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Do formal objections to the error theory overgeneralize?

BART STREUMER AND DANIEL WODAK

1. Introduction

The error theory says that normative judgements such as

- (1) Lying is impermissible

are beliefs that ascribe normative properties, but such properties do not exist, so all normative judgements are false.¹ This theory has long been subject to formal objections. For example, the error theory also says that it is false that

- (2) Lying is permissible.

But given certain formal commitments, the falsity of (1) entails that (2) is true, so the error theory must say that (2) is both true and false. This seems to show that the theory is incoherent.

Such formal objections provoke different responses: they have been taken to show that the error theory should be rejected (Dworkin 2011: 42–44, Tiefensee 2020, Tiefensee and Wheeler 2022a, 2022b), or that it should be reformulated,² or that at least one of the formal commitments behind these objections should be rejected.³ We recently tried to move this debate forward by arguing that formal objections not only apply to the normative error theory, but generalize to all other error theories that have the same form. Since many of these other error theories are very plausible, we concluded that such objections overgeneralize (Streumer and Wodak 2021). But Tiefensee and Wheeler (forthcoming) disagree. They grant that formal objections generalize quite far, but deny that they *overgeneralize*, since they take the commitments behind these objections to be more plausible than any error theory.

- 1 Streumer 2017 defends a general normative error theory; Mackie 1977, Joyce 2001 and Olson 2014 defend moral error theories. What we will say about the former carries over to the latter.
- 2 This motivates presuppositional formulations of the error theory: see Kalf 2018, Perl and Schroeder 2019 and Salinger 2021. We will set these aside; see Streumer and Wodak 2021: 256. These formulations are harder to motivate if formal objections fail.
- 3 See Gustafsson 2020: 119. Tiefensee and Wheeler (2022: 612, forthcoming) note that this response is popular.

We will argue that Tiefensee and Wheeler are wrong: formal objections to the error theory do overgeneralize, for two reasons. The first concerns how we should adjudicate conflicts between formal and substantive commitments. The second concerns an overlooked tension between formal objections and non-error-theoretic views. Our discussion will show that the commitments behind formal objections should be regarded as much more contentious than is often assumed.

2. *Why formal objections generalize*

Not all objections to the error theory are formal. For example, some object that it is true that genocide is impermissible, so the error theory must be false (Sampson 2023). This objection targets the content of the error theory, on the basis of a substantive commitment. By contrast, formal objections to the theory target its form, on the basis of formal commitments.

In Streumer and Wodak 2021 we focused on a formal objection that relies on two commitments of standard deontic logic and semantics. The first is the law of excluded middle:

(L) For every proposition p , either p or not p .

The second is the dual schema:

(D) Every action is either permissible or impermissible.⁴

According to the error theory, a normative judgement such as (1) ascribes the property of being impermissible to lying, but this property does not exist, so (1) is false. Given (L), the falsity of (1) entails that

(~1) Lying is not impermissible.

And given (D), (~1) entails (2). But (2) ascribes the property of being permissible to lying! So given (L) and (D), the error theory entails that (2) is both true and false. This seems to show that the theory is incoherent.

We argued that this objection overgeneralizes. Suppose a group judges actions to be spiritually permissible or impermissible on the basis of whether spirits forbid or allow these actions. By the lights of formal objectors,⁵ the

4 (D) can be formulated in different ways, but this does not affect our arguments.

5 Dworkin (2011: 42–44), Tiefensee and Wheeler (2022, forthcoming) and other formal objectors target the *moral* error theory. So they think the objection goes through when ‘permissible’ and ‘impermissible’ are modified by ‘morally’ in the premisses, including (D). (D*) below replaces this modifier with ‘spiritually’.

reasons to accept (D) as a formal commitment extend to claims about more specific deontic modalities like

(D*) Every action is either spiritually permissible or impermissible.

(L) and (D*) generate a similar formal objection to an error theory about spiritual permissibility. But this error theory is very plausible and clearly should not be ruled out on formal grounds.

The same point holds for certain non-deontic modalities. Suppose a group makes judgements about whether actions are made possible or impossible by spirits. (D) is meant to follow from a more general truth about modality, so the reasons to accept it extend to claims like

(D**) Every action is either spiritually possible or impossible.

(L) and (D**) generate a similar formal objection to an error theory about spiritual possibility. But this error theory is also very plausible and clearly should not be ruled out on formal grounds either.

Importantly, what generates the problem is that these other error theories have the same form as the normative error theory. So this problem will also arise for formal objections that do not appeal to (L) and (D). We therefore concluded that *any* formal objection to the normative error theory will overgeneralize.

3. *Formal versus substantive commitments*

Tiefensee and Wheeler grant that formal objections generalize to ‘all modal error theories’, since these theories ‘share the same form no matter which kind of modality they concern’ (forthcoming). As they should: what gives formal objections to the normative error theory their apparent force is that they appeal to general formal principles. But Tiefensee and Wheeler deny that these objections *overgeneralize*, for three reasons.

Their first reason is that they think our *reductio* would succeed only if at least one candidate error theory were more plausible than any formal objection to it’ (forthcoming). This assumes that we should compare the plausibility of ‘one candidate error theory’ to the plausibility of formal objections to this theory. But that is the wrong comparison. As we pointed out, we can generate an indefinite number of bogus modalities like spiritual permissibility (Streumer and Wodak 2021: 260). And there are also contingently non-existent modalities. In a state of nature, the following judgements are meaningful⁶ but are plausibly both false:

6 Formal objectors could deny this, but that seems ad hoc and hard to square with linguistic data. Mixed claims like ‘In a state of nature, killing the innocent is not morally or legally obligatory’ suggest we need a unified semantics for deontic modals and cognate terms (see Wodak 2017b).

- (1*) Homicide is legally permissible.
 (~1*) Homicide is legally impermissible.⁷

The *reductio* is motivated by the *cumulative* pressure from such cases. It relies on

- (Disjunction) *Either* an error theory about spiritual permissibility *or* an error theory about spiritual possibility *or* an error theory about legal permissibility in a state of nature *or* ... is true.

The plausibility of Disjunction is greater than the plausibility of any one of its disjuncts. Moreover, Tiefensee and Wheeler take it to be an ‘open question’ whether formal objections generalize to *non-modal* error theories. It is not obvious what proponents of formal objections should say about this issue, but if formal objections generalize even further, Disjunction becomes even longer and the cumulative pressure becomes even greater.⁸

It also matters what we compare Disjunction to. Formal objections rest on a claim about a *set* of formal commitments, so what matters is the plausibility of this set. This suggests that we should compare Disjunction to a claim like

- (Conjunction) (L) and (D) are both true.⁹

But actually our *reductio* is compatible with Conjunction, as long as either (L) or (D) is not a *formal* truth. That is what we said about (D): we did not argue that (D) is false, but only that it is a substantive commitment that

7 Gustafsson reaches a similar verdict, since in a state of nature ‘there wouldn’t be any legal system or law that could require, permit, or prohibit these acts’ (2020: 121). We will return to this in §4.

8 One of our examples involved judgements about spiritual purity (Streumer and Wodak 2021: 257–58). Tiefensee and Wheeler respond that this example concerns predicate pairs that are ‘not contradictories but gradable contraries’, and that ‘it is an open question whether formal objections to the deontic error theory generalize to a predicative error theory’ about gradable contraries (forthcoming). But the normative error theory also targets judgements about gradable contraries (‘good’/‘bad’). This leaves formal objectors with two options: they can either say that formal objections do not apply to the error theory’s non-modal commitments, in which case the error theory remains a live option for large swathes of normative discourse; or they can say formal objections *do* apply to the error theory’s non-modal commitments, in which case these objections generalize more rampantly.

9 Tiefensee and Wheeler appeal to commitments concerning ‘connections between negation, semantic individuation and fine-grained meaning’ (2022b). But the point still holds: what matters is the plausibility of the *conjunction* of these commitments, not that of a single conjunct.

should not be built into deontic logic and semantics.¹⁰ So Disjunction should be compared to a stronger claim like

(Conjunction*) (L) and (D) are both *formal* truths.

This comparison does not favour Tiefensee and Wheeler's case. And the same holds when formal objections rest on commitments other than (L) and (D). More broadly, when adjudicating a conflict between prima facie plausible formal and substantive commitments, we need to consider both the scale of the conflict and whether any supposedly formal commitments could instead be regarded as substantive.¹¹

Tiefensee and Wheeler's second reason to deny that formal objections overgeneralize is that they think one cannot invalidate formal commitments such as (D) via *reductio* without also showing that a rival set of formal commitments is acceptable. And they regard a rival set as acceptable only if it avoids the *reductio* while addressing the same fundamental issues – which, in this context, they take to be explaining 'basic connections between negation, semantic individuation and fine-grained meaning' (2022b). This is misguided. Consider Russell's paradox. Russell's example showed in 1901 that Frege's formal commitments about set theory cannot all be correct. But the mature development of Russell's rival proposal took years and was still 'criticized for being too ad hoc to eliminate the paradox successfully' (Irvine and Deutsch 2021: §2). Tiefensee and Wheeler agree that it is 'uncontentious that it would have been inappropriate for Frege to ignore Russell's paradox' (Tiefensee and Wheeler 2022b). So by their own lights one can undermine a set of otherwise attractive formal commitments by showing that they have unpalatable implications, without also defending a rival set of formal commitments.¹² Of course, error theorists do ultimately need such a rival set of commitments. But the *reductio* shows that we are all in the same boat: since we should all accept error theories about spiritual permissibility, spiritual possibility and legal permissibility in a state of nature, we all need a logic and a semantics that is compatible with these error theories. And this logic and semantics will also be compatible with the normative error theory.

10 If (D) is not a formal truth, it can still be a substantive truth and can still be the basis for an objection to the error theory. But then this objection is no longer formal and is plausibly weaker than other objections based on substantive commitments (see e.g. Sampson 2023).

11 This relates to a broader debate about how we evaluate conflicts between general and particular philosophical claims (see e.g. Kelly 2005).

12 Tiefensee responded (personal communication) that their favoured formal commitments are fundamental and that revising them to block the generalization would require a fundamental overhaul. But that was also true of Frege's formal commitments when they were challenged by Russell.

Tiefensee and Wheeler's third reason to deny that formal objections overgeneralize is that they are sceptical that 'at least one error theory is more plausible than any formal objection to it', since 'the plausible truth of this error theory depends, of course, on whether or not this theory is consistent to begin with', which is called into question by formal objections (Tiefensee and Wheeler [forthcoming](#)). But if this were right, how could we appeal to the plausibility of substantive commitments to find out whether a putative formal truth is in fact a falsehood?¹³ By analogy, suppose a philosopher appealed to certain formal commitments to object to a first-order moral theory, and others showed that the objection generalized to every first-order moral theory other than the crudest form of utilitarianism. We think this would undermine the initial objection and the formal commitments behind it. This philosopher could respond by saying: 'The plausible truth of non-utilitarian moral theories depends on whether they are consistent to begin with, but that is what my formal objection calls into question.' But that response would be a brazen attempt to insulate their formal objection from substantive criticism. Is anything different when we consider the same response on behalf of formal objections to the error theory?

4. *The dual schema and realism*

The problems we have raised so far all concern how we should adjudicate conflicts between formal and substantive commitments. But there is also a second broader issue at stake: formal objections to the error theory conflict with certain non-error-theoretic views as well. The commitments behind these objections should therefore be regarded as much more contentious than is often assumed.

To illustrate this, consider again the dual schema:

(D) Every action is either permissible or impermissible.

What (D) commits us to depends on which metaethical view is true. If the error theory is true, normative predicates ascribe properties. If normative predicates ascribe properties, endorsing (D) commits us to:

(3) Every action has a normative property.

Since error theorists reject (3), they must reject (D). But error theorists are not the only ones of whom it is true that endorsing (D) would commit them

13 It is fairly orthodox to appeal to the plausibility of substantive commitments to argue that a certain claim is false and is hence *not* a formal truth (see e.g. [McGee 1985](#)). Note that this does not entail that the plausibility of substantive commitments can show that a claim *is* a formal truth.

to (3) and who should therefore not regard (D) as a formal truth. This is equally true of most realists about normativity, who also take normative predicates to ascribe properties.

The issue here is easy to miss, since realists do not face formal objections; since realists endorse (3), their view is compatible with (D). But if we stop there, we miss the fact that most realists take normative properties to be *worldly entities*; they take the existence of such properties to require a contribution from the world and not merely from our language. It is tricky to fully explain this commitment. A way to see it in action, however, is that most realists about normativity do *not* thereby take themselves to be committed to realism about any old modality we can construct with language; that is why they typically do not take themselves to be committed to realism about spiritual permissibility, why they typically regard it as only contingently true that certain actions are legally permissible or impermissible, and so on. They should therefore agree with error theorists that

(E) Logic and semantics cannot by themselves entail that actions have normative properties.

If realism is true, (D) entails that there are normative properties. But according to most realists, the existence of such properties requires a contribution from the world and cannot be entailed by logic and semantics alone.¹⁴ So they should agree that formal objections to the error theory overgeneralize, since they should regard such objections as pulling substantive claims about worldly entities out of formal hats.

We can finesse this point with a distinction first suggested by the father of modern deontic logic, Georg Henrik von Wright, who asked:

is permission to do something simply the absence of prohibition to do this same thing? That permission should entail the absence of a ‘corresponding’ prohibition seems clear. But does the reverse entailment hold? Is not permission something ‘over and above’ mere absence of prohibition? (1981: 6)

Following von Wright, many distinguish *weak* permissibility, which is the mere absence of prohibition, from *strong* permissibility, which is something ‘over and above’ the absence of prohibition. To illustrate, consider again the following claims:

14 Since (D) is disjunctive, it does not entail that a particular action has a particular normative property. But that does not mean that (D) is, for realists, free from ontological commitment. For comparison: just as logic and semantics cannot by themselves entail that there are mosquitos, they also cannot by themselves entail that there are either mosquitos or tigers.

- (1*) Homicide is legally permissible.
 (~1*) Homicide is legally impermissible.

We said both claims are false in a state of nature. That is because we assumed that (1*) concerns strong permissibility. With that assumption, (1*) is indeed false: in the absence of a legal system, *nothing* is strongly legally permissible. Without it, (1*) is true: in the absence of a legal system, *everything* is weakly legally permissible. But if (1*) concerns weak permissibility, it does not conflict with an error theory, since weak permissibility is nothing ‘over and above’ the absence of prohibition. The same lesson holds for the normative error theory; to threaten this theory, the relevant premisses of formal objections must all concern strong permissibility.¹⁵ But this ensures that such objections violate (E): it makes them pull substantive claims about the existence of worldly entities out of a formal hat.

Some self-proclaimed realists might resist this. According to the so-called ‘quietism’ defended by T. M. Scanlon, among others, normative properties are not worldly entities. Tiefensee elsewhere defends a quietist view like Scanlon’s, as did the most famous proponent of formal objections to the error theory, Ronald Dworkin.¹⁶ Since quietists do not take normative properties to be worldly entities, some quietists may not see it as objectionable to pull a commitment to such properties out of a formal hat.¹⁷ But it is precisely because they take this stance that these quietists face the objection that their view overgenerates ontological commitments. A recurring objection to Scanlon’s view, for example, is that it implausibly commits us to the existence of spiritual properties, among others.¹⁸ We are not fans of quietism, but our point here is not that quietism should be rejected. Our point is that the fate of formal objections to the error theory depends on whether one takes normative properties to be worldly entities. This means that supposedly formal objections to the error theory implicitly hang on a substantive philosophical commitment after all.

- 15 If (2) concerns weak permissibility it is equivalent to (~1) and consistent with the error theory, since it does not ascribe a normative property. Similarly, impermissibility must also be assumed to be strong, that is, to be something ‘over and above’ the mere absence of permissibility. Otherwise (1) does not ascribe a normative property and is consistent with the error theory (see [Streumer 2017](#): 125).
- 16 The most developed quietist view is [Scanlon 2014](#). See also [Dworkin 1996, 2011](#), [Tiefensee 2021](#) and [Sepielli 2022](#). Quietism is hard to pin down, but it is inspired by Carnap’s deflationary approach to ontology; see [Thomasson 2014](#). On the challenges modality poses for such views, see [Thomasson 2020](#).
- 17 This is not to say that quietists must agree with formal objections to the error theory. Many quietists will agree with us that (D) is a substantive commitment.
- 18 See [McPherson 2011](#), [Enoch and McPherson 2017](#), [Wodak 2017a](#) and [Donelson 2018](#). Many quietists are unfazed by the charge that their view overgenerates ontological commitments (see [Scanlon 2014](#): 27, 2017).

5. *Beyond the dual schema*

We framed our discussion in terms of (D) because this commitment is central to the best-known formal objection to the error theory. But Tiefensee and Wheeler claim that (D) ‘is a symptom of error theorists’ troubles, not the root cause’: they think that what generates formal objections to the error theory is just that there is *some* formal relation between permissibility and impermissibility (2022b). Are they right that the normative error theory is incompatible with the existence of *any* formal relation between permissibility and impermissibility?

No. The theory is compatible with the existence of a different formal relation, such as:

(N) No action is both permissible and impermissible.

If (N) is true, the judgement that an action is permissible entails that it is not impermissible, and vice versa, but the judgement that an action is not permissible does *not* entail that it is impermissible, and vice versa. (N) could follow from a more general formal truth about modality: that nothing is both possible and impossible. We will not make a case for this. What matters for our purpose is only that taking (D) to be a substantive rather than a formal commitment does not rule out the existence of a different formal relation between permissibility and impermissibility, such as (N), which is compatible with the error theory.

6. *Conclusion*

Do formal objections to the normative error theory overgeneralize? We have argued that they do. Moreover, we have argued that the commitments behind standard deontic logic and semantics conflict not only with the error theory, but also with all versions of realism that take normative properties to be worldly entities. This puts considerable pressure both on formal objections to the error theory and on the widely accepted formal commitments that undergird them.¹⁹

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