

Book Reviews: John M. Brennan, *The Open-Texture of Moral Concepts*. New York: Barnes & Noble, 1977. Pp. 171, not indexed, \$ 14.50.

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Article:

Do moral questions admit of correct and incorrect answers, or are they merely subjective matters? This is the most fundamental metaethical issue and it is the "guiding question" of Brennan's investigation (p. 9). Moral judgements are objective if and only if when two people disagree about any moral question, at least one must be mistaken (p. 153). With the heyday of logical positivism long behind us, it is again respectable to hold that ethics is an objective discipline. Brennan tries to defend this thesis, arguing that moral disputes are rationally decidable because there are independent "objective controls" on them (p. 107). Naturally, then, Brennan holds that noncognitivism is false. But he also claims that its major competitor, naturalism, is false. Since many do want to hold that moral judgments are objective and still reject naturalism (usually because of Moore's arguments), the task that Brennan sets for himself is important and ambitious — the task of sketching a novel theory concerning the nature of moral judgments.

Brennan presents two major arguments to refute the claim that ethics is not a cognitive activity. The first (pp. 70-73) is a kind of transcendental argument. It purports that moral judgements claim interpersonal validity, and concludes that one must "presume the validity of the moral standard which is being employed." After discussing Popper's account of falsifiability and the role that background knowledge plays in experiments, Brennan argues (against Popper) that in any dispute, including ethical ones, *some* beliefs must be accepted as unproblematic in an unqualified, not merely tentative, way. Thus in moral disputes one must presume the truth of the standards one employs. As an argument against the noncognitivist, this is surely inadequate. It assumes that moral standards are the sorts of things that can be true or false, and that is the very question at issue. Even if some moral standards must be held to be unproblematic when one engages in ethical discourse, more argument is needed to show that they are or must be regarded as objects of belief (rather than of attitude), or that they are subject to *rational* assessment.

The second argument for objectivism appeals to the principle of universalizability. It is claimed (pp. 76, 150) that if moral judgments are universalizable, then they must be objective or rationally justifiable. This is a surprising claim since most noncognitivists agree that one who makes a moral judgment must be consistent and judge like cases alike. The noncognitivist tells us that as long as each of two disputants — say the fanatical Nazi and the liberal democrat — is judging like cases alike, there is nothing to show that one view is more rational than the other. When one judges that act X is right but Y is wrong, one is committed to saying that there is a relevant difference between them. The difference is that X possesses certain empirical properties that Y lacks, and one's *attitude* toward the possession of these properties is favorable. Such an account accepts the principle of universalizability but denies that moral judgments are objective because consistent but incompatible attitudes neither need be mistaken.

Brennan tries to rule out this move and at the same time refute naturalism by claiming that both positions are based on a false assumption; "that the types of action designated by moral terms can be correctly described in

morally neutral terms" (p. 42). Naturalists hold this because they say that moral judgments are simply disguised empirical ones; noncognitivists, because they say that moral judgments are simply attitudes one takes toward matters of fact. This assumption is said to be false because it is inconsistent with what Brennan calls (p. 150) the two cardinal features of moral concepts: (1) that they enable one to recognize a similarity among actions (that would otherwise go undetected) from a distinctive, irreducible moral point of view, and (2) that they are open-textured. Brennan believes that if he establishes (1) he will have shown that the dichotomy between naturalism and noncognitivism is a false one (pp. 21-22) and he will have turned the fact-value Problem upside down by making the factual content dependent upon moral judgment rather than the other way (p. 11). His argument for (1) (pp. 56-58) is presented in the form of a challenge. By way of examples he tries to convince us that there is no empirical (morally neutral) description that denotes all and only murders. Yet we are able to distinguish murders from justifiable homicides, so there must be a distinctive and irreducible moral point of view that enables us to do so. One could refute (1) by providing a set of empirical properties that characterizes all and only murders, but Brennan thinks that this cannot be done since one invariably must refer to the slayer's reason for killing. In connection with (I), Brennan argues that since 'murder' means 'unjustifiable homicide', the judgment 'murder is wrong' is analytic. The same is true of judgments involving any other moral term, such as lying, stealing, *etc.* This has two important and suspicious consequences. First, as Brennan himself points out many times (*e.g.*, pp. 111, 152), on this view most moral problems are questions about the correct application of moral concepts. For example, the question of abortion is not whether murder is sometimes justifiable, but whether the concept 'murder' is applicable in this case. Second, since all moral rules are analytic, any theory which depicts moral rules as merely rules of thumb — such as act-utilitarianism, egoism, and even some deontological theories — must be false. That a metaethical theory would have this latter consequence is alone sufficient grounds for doubting the adequacy of that view.

To say that moral concepts are open-textured means that one cannot state the necessary and sufficient conditions for their correct application (p. 104). Such a project is in principle incompletionable. Both noncognitivists and naturalists deny this, so their view are false. Brennan argues (pp. 102-104) that to deny (2) is incompatible with the fact that moral concepts can be used consistently and at the same time are flexible. Suppose that a person makes the moral judgment "A ought to do X because of P." This judgment is then challenged in the following way: P is also true of B's situation, but no one would say that B ought to do X. The person then replies: A ought to do X because of P and Q, and Q is not true of B's situation. This sort of give and take is typical of moral discourse and must be explained. Brennan contends that the original moral principle has not been altered — if it were, he says, the agent's moral judgments would be inconsistent. Rather, the agent is employing the same moral concepts and principles, and they are flexible because they are open-textured. But on what account of consistency does this claim rest? Surely a scientist who alters his hypothesis because of incompatible data is not being inconsistent. Similarly, if a moral principle yields a grossly counterintuitive judgment, we admit our mistake and make appropriate changes. On this view there is no time at which we are committed to the truth of inconsistent moral judgments. It would seem that the best explanation of this flexibility is that we are striving to state the principle so that it includes the necessary and sufficient conditions for its correct application. Unless we accept Brennan's puzzling notion of consistency, nothing that he says shows that this project is incompletionable in principle, though completing it in practice may be extremely difficult.

To understand Brennan's positive thesis, we must ask how moral conflicts are to be resolved on his view. If we suppose that there is a distinctive moral point of view and that moral concepts are open-textured, how does one explain the objectivity of moral judgments? There must be some independent criterion which measures the competing judgments. According to Brennan (p. 108) this criterion is the "sense" of the moral concept. The criterion is implicit in the use of the term; "it is the discoverable *rationale* behind the use of the word." To say that moral disputes are settled by appealing to the use of the terms or the rationale behind them is vague, and one would like to know how this works in practice. The only example the reader is given is a glimpse of the rationale underlying the prohibition of murder, and all that Brennan says is that it has something to do with the "meaning of human life" (p. 123) and "the distinctiveness of man" (p. 162). This is hardly illuminating. Given the importance he attaches to the rationale behind moral concepts, one has a right to expect much more. But

more importantly, we must ask how fundamental moral disagreements can be settled, such as the dispute between the Nazi and the liberal democrat. Surely they could never agree about the rationale behind the rules in question, Brennan is aware that very basic moral disagreements can occur, but he claims (pp. 80, 130) that if *some* point of agreement can be found (and, he says, there must be some point of agreement if communication is possible), then *any* disagreement can be resolved in principle. No argument is given to support this claim, and on its face it seems patently false. Surely there could be two moral systems which have *some* points of agreement but which are nevertheless incompatible and equally coherent. What this shows is that the most crucial question is never answered. Since Brennan holds that factual content is dependent on moral judgment, *what is* it about one moral judgment that makes it correct and another incorrect? If neither the liberal democrat nor the Nazi has made a logical or empirical error, what grounds do we have for saying that one's views are more rational than the other's? There may be such grounds, but Brennan's view seems to give us no clue as to what they are. One wonders, for example, how this position differs from another metaethical theory that he only mentions once (p. 89), intuitionism.

The value of this book is the importance of the issue discussed. More work is needed on this fundamental topic. The most disappointing aspect of the book is that nothing resembling a *theory* about the nature and basis of moral judgments is put forward to replace naturalism and noncognitivism. Even if the arguments presented were convincing, they would only establish a limit on an adequate metaethical theory - *viz.*, that it allow that moral concepts are open-textured and not reducible to empirical terms. But this does not go far enough and leaves too many fundamental questions unanswered.