late to the disparate intellectual tendencies that have earned, claimed, or been saddled with the label 'relativism'.

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Establishing Moral Norms by Convention: Comments on Baghramian's and Coliva's *Relativism*

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Maria Baghramian and Annalisa Coliva (henceforth, B&C) have written a superb, compendious book on various kinds of relativism (2019). While they give nuanced and sympathetic reconstructions of these views, it is illuminating to see them show, repeatedly and in detail, how each of these views succumbs to a familiar dilemma: a relativistic view requires that it be possible for two judgers to genuinely disagree with one another, even while their views count as 'equally valid'. However, it is not possible to make sense of this combination: in each and every case, the view either fails to specify a genuine disagreement, or it fails to make sense of equal validity.

Since I completely agree with this type of critique of relativistic views (see Boghossian 2006, 2008), I found it hard to find something to write a critical notice about. However, there is one argument I was not convinced by and that is B&C's argument against Gilbert Harman's influential version of moral relativism. Since their discussion of Harman is original and interesting and leads to a number of fundamental philosophical issues, I will devote this notice to a detailed critique of it.

Harman has a *social constructionist* view of morality. A proposition that someone may naïvely take to be a moral truth, for example

(NoTorture) It is wrong to inflict pain on a human being just for one's own amusement.

is, according to Harman, simply a norm that has been established by convention, hammered out through negotiation and tacit agreement by those in a position to do so.

As B&C note, Harman regards morality as similar to other social institutions that have been established in a conventional manner, legal systems, language or games. They quote some of the following passage from a later paper of Harman's (2013):

Moralities can also be compared with games that are at least in part defined by their rules: football, baseball, soccer … Often there are several versions of a game with minor differences in their rules … Some aspects of the rules of a game or a morality might be describable propositionally, but participants will not be able to provide full and complete descriptions. Roughly speaking, to be engaged in a particular game or morality is to be disposed or committed to acting in certain ways. (5)

B&C develop their argument against this view of Harman's in the following passage:

A second difficulty arises from the prior conditions for establishing any set of moral conventions. Harman as we saw, claims that moral relativism is like 'football relativism' where the 'sensible idea is that there are different actual and possible versions of football with different rules; whether something deserves a penalty is relative to which version of football is being played' (Harman 2013: 1). But it is not clear how convincing such comparisons are. Rules of football are decided by negotiations and by establishing conventions. When it comes to ethics, negotiations, or even implicit decisions, about adopting a convention can take place only if the participants are already able to make value judgments. That is to say, only if one already knows what is meant by 'good', 'evil', and the like, and how to apply these normative concepts can one start discussing whether something is good, or not too good … some actions morally obliga-

tory. To formulate an ethical system, you have to have prior access to the normative domain. Therefore, it is not obvious that ethical values are a pure product of agreements between parties (234–35).

The idea seems to be that, when it comes to football, you do not need to possess or grasp the 'football' concepts *prior* to conventionally establishing what 'football' means, and which rules are to govern its play. You can just say: 'Look, let's play a game and call it "football". Each side will have a goal, and the objective of the game is to place the ball in the opponent's goal using any part of your body other than your hands or arms. Use of the hands or arms will be penalized, etc …' (Obviously, we are not talking here about the misnamed 'American football'.)

However, according to B&C, when it comes to establishing a moral convention, you *do* need prior access to the central moral concepts, as well as knowledge of 'how to apply [them]'. And so, B&C conclude, somewhat peremptorily, 'it's not obvious that ethical values are a pure product of agreements between parties'.

This argument is interesting and original. In form, it is reminiscent of Quine's (1936) famous argument against Logical Conventionalism, which goes something like this. The Logical Conventionalist says that logical truths are the result of conventional stipulations of the meanings of the logical constants, by way of a stipulation about which inferences of logic involving them are to count as valid. However, there are an infinite number of logically valid inferences; they could not have been stipulated to be valid one by one. Rather, some general conventions would need to be laid down and accepted, for example:

All inferences of the Modus Ponens form are valid.

However, laying down such general conventions would necessarily involve use of the logical constants, including especially the universal quantifier and the conditional. So, it could not be true that all logical truths are laid down by convention; to lay down some logical conventions you would need prior access to the 'logical domain' – in particular, prior access to certain logical concepts, and knowledge of how to use them.

B&C's argument is strikingly parallel in form, but applied to the moral domain rather than the logical one.

Now, even though Quine's argument is resistible, it has a certain face plausibility (for discussion see Boghossian 1996, Warren 2020). The same could not be said for B&C's argument. It is neither immediately clear that the

Premiss: To establish a moral convention you need prior access to moral concepts and knowledge of how to apply them.

is true; nor is it clear how the conclusion follows from Premiss, even if Premiss was granted:

Bridging Claim: If Premiss is true, then ethical value could not be the pure product of agreement between parties.

I will raise doubts both about Premiss and the Bridging Claim.

1. Premiss

Why do we need to have prior access to moral concepts if we are to establish some moral conventions? This raises the interesting prior question: What does it take to conventionally establish a moral norm in a society?

If we think of conventionally establishing a moral norm within a society as involving negotiations, which result in the members of the society coming to *accept* or *believe* a collection of general moral propositions, with moral concepts as part of their contents – for example

(Anti-Slavery) Slavery is morally prohibited –

then perhaps Premiss would be correct: if you are to negotiate over whether to accept Anti-Slavery within a given society, you would need to understand those propositions antecedent to the negotiation.

But, as Harman himself points out in the passage I quoted above, it is far from clear that conventionally establishing a moral norm involves folks accepting *moral propositions*, any more than conventionally establishing a logic involves folks accepting logical propositions. In both of these cases, what may be involved in setting up a societal norm is establishing a certain kind of *practice*, rather than a matter of belief or acceptance.

In the case of logic, this would involve establishing that certain patterns of inference are acceptable and others are not. To evade Quine's observation, this establishing of what is good and bad by way of inference could not be done by laying down some general propositions that everyone would accept. It would rather have to be done without the use of language, behaviourally. And we know that this is doable in practice, since language is conventional and so its conventions would have had to have been established wordlessly, in the way that Lewis (1969) tried to elucidate in his book *Convention*.

Similarly, it might be thought, a moral norm that a given act A is wrong could be conventionally established wordlessly, by sanctioning those who do A, teaching the young not to do A, promoting feeling certain negative emotions, such as anger or resentment, towards those who do A, and so forth. For this reason, it is not at all clear that Premiss is true.

2. Bridging Claim

However, let us grant Premiss for the purposes of argument. What about the

> Bridging Claim: If Premiss is true, then ethical value could not be the pure product of agreement between parties.

which is also essential to B&C's argument? Let us assume that, if we are to establish moral norms by convention, we need to have antecedent access to the central moral concepts. Why would this undermine Harman's claim that moral truths are purely conventional social constructs? B&C are not forthcoming about what they have in mind here, but as far as I can tell it must be something along these lines:

(a) Having access to moral concepts, and knowledge of how to apply them, involves having some beliefs about what is in the extension of 'right' and 'wrong',

(b) So, believing some moral claims is *antecedent* to establishing moral norms by convention.

(c) So, not *all* moral claims could have been established by convention. Some moral claims would be presupposed by the very process of establishing others.

The argument seems valid. But what is the argument for (a)? Why would having the concept of 'wrong' involve having some beliefs about how to apply it?

Well, there are various meta-semantical views on which having a concept involves accepting sentences, or inferences, involving it. For example, on a conceptual role view, possessing 'and' involves endorsing the standard introduction and elimination rules for 'and'. If this kind of view were the correct account of moral concepts, it would follow that having moral concepts would involve having some moral beliefs and some disposition to infer some of those beliefs from others. If we go along with this, it would follow that not all the moral claims that we accept could have been the result of negotiation and agreement: some of them would have to have been acquired in some other way as a condition of establishing the others by convention.

However, even if we went along with this, surely this does not, in and of itself, threaten anything of great significance to Harman's anti-realist picture. It all depends on how the relevant beliefs were acquired. For example, if they were acquired by their being hard-wired into us by evolutionary processes, that would not by itself imply that anti-realism about morality was false. To say that we are so hard-wired that we cannot help but believe certain moral claims is not the same as saying that there are objective moral values, still less ones that are universally binding. After all, saying that we are all predisposed to accept certain moral claims is entirely compatible with Mackie's (1977) Error View about the whole of morality. To think

otherwise would be to conflate Descriptive Universalism with Normative Universalism, an error that B&C rightly warn against repeatedly.

Signs of this possible conflation show up when B&C say that Harman comes close to conceding their overall argument when he draws parallels between 'moral systems', and I-language, as that is used in Chomskyan linguistics.

> An I-language in generative linguistics is an innate universal endowment of the human mind/brain which then manifests itself, through differing parameters and principles in different idiolects, such as English and French …. In the same way, Harman proposes that we can make sense of the presence of moral systems across all human cultures by postulating a universal innate core I-morality determined by some principles and parameters on issues such as autonomy, authority ranking and community sharing (Harman 2013). Different ethical systems can then be seen as idiolects of this core I-morality. Harman's hypothesis is interesting and worthy of further investigation, but it is a very major concession to the universality of at least some basic ethical norms. Once we accept the idea of a core I-morality, it is no longer clear how much will be left of the metaphysical claim about the nature of morality that we began with (235).

Suppose we took the parallel between I-language and I-morality seriously; what would follow? In the case of language, we would be committed to supposing that certain parametrized rules of grammar are universally shared, with different languages setting the values of those parameters in different ways. In the case of morality, we would be committed to supposing that certain abstract parametrized principles of morality were universally shared, with different societies setting the values of those parameters in different ways. Of course, whatever exactly those principles are taken to be, they had better be compatible with the sheer diversity of moral values that we observe in the world at large, the diversity that we saw Harman noting above.

Now, let us suppose such a picture is true; and let us even suppose that this core I-morality includes substantive moral claims like NoTorture. Would it follow that Harman's metaphysical claim that there are no objective values out there, but that all values are socially constructed, could not be true? Obviously not, for the reasons given above. So, even if we agreed that, for one or another reason, all human being shared certain moral views, that would not by itself threaten a social constructionist view of morality.

I suppose that one claim that would be threatened is the claim that *all* moral norms are established by *convention*. If believing some moral claims were a precondition for conventionally establishing others, we should have to modify the metaphysical claim to: all moral claims are either hard-wired into us or socially constructed. This modification, however, is entirely compatible with the denial of Realism about moral value.

As a matter of fact, I think it is importantly *not* true that it is a condition of establishing a system of moral norms by convention that we need to pre-suppose any particular moral belief, even if we admit that constructionists must have prior access to the central moral concepts in order to bring about the establishment of norms.

To see this, we need to ask ourselves exactly what is and what is not consti-tutive of possession of the central moral concepts. The non-negotiable min-imal core of a moral concept is its *normative role* – in the case of a positive concept, like 'morally right', its constitutive ties to praise, motivation and positive emotions; in the case of a negative concept, like 'morally wrong', its constitutive ties to criticism, blame and resentment.

Call the view that moral concepts consist *wholly* of their norma-tive roles, with no substantive conception of what falls under them, a *Minimalist* View of those concepts; and call the view according to which they harbour substantive views about which acts fall in their extensions, a *Substantive* View.

Consider a negative concept, such as 'wrong', and let us simplify our account of its normative role so that we say that, at its core, 'wrong' is used to mount a certain distinctive type of criticism of an act, a distinctively *moral* criticism of that act. When we imagine a Substantive version of 'wrong', what we are imagining is a concept with this critical normative role at its core, to which has been superadded a substantive conception of which acts are deserving of that type of criticism. On a Substantive view of 'wrong', for example the principle NoTorture might be *analytic*.

In my view (see Boghossian 2021 for further discussion), the insight at the heart of Moore's (1903) Open Question Argument is that a Substantive view of moral concepts is incorrect and that a Minimal view is correct. We can see this by employing a version of his argument against the claim that someone might make to the effect that NoTorture is analytic. Moore saw that so long as someone understood the core normative *role* of 'wrong', they could sens-ibly doubt whether NoTorture was true without thereby surrendering their grasp of the concept 'wrong'. They would exhibit their grasp by showing that saying that something is wrong is to say that it has constitutive ties to certain kinds of motivation, criticism and emotion, even while disputing that this or that act-type falls under it.

If this argument is correct, our basic moral concepts are just bare nor-mative roles. And if they are just bare normative roles, they engender no contradiction when applied to any act no matter how clearly that act may fall outside their extensions. And if they are just bare normative roles, no substantive verdict about right and wrong can be epistemically analytic. (Notice that this is not true of other concepts. Someone who doubted whether a simple quadrilateral has four sides would have surrendered their grasp of the concept.)

Thus, even if we conceded to B&C that conventionalists about morality need to have access to moral concepts to set up their conventions, that would leave room for *maximal* disagreement about which moral claims to establish and which to reject, at least as far as the limits imposed by our understanding of the relevant concepts is concerned. Thus, it would leave a social constructionist view of morality intact.

Ironically, then, there are *more* limits to football conventionalism than there are to moral conventionalism. If you are setting up conventions concerning *football*, you are limited to games in which the use of hands has to be minimal; whereas in the case of morality, there are no conceptual limits as to which norms are endorsed and which ones rejected.[1]

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