vulnerable to just the sorts of existential despair which Williams manifests in *Ethics and the Limits of Philosophy*, when it becomes clear that no moral values 'objective' in any such sense are likely to be forthcoming. Such ways of thinking passed naturally from Greek philosophy into Christianity, and from there became part of the standard discourse of the Enlightenment. Judaism, which has always been happy with the idea that the divine commandments require extensive and learned *halakhic* debate before one can begin to make out what obeying them might involve in practice, has traditionally been, and remains—at least among Jews who retain a grasp of what is specific to, and to be valued in, Jewish tradition—rather resistant to them.

Be that as it may, Kovesi's conception of moral objectivity is a quite different one, more modest, indeed, but for that very reason more easily exemplified in practice.

> Unexpectedly, the fact that our interests enter into our social and moral notions twice does not make those notions more subjective. Of course, being objective as opposed to subjective does not mean that we talk about objects rather than subjects. One can be subjective in talking about objects and objective in talking about subjects, i.e. about human beings and their actions. Whether we are objective depends on whether we form and use our terms according to interpersonal rules.[21]

The status, as an admissible excuse, of the plea to have accidentally made a misticket, is *objectively* valid, Kovesi is saying, because it issues from the operation of interpersonal rules established on the basis of considerations that concern the relevant needs and interests, not just of Peter, James or John, but of *anybody* caught up, in one or another role, in a given situation. Extra-human reality is simply irrelevant to the issue, if for no other reason than that morality neither does nor could concern the extra-human.

Moral objectivity, for Kovesi, in other words, is not a matter of morality's *having an extra-human origin*: of its being forced upon us by 'the nature of things'. Hence, that *the natural world*, meaning by that *the non-human world* is innocent of moral lessons or moral purpose, does not entail that 'reality' *per se* is innocent of such lessons or purposes, since we are, after all, part of reality. In looking for moral guidance outside the human world we are looking, as Kovesi sees it, in the wrong place. *Pace* large parts of the existentialist tradition and its modernist and post-modernist cultural offshoots, 'the world' fails of 'absurdity' for the simple

[21] Kovesi, *Moral Notions*, 1967, p. 54; 2004, p. 41.

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reason that it contains not only human beings, but human beings for whom there is a real distinction to be drawn, *from the outset, given, as Kovesi sees it, the nature of language itself*, between the demands of an essentially public morality and those of private 'sentiment'. Sartre, in *La Nausée*, manages brilliantly to dissolve this distinction, if only in appearance. But Sartre achieves his effects partly by deploying the sub-Heideggerian conception of *Dasein*-as-the-creator-of-meaning developed in *L'être et le néant*. And Sartrean *Dasein* is simply another version of the isolated Humian self against which Kovesi inveighs: the alleged moral agent who 'does not live in society' and who considers only the sentiments which arise in his own breast concerning what is apparently, for him, 'an inanimate world'. If we disembarrass ourselves, along the lines Kovesi suggests, of this Humian conception of the self, then, it seems to me, we disembarrass ourselves also (among other things), not only of Sartre's version of existential anguish, but of all its numerous variants and congeners.

Kovesi's way of avoiding either Sartre's or Williams' form of existential angst—essentially by treating morality as a system of essentially social conceptual constructs—might, now, tempt an objector to argue that Kovesi has, in the end, simply replaced individual conscience with the dictates of 'society' as the ultimate guarantor of right and wrong. In fact, it seems to me, Kovesi's position transcends this familiar polarity. If we think of a moral judgement as combining a 'descriptive' with an 'evaluative' component, and of the evaluative component as either a universal prescription chosen by, or an emotional attitude of, the individual making the judgement, then we face a problem (one of the problems, incidentally, on which Kovesi put his finger). We have to find some way of explaining why it is, that while some of an individual's emotional attitudes or commitments to principled action concern only his or her private life, others have the sort of bearing on the public life of society which makes it appropriate for them to function as the evaluative components of moral judgements. One obvious way of resolving this difficulty is to suppose the goals and principles of action espoused by each individual to form two distinct sets, the first 'natural' and for the most part self-regarding, the second other-regarding, and the result of some process or processes of 'social conditioning'. These are, after all, very much the lines along which Hume's thinking runs in the constructive sections (parts II and III) of Book II of the *Treatise*. The disadvantage of this way of thinking is that it tempts us to dismiss any tendency, on anyone's part, to take morality seriously, as the result, to put it bluntly, of brainwashing on the part of, and in the interests of, 'society', meaning by that whatever unexamined social order happens to have

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received the assent of those who performed the brainwashing. The way lies open for the erection of an all too familiar Romantic opposition, between the upright—but also uptight—character who takes morality seriously only because he is a helplessly conditioned slave, and the truly liberated man who has the courage to give free rein to those of his passions which, however terrible in their demands, can at least be recognised as authentically his. Sade offers an early, and refreshingly honest, instance of this tedious line of talk, but the two-and-a-bit centuries separating Sade from the present day have been extremely fertile in more cautious, if equally silly imitators.

Kovesi, it seems to me, here as elsewhere, is on the side of good sense against inflated nonsense. One of the touching, but also sane and restorative, things about his little *misticket* example, is the way in which it represents the development of a moral concept, and a set of surrounding practices, as the outcome of a gradual process of free discussion, aiming at mutual adjustment of *anyone's* interests, between free and on the whole well-meaning men and women. There is no trace here of the idea, so often to be found lurking between the pages of more celebrated and more culturally buttressed social and political theorists, that morality *per se* is concerned not with the relationships which should hold between free individuals, but with some theoretically projected relationship between each individual taken separately and the state, the nation, the proletariat, or some other notionally adumbrated ideal collectivity.

And that, finally, I think, shows us how a more extended Kovesian account might address the vexed question of the 'universality' of morals. One of the things modernity seems to many to have lost its grip on, is the idea that there could, or should be, a morality common to all human beings, or at least to all 'rational' ones. The Enlightenment produced two mutually incompatible ways of theoretically articulating and justifying that ideal: utilitarianism on the one hand, the moral philosophy of Kant on the other. It seems to be quite widely felt nowadays that, unless we can give unqualified assent to one or other of these deeply flawed intellectual constructions, we face a moral Babel, or better, perhaps, a moral supermarket, in which different aisles offer differing 'sets of values' between which Reason offers no grounds for choice. A Kovesian response to this picture of how things stand would begin, I think, by pointing out, firstly, that the kind of Reason relevant to our moral options operates internally, and not externally, to the processes by which we form the moral notions in which those options present themselves to us; and secondly, that the theatre in which moral notions are formed is never the theatre of

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humanity-as-a-whole; but always that of a specific society, in which specific problems of mutual co-existence have arisen. Having established that, however, a Kovesian would go on to point out that problems of co-existence arising in one society, not uncommonly also arise in others, and that a new and inventive solution to such a problem, introducing moral notions initially specific to one society, therefore has every chance, once its nature and practical virtues become known, of establishing itself, along with its characteristic moral notions, in the moral esteem of other societies. An example worth examining here, I take it, would be the progress around the world, from its beginnings in the nineteenth century, of the Western emancipation of women, which now seems unstoppable, along with a range of moral and legal notions associated with it.

An alert Kovesian will see, in other words, that his master's ideas are fatal to the conventional distinction between 'universalism' and 'particularism' in morals: a distinction which has created, among other things, much ill feeling between putatively 'universalist' Christians and supposedly 'particularist' Jews. In this debate the Jews may well appear, to a Kovesian, to have hold of the right end of the stick. Moral notions become universal only by spreading from their 'particularist' roots. What confronts us in morals is, in short, neither a Babel nor a supermarket; but rather an endlessly shifting dance of conceptual creation founded in the development and subsequent modification of reasoned patterns of practical mutual accommodation.

Perhaps, as Wittgenstein thought, the business of philosophy—of good philosophy at least—is to show us the way 'back to the firm ground'. Kovesi's little book, it seems to me, contains just that kind of philosophy. It offers firm and rationally grounded footing for anyone who wishes to take a stand against the fashionable moral relativism of the present day; against the correlative worship of 'values' that goes with it; against the idea that people can make up their morals for themselves, at the behest of whatever personal commitments, whatever 'sentiments of approbation and disapprobation' happen to animate their breasts; against much, in short, that daily works to deface still further our deluded and distracted times.

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