

ON DERIVING AN OUGHT FROM AN IS:
A RETROSPECTIVE LOOK

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I

ARGUMENT ABOUT whether in any significant sense we can derive an ought from an is has been persistent and intractable.¹ Fifteen to twenty years ago it was orthodoxy in analytical philosophical circles to claim that for all their other differences Hume and Moore were right in agreeing that in no significant sense can we derive an ought from an is.² At present there is no orthodoxy or even anything

¹ Some of the most important literature on the is/ought question has been conveniently brought together by W. D. Hudson in his anthology *The Is/Ought Question* (London: Macmillan, 1969). The following are some important analyses of the problem not included in that volume or referred to in later footnotes. R. M. Martin, "What Follows from 'I Promise'," *Canadian Journal of Philosophy* 3 (March 1974): 381–87; W. D. Hudson, *Modern Moral Philosophy* (New York: St. Martin's, 1970), pp. 282–91; Dorothy Emmet, *Facts and Obligations* (London: W. Heffer & Sons, 1958); A. E. Wengraf, "Is' and 'Ought' in Moral Reasoning: Can Hume's Guillotine Be Dismantled?" *Methodos* 16 (1964): 109–26; Ken Witkowski, "The 'Is-Ought' Gap: Deduction or Justification?" *Philosophy and Phenomenological Research* 36 (December 1975): 233–45; W. K. Frankena, "Ought and Is Once More," *Man and World* 2 (November 1969): 515–33; Edgar Morscher, "From 'Is' to 'Ought' via 'Knowing'," *Ethics* 83 (October 1972): 84–86; A. C. Genova, "Institutional Facts and Brute Values," *Ethics* 81 (October 1970): 36–54; A. C. Genova, "Searle's Use of 'Ought'," *Philosophical Studies* 24 (May 1973): 183–91; E. M. Zemach, "Ought, Is, and a Game Called 'Promise'," *Philosophical Quarterly* 21 (January 1971): 61–63; Virginia McDonald, "A Model of Normative Discourse for Liberal-Democratic Man: Another Look at the Is/Ought Relation," *Canadian Journal of Political Science* 8 (September 1975): 381–402; and Edgar Morscher and Gerhard Zecha, "Searle's Invitation Accepted," *Personalist* 55 (Summer 1974): 224–343. This last article contains an extensive bibliography on the topic.

² My remark that in "no significant sense can a categorical ought be derived from an is" requires explanation. As Prior, Shorter, Black, and Mavrodes have shown, there are a number of trivial derivations of an ought from an is, though not all of these writers have recognized fully their triviality. Prior, for example, is correct in maintaining that sometimes ethical conclusions follow from a consistent set of premises all of which are nonethical. The following is a valid argument of the form P therefore either P or Q: Skating is common in Canada. Therefore either skating is common in

like a dominant view and, given our current understanding of how language works and our understanding of moral and ideological discourse, we could not possibly reasonably remain content with old orthodoxies or take the question to be as straightforward as it was often thought to be.

I shall argue that nevertheless there is something essentially right in the old view derived from Hume. We cannot, I shall argue, derive a fundamental and categorical moral norm from analytic premises and pure statements of fact. However, I shall also argue that this is not as undermining and destructive to the rationality and objectivity of morals as it sometimes has been thought. Only in conjunction with some other tendentious theses about the nature of morality is there, soberly understood, a threat to the rationality and objectivity of morality in an acceptance that in the crucial sense or senses there is no deriving an ought from an is.

In an attempt to elicit what is involved here, I want first to indicate how someone might reasonably be led to a belief in the impossibility of deriving an ought from an is. By initially fleetingly touching on some arguments of a much neglected Swedish philosopher, Alex Hägerström (a kind of Scandinavian A. J. Ayer), I shall show how reflection on the differences between facts and norms and reflection on the difficulties involved in any attempt to establish either the truth or falsity of fundamental moral claims can, quite naturally, incline one to an essentially Humean view about the is and the ought and the place of reason in ethics.³

Canada or all Americans ought to dance. From the factual premise P an ethical conclusion P or Q follows. But this is plainly a trivial deduction which no one who wished to defend the autonomy of ethics was ever concerned to deny and would afford no solution to the problem of deriving moral values from purely factual claims. Just how such arguments are trivial and futile is shown very clearly by Shorter in his response to Prior. It is a pity that Mavrodes had not taken due note of them in his extensive attempt to argue in a Prior-like manner. A. N. Prior, "The Autonomy of Ethics," *Australasian Journal of Philosophy* 38 (December 1960): 197–206; J. M. Shorter, "Professor Prior on the Autonomy of Ethics," *Australasian Journal of Philosophy* 39 (December 1961): 286–87; and George Mavrodes, "On Deriving the Normative From the Non-Normative," *Michigan Academy of Science, Arts, and Letters* 53 (1968): 353–65. David R. Kurtzman, "'Is', 'Ought', and the Autonomy of Ethics," *Philosophical Review* 79 (October 1970): 493–509; and Frank Jackson, "Defining the Autonomy of Ethics," *Philosophical Review* 83 (January 1974): 88–96.

³ Axel Hägerström, *Philosophy and Religion*, trans. Robert T. Sandin (London: George Allen and Unwin Ltd., 1964), p. 82. Hägerström's inaugural lecture, "On the Truth of Moral Propositions," discussed here, was

There are, Hägerström points out, absurdities that no one will inquire into, if he has the slightest sense what he is asking, e.g., “Is gold just or unjust?” or “How high is up?”.⁴ But, Hägerström argues, as Wittgenstein did later, the history of human thought—including philosophy—abounds with equally nonsensical questions, only they are sometimes “deep nonsense” because their nonsensicality is such that it is *hidden*, often for very good psychological reasons, in the way we use our language and in the way we are quite naturally inclined to reflectively view our language. Hägerström thinks just this is true about the question: can moral judgments be true or false?

This, Hägerström argues, is an ersatz question parading as a genuine question, though it takes a keen understanding both of human psychology and the nature of moral discourse to come to see that this is so. Hägerström puts the general question he will ask concerning moral propositions as follows:

Just as gold is neither just nor unjust, so it may be that obligation or moral right is of such character that one can say neither that it actually holds nor that it does not hold for a certain mode of acting. It may be, therefore, that when we conceive a certain action as objectively right and another as objectively wrong, we combine with rightness and wrongness a concept which is altogether foreign to them. In such a case the question of the truth of moral propositions would be absurd. If, regarded in and of themselves, they do not at all represent anything as true, nor say anything at all about this or that’s actually being such or such, it would be meaningless to ask about their truth.⁵

But why should we assume that “objective rightness” is a contradiction or meaningless and that “an objectively true moral statement” is meaningless? (Note that if “an objectively true moral statement” is meaningless so is “an objectively false moral statement.”) Why should we believe that this is so? Hägerström (like Westermarck) answers that in considering what it is that we have an obligation to do or what it is that we ought to do we can find no objective, authoritative norm-establishing or norm-conferring reality. In trying to find an objective ground for moral beliefs we search for a *normative reality*, an authoritative *reality*, that would categorically bind us to act in a certain way,

delivered in 1911. It is worth noting that this precedes by a good decade the statements of emotivism and non-cognitivism in the English-speaking and German-speaking countries. Useful general accounts of Hägerström’s approach to philosophy are given in the *Encyclopedia of Philosophy* and by Robert T. Sandin, “The Founding of the Uppsala School,” *Journal of the History of Ideas* 23 (October-December 1962): 496–512.

⁴ Hägerström, p. 83.

⁵ *Ibid.*

independently of the wishes or desires we in fact happen to have or indeed even would have on reflection. But we do not find such a reality. In fact we find the more we examine such matters that we do not even have an intelligible conception of what it could mean to assert that there is such a *normative reality* or that values or norms have cosmic, and thus objective, significance. In reality all we find are emotions, attitudes, conations, and/or social demands resulting (for the most part) from social stimulation. We find no ought or goodness in the world. As Hägerström put it himself: “Existence and value signify something entirely different. Therefore value cannot be included within existence. A moral authority or norm, as a reality which is good in itself, is, objectively regarded, something absurd.”⁶ What we have are feelings—indeed powerful driving feelings—that we ought to do so-and-so or that such-and-such is right, but there is ascribable to actions or events themselves no objective property rightness in virtue of which we could establish quite independently of our affections, that so-and-so either is or isn’t the right thing to do. Our emotional involvement with moral considerations—considerations crucial to our sense of being human beings—frequently masks this truth from us. But, as Hägerström puts it:

If we stand as cold observers before ourselves, that is, in reality interested not in what is observed but only in the investigation of what is observed, what can we discover? We recognize, in the midst of a manifold or other phenomena, a feeling of duty in connection with a judgment of value and a direct interest in a certain action. But all this yields nothing more than a certain kind of psychological event. That the action ought to be done is not at all a part of what we can discover. The keenest analysis of what is present reveals no such thing. Or in a similar way we investigate a certain action. We can establish that the action arouses the strongest appetite or the strongest desire or that it leads to my well-being or that of another. We can discover—let us feign the possibility—that it is commanded by a god or an unobservable being. But every attempt to draw out of the situation the conclusion that it is actually in the highest degree of value to undertake the action is doomed to failure. No obligation or supreme value can be discovered in such a way, for if we are standing indifferently before ourselves and our actions, only observing, we can only establish factual situations. But in the fact that something is, it can never be implied that it ought to be. That something is better than something else is meaningless for the indifferent observer. For him nothing is better or worse.⁷

⁶ Ibid., p. 87.

⁷ Ibid., pp. 88–89.

II

It might be thought that Hägerström's account is clearly faulted, for it is tied in with and thus compromised by the vicissitudes of emotivism and non-cognitivism, and it is by now no longer news that such accounts are radically mistaken.⁸ Moral terms, as distinct from plainly and paradigmatically emotive terms such as 'blasted', are not *necessarily* emotion or attitude expressing or evoking; moral utterances stand in relations of contradiction and entailment while expressions of emotion do not; by treating any *causally* effective reason as a good reason for doing something, emotive accounts collapse the distinction between *getting* someone to do something and *justifying* the doing of whatever it is that is being proposed. Moreover, we cannot—as the emotivists believe we can—clearly distinguish between the evaluative and descriptive uses of terms such that we can, either for terms or whole utterances, clearly distinguish that descriptive bit (component) and the evaluative bit (component) and claim that it is the evaluative component—the attitude expressing and evoking part—that is crucial in making a judgment a moral judgment; finally it is crucial to recognize that attitudes and beliefs are not so clearly distinguishable and separable as non-cognitivists would have it, for an attitude, as something which can be adopted, chosen, abandoned, criticized, or corrected, involves (and necessarily so) beliefs so that all attitudes are belief-laden. These and other considerations undermine emotivism and non-cognitivism so that many will believe we have no good reasons for accepting Hägerström's "no-truth-in-morals-thesis."

No doubt the last word on these meta-ethical issues has not been uttered, but all that aside, the core of what I have elicited from Hägerström is not tied up with these vicissitudes of non-cognitivism.

⁸ The following collect some of the classical assessments of emotivism. E. Bedford, "The Emotive Theory of Ethics," *Proceedings of the Eleventh International Congress of Philosophy* 10 (1953); Richard Brandt, "The Emotive Theory of Ethics," *Philosophical Review* 59 (July 1950): 305–18; W. D. Falk, "Goading and Guiding," *Mind* 62 (April 1953); P. R. Foot, "The Philosopher's Defense of Morality," *Philosophy* 27 (July 1952): 311–28; Kai Nielsen, "On Looking Back at the Emotive Theory," *Methodos* 14 (1962): 3–20; Einer Tegen, "The Basic Problem in the Theory of Value," *Theoria* 10 (1944): 58–63; and Bernard Williams, *Problems of Self* (Cambridge, England: The University Press, 1973), pp. 207–229.

The no-truth-in-morals-thesis is indeed tied up with what broadly conceived should be called an empiricist epistemology and methodology and with the belief that value and existence belong to different categories and that one cannot in any interesting sense derive—that is deduce—an ought from an is. And here I think a good case can be made for a position bearing at least a family resemblance to Hägerström's, and I should like here to go some of the way toward doing it.

The controversy over deriving an ought from an is is a very tangled one. Traditions emanating from Price, Hume, and Kant have contended that no such derivation is possible; by contrast Hegelians, Marx, and orthodox Marxists have thought such a derivation was possible as did the pragmatists strongly influenced by John Dewey.⁹ When I first studied moral philosophy, Anglo-American analytical philosophers, powerfully under the influence of Moore and the non-cognitivists, gave us to understand that there was no greater virtue in a moral philosopher than not to commit the *naturalistic fallacy* and that, as Hare put it, any attempt to derive ought from an is was a form of circle-squaring.¹⁰ However, with the breaking up of old rigidities about how language functions, principally through the influence of Wittgenstein but through the work of Austin as well, able philosophers solidly in the analytical tradition, such as Foot, Melden, MacIntyre, Black, Mavrodes, and Searle have challenged what they took to be a non-naturalist dogma and sought to show that such a derivation can be carried out.¹¹ (I shall, therefore, sometimes refer

⁹ Probably the most useful discussion of the is/ought question in Marx and Marxist thought occurs in Lucien Goldmann's "Is There a Marxist Sociology?" *Radical Philosophy* 1 (January 1972): 16–32. I have discussed some of the issues vis-à-vis Marx in my "Class Conflict, Marxism, and the Good-Reasons Approach," *Social Praxis* 2 (1974): 89–112. John Dewey's approach to such an issue is perhaps best exemplified in his *The Quest for Certainty* (New York: Minton, Balch, and Co., 1929). Sidney Hook, in his "The Desirable and Emotive in Dewey's Ethics," Sidney Hook, ed., *John Dewey: Philosopher of Science and Freedom* (New York: Dial Press, Inc., 1950), pp. 194–216, has made what is probably the most determined effort to meet the challenge of the non-derivationist from a Deweyian point of view. I have tried to assess such arguments in my "Dewey's Conception of Philosophy," *Massachusetts Review* 2 (Autumn 1960): 110–34.

¹⁰ R. M. Hare, *The Language of Morals* (Oxford: Clarendon Press, 1952), pp. 79–93.

¹¹ See references in nn. 1 and 2 and A. I. Melden, "Reasons for Action and Matters of Fact," *Proceedings and Addresses of The American Philosophical Association* 35 (1961–1962): 45–60.

to them as derivationists and to their non-naturalist opponents as non-derivationists.) Searle in particular made a determined effort, finally with the background argument of a full-fledged theory of language, to carry out such a derivation.¹² But criticism of his effort was very probing indeed, and I think the fairest thing to say is that his particular effort is stalemated. Similar things can be said of Foot's, Melden's, and MacIntyre's efforts. Many would accept Foot's own reappraisal that it has not been shown, as Hare believes, that such a project is in principle impossible, but neither has Searle nor anyone else shown that we can derive an ought from an is.¹³ Critics of Searle, for example, argue that he has not shown that unproblematic, normatively neutral statements of fact entail moral claims or moral judgments. He has not succeeded in providing us with any conjunction of purely factual and analytic premises which entail a moral conclusion. Critics, including such a sympathetic critic as Foot, have responded that his alleged analytic premise "One ought to fulfill one's obligations" is not in fact analytic but is rather itself a normative claim, that some of his allegedly pure factual premises are covertly evaluative, that even his conclusion—supposedly normative—is not actually normative, and that he has not achieved a logical connection as strong as that of an entailment.¹⁴

Yet, Searle, in spite of those and other criticisms, has held his ground and critical opinion is divided as to how much he has accomplished. However, it does seem safe to say that the institutional facts that Searle appeals to are not the normatively neutral facts which would enable one to bridge the fact-value gap, for they are already themselves in part evaluative. Thus, if we try to go from Jones promised to pay Smith five dollars to Jones ought, *ceteris paribus*, to pay Smith five dollars, we are forgetting that in the logic of the case it need not be true that everyone or even every rational person need so value the institution of promise-keeping. Jones, if he has a certain set of values, need not deny that he owed Smith five dollars, but, holding the institution of promise-keeping in lower esteem than most people do, he might consider it a humanly desirable

¹² John R. Searle, *Speech Acts* (Cambridge: The University Press, 1969).

¹³ See Philippa Foot's introduction to her anthology *Theories of Ethics* (Oxford: Oxford University Press, 1967), pp. 7–13.

¹⁴ Judith and James Thomson, "How Not to Derive 'Ought' from 'Is,'" W. D. Hudson, ed., *The Is/Ought Question*, pp. 163–72.

task to weaken it, and thus he could, without any inconsistency at all, not draw the conclusion that he ought to pay Smith the five dollars. If, in turn, it is responded that the *ceteris paribus* saves Searle in such a situation, then it should be responded that whether in such a context things are or are not equal is itself a substantive normative matter and cannot be resolved simply by knowing what the non-normative facts are.

Searle seeks to show that the so-called is/ought question is not the, or even a, fundamental question of moral philosophy in the way it has been taken to be. Instead, once it is properly understood, it will be seen to be a fairly trivial problem in the philosophy of language. Alison Jagger in an important paper has powerfully argued that this is not so but that the resolution of the is/ought problem is tied in with the resolution of a cluster of central issues in moral philosophy and requires, as well, a careful consideration of the actual role of moral discourse in our lives.¹⁵

However, Searle is not alone in trying to defuse this issue by showing its triviality. Stephen Toulmin does the same thing with the Wittgensteinian sensitivity to context Jagger recommends, and Peter Singer, in an unfortunately neglected article, also tries, from a different perspective, to show the triviality of the dispute.¹⁶ I shall in the next section examine Singer's article, for it seems to me that it unwittingly achieves just the opposite effect and, if its implications are thought through, it brings us back to Hägerström and his no-truth-no-derivation theses. To establish against someone like Hägerström that it can be determined over some fundamental issue what, through and through and everything considered, should be done simply by reference to some normatively neutral matters of fact, independently of the attitudes and commitments of the people involved, would indeed be a major breakthrough in moral theorizing. But it is just that—or so I shall argue—that has *not* been done and Singer's deflationary article in reality goes some of the way to showing why that is so and why no such derivation of an ought from an is is possible.

¹⁵ Alison Jagger, "It Does Not Matter Whether We Can Derive 'Ought' from 'Is'," *Canadian Journal of Philosophy* 3 (March 1974): 378–79.

¹⁶ Stephen Toulmin, *The Uses of Argument* (Cambridge: The University Press, 1958) and Peter Singer, "The Triviality of the Debate Over 'Is/Ought' and the Definition of 'Moral'," *American Philosophical Quarterly* 10 (January 1973): 51–56.

III

Singer, in a healthy and understandable desire to get on with normative ethical issues and normative ethical theorizing, wishes to exhibit the triviality of the debate over two issues that, until recently, have dominated moral philosophy, to wit the issue of the relation of the ought to the is and the definition of morality. The two questions are intimately related, for some definitions of morality allow us, in a certain way at least, though a way which I shall argue is misleading, to move from statements of fact to moral judgments and others do not. It is thus not unreasonable to believe that there is no resolving whether an ought can be derived from an is independently of deciding how morality and the moral point of view is properly to be characterized.

Given a spectrum of more or less plausible conceptions of morality, Singer characterizes two conceptions on either end of the spectrum and shows that while they take very different positions about the is and ought that nothing substantive and non-terminological turns on these differences. He then goes on to show that for some selected positions at other places on the spectrum the same thing obtains. The two "extremes" are stated in simplified form but bear a reasonable resemblance to the positions classically articulated, on the one hand, by D. H. Monro in his *Empiricism and Ethics* and, on the other, by Kurt Baier in his *The Moral Point of View*. The Monro-like account is labelled by Singer *neutralism* (form-and-content neutralism) and the Baier-like position, in deference to Hare, is called *descriptivism*. *Neutralism* does not build in *any content or form constraints*, such as a reference to interests or universalizability, in its characterization of what can count as a moral principle, claim, or consideration. A moral claim or principle can have any content whatsoever. Moreover, on this neutralist account, as distinct from Kant's or Hare's, there are no formal requirements like being such as could be willed as a universal law or being acceptable to an impartial observer or being approved by a rational agent on reflection. For a neutralist, a person's moral principles are the principles, whatever they may be, which that person takes to be overriding. On this conception even egoism is not ruled out as a possible moral position, for, as long as the egoistic principle or maxim is overriding for the agent committed to it, it counts as his fundamental moral standard. And this, for the neutralist, is true of any principle or maxim no matter what its content. An anthropologist, if he held such a concep-

tion of morality, would find out what a tribe's moral principles are simply in finding out what principles are overriding for them.

On such a conception of morality, there is a very close logical connection between our moral principles and our actions. We cannot, on such an account, knowingly and rationally fail to act on our moral principles, for whatever is overriding for us is of necessity a key element in our morality. Whatever their content a person's fundamental moral principles are those principles which are overriding for him. A failure to act in accordance with those overriding principles would on such an account be a rational failing on his part. For the neutralist, the question "Why be moral?" plainly cannot arise, for there can be no gap between recognizing that something is in accord with one's moral principles and one's rational decision to do that action.¹⁷ Yet, vis-à-vis the is/ought question, it is the case that *whatever* facts are pointed to in trying to convince someone holding such a position that he ought to do a certain thing, it remains the case that he can consistently always deny that moral conclusions follow from these facts. Even if it is pointed out to the neutralist at time T2 that at time T1 his overriding principles were XYZ, that fact does not logically entail that at time T2, or at any other time, he should act in accordance with them. It is logically possible on such a conception of morality, that anything with any content or form could be his overriding principles and thus no factual statements, expressive of any determinant factual content, can *entail* that he should act in a certain way, for it is always at least logically possible for him to adopt overriding principles which do not follow from them and thus it is always possible for him consistently to accept the factual statements and assert moral principles that are incompatible with them. And this will be so no matter what the facts are. So, while there is a close connection between moral principles and action on a neutralist account, there is no deriving these principles from facts. There is no discovery of what in truth we ought to do from discovering the facts. There seems on such an account of morality to be no way of establishing the truth of moral utterances and Hägerström's no-truth-thesis and no-derivability-thesis with its radical distinction between value and existence seems vindicated.¹⁸

¹⁷ Singer, p. 52.

¹⁸ It might be argued that neutralism is actually not so independent of empirical challenge. Suppose a neutralist N claims that X Y and Z are his

Do things fare better on *descriptivist* accounts of morality? Superficially they do, but appearances here are deceiving. For a descriptivist a principle can only be a moral principle if it satisfies certain criteria of both form and content.¹⁹ To take one simplified brand of descriptivism as an illustration: a principle is only a moral principle when it, either directly or indirectly, serves to further human happiness and lessen human suffering. A principle, which was unrelated to happiness and suffering could not be a moral principle. Another form of descriptivism would be the claim that a principle to be a moral principle must be related to or answer to human interests.

Now if we accept such an account of morality, including, of course, a more sophisticated account of the same sort, we can indeed derive certain moral conclusions from certain putative statements of fact. If it is a fact that XY and Z will promote human happiness and reduce human suffering then it follows, given that account of morality, that *ceteris paribus* XY and Z ought to be done. Moreover, we can establish the truth of certain moral conclusions, to wit that it is true that X ought to be done, if X, more than any alternative, brings about more happiness and less suffering. Or, on the other descriptivist account, it is true that X is good, if X answers to human interests and whether X answers to human interests is a verifiable factual statement. (If that isn't a pleonasm.)

However, as is usual in philosophy, there is a rub—indeed there are several rubs. I shall consider only two. The first rub, by now one frequently noted and frequently argued about, is occasioned by the problem, in effect noted by Moore and returned to by Stevenson and Hare, that such definitions persuasively define morality and,

overriding principles and that in fact he does indeed honestly believe them to be so. But further suppose that a perceptive anthropologist or social psychologist shows N that, given N's actual behavior, he, N, is deluded in thinking X Y and Z are his overriding principles, for his behavior shows convincingly that, his verbalizations and conscious attitudes to the contrary notwithstanding, A B and C are his overriding principles. Surely this would show N that he was mistaken in his belief as to what were his overriding principles, but it would not enable him to derive what he ought to do from the empirical facts, for it would remain the case that in deciding what he ought to do simply knowing the facts that the anthropologist or social scientist unearthed would not enable him to deduce what (after that awareness had sunk in) his overriding principles are or to deduce what are to be his overriding principles.

¹⁹ Singer, p. 53.

indeed, in these persuasive definitions evaluative notions are already incorporated into the definitions such that the definitions themselves are not normatively neutral so that (to take an example) we are not going from the neutral analytic premise that to take the moral point of view is to be committed to doing XYZ, together with the statement of fact that XYZ obtains, to the moral conclusion that we should do XYZ.²⁰ We cannot make this move, for the so-called analytic premise is not analytic at all, and, as Moore shows, by his open-question argument, wherever we characterize XYZ in terms of some purely factual or empirical content, we can always ask, without making any verbal mistake, whether XYZ is good. There is no verbal mistake in asking whether “Furthering human happiness is good or desirable?” It is not like asking whether “Furthering human happiness is furthering human happiness?” Similarly we can, without making any purely verbal mistake, ask whether “What answers to interests is good?” or whether “We ought to do what answers to interests?” The short of this old point is, that it at least appears to be the case that such descriptivist definitions of morality are not evaluatively or normatively neutral; what they in reality do is to give voice to evaluative conceptions themselves. Thus we remain, after all, on the ought side of the is/ought gap.²¹

Even if there is some way around this, there is another rub—a rub noted by Singer—which, when duly noted, seems at least to dash any hope of ever being able to deduce what through and through we ought to do from a knowledge of the non-moral facts. We can unearth what is at issue in the following way. Unlike the *neutralist* account, the *descriptivist* account does not provide a logical tie between moral principles and action. Moral principles on such an account are not necessarily overriding. “We are not,” as Singer well puts it, “free to form our own moral opinion about what is and what is not a moral principle; but we are free to refuse to concern ourselves about moral principles.”²² The why-be-moral-question, on such an account of morality, can be coherently raised and a man need not be acting

²⁰ G. E. Moore, *Principia Ethica* (Cambridge: The University Press, 1903) and C. L. Stevenson, *Ethics and Language* (New Haven, Connecticut: Yale University Press, 1944), chap. 6.

²¹ Kai Nielsen, “Covert and Overt Synonymity: Brandt and Moore and the ‘Naturalistic Fallacy’,” *Philosophical Studies* 25 (January 1974): 51–56.

²² Singer, p. 53.

irrationally if he fails to do what, on such a conception of morality, moral principles dictate. The man who is more interested in art and the development of culture than the furtherance of human happiness and the avoidance of human suffering need not be acting irrationally if he does not act in accordance with what even he takes to be the dictates of morality, for on his account, moral principles are not of conceptual necessity overriding principles. The same is true of the man who cares about nothing but himself. His egoism is not his morality but it doesn't follow from that that in living in accordance with such an egoistic life-policy, he must be acting irrationally. "The descriptivist cannot tie morality to action, as the neutralist did, because he has tied it to form and content. So morality may become irrelevant to the practical problem of what to do."²³ On the descriptivist account, there may no longer be an is/ought gap, but there still is something very like it—a something which made for Hume, Hägerström, Ayer, and Hare, what they took to be the is/ought gap, a problem in the first place, namely a fact/action, reason/action, reason/commitment gap. That is, it will not be the case, that there are any morally neutral facts (cold facts) about some proposed course of action which are such that where these are the facts in the case, for any rational person, quite independently of what his sentiments may be, it entails that he or she try to carry out that action. Where fundamental principles of action and life policies are concerned, there is nothing, through and through, and everything considered, that the cold facts and human rationality (neutrally conceived) dictate that we must do such that if we do not, we will be acting irrationally and ignoring the truth, i.e., what are the facts in the case.²⁴ Recall that Hägerström contended that it is a mistake to believe that moral principles are principles of the type such that they are true or false in such a manner that any neutral observer, through and

²³ Ibid.

²⁴ I am inclined to think that the absurdity of such a Humean conclusion gives us good grounds for not construing "rationality" neutrally, as it typically is in the analytical tradition. If, alternatively, we enrich our conception of rationality, after the fashion of the Frankfurt school, we still will not have derived an ought from an is, for our enriched, and I would judge more adequate, conception of rationality is not normatively neutral. See Kai Nielsen, "Distrusting Reason," *Ethics* 87 (October 1976): 49–60 and "Can There Be An Emancipatory Rationality?" *Critica* 8 (December 1976): 79–102.

through rational, and acquainted with and non-evasive about the facts, must accept them or rightly be accused of irrationality or intellectual or factual error. There is no such impersonal truth to moral claims; and this—or so it seems—is but one way of saying that they are not principles which can in any proper sense be said to be true or even false at all. That is to say, the no-truth-thesis and the rationale behind it is grounded in the realization that fact and norm, existence and value, and the is and the ought belong to different categories. People engaging in the activities they vaguely label are doing radically different things with thoroughly different rationales.

Values, Dewey to the contrary notwithstanding, are not a distinctive kind of empirical fact and, Moore to the contrary notwithstanding, they are also not a distinctive kind of “non-natural fact.” It is this that Hägerström wanted to bring out and, as I read him, Hume as well, and it is this that is important behind the claim that one cannot derive an ought from an is. It leads us to see, against objectivists from Plato to Rawls, that reason and a thorough knowledge of the facts and of theory will not, by themselves, enable us to know what we are to do and what kind of life and styles of acting are required of us or are through and through, and everything considered, desirable. If we could derive an ought from an is in the way that Hume, Hägerström, and Hare deny that we can, we would also be able to refute the no-truth-thesis and set out an objective foundation for morality. Singer’s analysis is in effect one further argument to show that this cannot be done and that in essence Hume, Hägerström, and Hare are right.

To come to such a conclusion is not, as Singer thought, to establish the triviality of the is/ought debate, but to show—or go some way toward showing—that the non-derivationists are right and that a gap exists between fact and action, reason and acting, and reason and commitment, such that our picture of the foundations of morality is very different than it would be if this were not so.

A descriptivism with any other form and content would have the same type problems about the is/ought and reason/action gap. It would not help to combine neutralism and descriptivism and say that a principle is a moral principle only if it answers to interests and is overriding. For someone could still intelligibly ask, in a way comparable to asking “Why be moral?” “Why take as overriding those principles which answer to human interests?” He might not *care* about the interests of others. The fact that some principles answered to interests and would not be classified as moral principles unless

they were overriding would not rationally settle for him the question of his taking principles with such a content as overriding.

Things are not essentially changed if we turn to in-between positions on the spectrum of positions between neutralism and descriptivism. Hare's position, for example, is neutralist in *content* but committed, through his appeal to the universalizability principle, to a certain determinate *form*. On his account at least certain forms of egoism are ruled out as possible moral positions, but while this position, like neutralism, pure and simple, appears at least to preserve the tie between action and morality, it does not preserve the tie between fact and morality. For Hare moral principles by definition are prescriptive and universalizable; prescriptivity preserves the tie between commitment and action, but universalizability limits formally what principles can count as moral principles. So there are some principles, or at least conceptions, on which people might act which are not moral principles. We must, on Hare's account, be able to prescribe universally what we morally commit ourselves to or it will not count as a moral commitment. But this provides only a psychological barrier to certain acts, for *universalizability itself places no constraints* on what we can prescribe universally. If what Hare calls the fanatic is willing to universally prescribe things that will harm him, then he cannot, on Hare's own account, be shown to be mistaken if he consistently does this. Any generalizable principle can be prescribed and, as with neutralism, it is very unclear if anything at all can be ruled out as wrong on those grounds.²⁵ That few people are willing to starve to death for an ideal does not prove that we can show that such an ideal is not universalizable or show that it follows that we have proved, from purely factual and analytical premises, that it is wrong.

Moreover, on Hare's account, even the tie between morality and action is not sustainable, as it is on a purely neutralistic position. Suppose a man has as his overriding principle or policy of action something which is non-universalizable. Hare can consistently say that such a person has no moral principles but that does not settle the issue about whether he is acting rationally or doing what, everything considered, he should do if he acts on such a non-universalizable "principle" of action. (Suppose he is an individual egoist, and remember

²⁵ D. H. Monro, *Empiricism and Ethics* (Cambridge: The University Press, 1967), pp. 147–233.

not all “shoulds” are moral shoulds.) He might, on such an account, as on a descriptivist account, opt out of acting on moral principles and not be any the less rational for all of that.

It is not clear what other kind of “middle” position we could give, but if it has *any content* at all built into its conception of what morality is, it seems that the question can be coherently raised: “Why act on principles with such a content?” If it is just a fact that morality requires ABC, it always seems possible, as Moore in effect realized, where ABC is characterized in non-normative terms, to ask coherently why do ABC? If in turn A or B or C is itself partially characterized in normative or evaluative terms, then we are not in fact going from fact to value. In either event, we have an is/ought gap. If, on the other hand, the position is still some contentless conception of morality, it remains totally unclear in what way it could cross the fact/value gap, for it never gets on the fact side of the matter in the first place. And again, like any Kantian ethic, it is compatible with any substantive position whatsoever.

No definition of morality can bridge the gap between facts and action. Even if Searle manages to give us a paradigmatic promising case where, if such an institution is judged desirable, then it does follow, under such and such circumstances, that one ought, *ceteris paribus*, to pay what one promised to pay, such a derivation does not commit one to any action. It does not give us a counter-example to the claims of Hume and Kant and, in our time, of Hägerström, Moore, Ayer, and Hare, that no statements, recording even the sum of value-neutral facts and their analytic auxiliaries, entail some categorical statement asserting what, everything considered, we are to do. It is that claim that defenders of the gap between the is and the ought were concerned to make and it is that claim, which seems to me still to be intact.

IV

This could be accepted for those cases—perhaps fewer than we are wont to realize—where there is a clear distinction between fact and value, and still it could be retorted that the picture of the Great Divide given by the non-derivationists is thoroughly unrealistic.²⁶

²⁶ Kurt Baier, “Decisions and Descriptions,” *Mind* 60 (April 1951): 181–204.

There are many concepts, centrally used in moral reasoning and reflection, and many utterances similarly so employed, which are hardly classifiable as “purely factual” or “purely normative” and concerning which we cannot by careful analysis break up into their “factual bit” and “normative bit.” This general line of argumentation has been powerfully urged by Charles Taylor, Richard Norman, and Bernard Williams.²⁷ I shall set out, and then comment on, something of Bernard Williams’s way of conducting the case, for he succinctly makes the central points.

Williams argues that to stress that we cannot derive “evaluative principles with ‘oughts’ in them” from pure statements of fact “distracts attention from, regards as secondary the enormous numbers of concepts which we ourselves use, and other societies use, and people in the past have always used, which have got an evaluative force of a certain kind—that is, their deployment has something to say for or against acting in certain ways, or suggests an attitude for or against certain courses of action and persons and so on.”²⁸ These concepts are usually not culturally invariant and they are not divisible into “ought” bits and “is” bits or analyzable into descriptive and evaluative components. Williams’s examples are owing someone money, promising, being cowardly, being sentimental, being treacherous, it’s one’s job to, saving face, or losing face. These are concepts which, when used in normal linguistic environments, have evaluative implications and some of them, like losing face for the Japanese, have very strong evaluative implications. If we try to characterize or paraphrase terms expressive of these concepts in purely neutral descriptive and factual terms and then add that these terms are as well, but in a way that is independent of their connotations or cognitive meaning, pro and con attitude expressing terms or something of that sort, we leave out, as Williams puts it, the fact that without

²⁷ Charles Taylor, “Interpretation and the Sciences of Man,” *Review of Metaphysics* 25 (September 1971): 1–45; id., “Neutrality in Political Science,” *Philosophy, Politics and Society*, Third Series, Peter Laslett and W. C. Runciman, eds. (Oxford: Blackwell, 1967); Kai Nielsen, “Social Science and American Foreign Policy,” *Philosophy, Morality, and International Affairs*, Virginia Held, Sidney Morgenbesser, and Thomas Nagel, eds., (New York: Oxford University Press, 1974); Richard Norman, “On Seeing Things Differently,” *Radical Philosophy* 1 (January 1972): 6–13; and Bernard Williams, “The Sad State of Moral Philosophy,” *Listener* 85 (February 1971): 136–140.

²⁸ Williams, p. 137.

the human interests these concepts respond to, we wouldn't have these concepts at all: there wouldn't be such concepts to have any connotation. In that way these interests are partially, but still irreducibly and unavoidably, constitutive of these concepts. There is no capturing what these concepts are about in purely "cold fact" terms and then saying that in addition such concepts usually have a certain evaluative force but that, while remaining about the same realities, they might come to have a quite different evaluative or normative force. Consider—to take just one example—"treacherous" in sentences such as "He is very treacherous." We have here the notion of someone who will betray a trust, who is traitorous or disloyal or perfidious, who is deceptive and who cannot be relied upon. Terms such as 'traitorous', 'disloyal', 'deceptive', or 'perfidious' have at least as strong an evaluative force as 'treacherous', but, particularly with such terms as 'deceptive' or 'betray a trust', there are stretches of identifiable behavior which, if they occur, count as cases of "betraying a trust" or "deception," though it is another thing to say they are definitive of it or constitute it. In this way such terms and through them 'treacherous' come to have a factual content. Yet, the meaning of these terms is not characterizable just in terms of these bits of behavior or more of the same behavior plus a con-attitude on the part of the user of these terms. To talk in these terms (e.g., of treachery and of betrayal of trust) is to see the world—in a "seeing-as-sense"—in a certain way, a way people who do not have these concepts would not, and indeed could not, "see the world."²⁹ Nor could they simply "read off" these concepts from noting that behavior. Without certain interests there would be no such concepts though, reciprocally, without such concepts there would be no such interests. The concepts treacherous, being in debt, and promising, as distinct from that of being poisonous, are concepts which pick out certain social or institutional facts, facts whose very reality or existence depends on the concepts in question. The facts involved are facts about social institutions who owe their very existence to certain pervasive human interests, institutions which are "notoriously, both effect and cause of human desires." But it remains the case, Williams reminds us, "that a social fact is still a fact." But it is a special kind of fact, a fact constituted by certain concepts and human interests. And this is an important distinction to draw, for the point about concepts like saving face or one's job or property or stealing or a debt is

²⁹ See Norman's, Taylor's, and Nielsen's essays cited in n. 27.

that the development of these concepts is intimately bound up with an entire set of institutions. The proposal to get rid of the evaluative force of one or another of these concepts is not a proposal for a kind of logical reform about what words we use to describe the world, nor, merely, how we are to comment on what is the case. Rather this would be a proposal “to change our entire view of our social relations.” Different types of social science—Marxist economics or sociology and bourgeois economics or sociology—will, with differing interests and different conceptions, have different paradigmatic conceptions as to what constitutes social reality, and these conceptions are tied to different world-pictures.³⁰ This makes the problem of their assessment rather tricky for what will or will not count as a fact—an institutional fact—which in turn might be used in a normal evidential way, is, in part at least, a product of the relevant systematically embedded concepts and interests (valuations). But this, by a quantum leap, complicates the problem of establishing truth or testing theories in such domains. Moreover, while à la Searle, Foot, or Melden, certain ought statements may be derivable from statements of *institutional fact*, these statements of institutional fact are themselves not on the “purely is” or “purely factual” side of the at least putative is/ought gap, for they have an irreducible and non-isolable normative component.³¹ Moreover, it is not even clear that they ever entail moral

³⁰ Ludwig Wittgenstein, *On Certainty* (Oxford: Basil Blackwells Ltd., 1969) and G. H. von Wright, “Wittgenstein on Certainty,” in G. H. von Wright, ed., *Problems in the Theory of Knowledge* (The Hague: Martinus Nijhoff, 1972), pp. 47–60. Most particularly see pp. 59–60 in von Wright’s article.

³¹ Someone with a metaethical position like that of Hägerström, Ayer, or Hare might well respond by arguing that the claims made in the language of institutional facts can be transmogrified into a neutral purely empirical language of “cold facts.” But it is just this that cannot be done, as Williams, Norman, and Taylor have powerfully argued. A recognition that many of our key concepts—concepts linked with questions about our societal existence and the human sciences—are an inextricable fact/value mishmash (a) does not resolve the is/ought deduction question and (b) it might—and I believe would—suggest that the is/ought question is not as important as it has traditionally been thought to be, for there are all sorts of issues, involving normative argument, where the derivation question does not naturally arise. It will, in turn, be responded, that there remain more fundamental and more abstract moral evaluations where there is no such mishmash and where there is no derivation of these moral conceptions from factual ones. To determine how important this observation is, and how trivial or non-trivial non-derivationist claims are, involves the tricky job of perspicuously displaying the connections between the abstract moral appraisals and the more specific appraisals involving concepts which are a fact/value mishmash.

claims—ought claims—of a sufficiently fundamental categorical nature to be genuine propositions clearly on the ought side.

We have a cluster of statements, importantly relevant to morality, which are not realistically classifiable as either purely factual statements—what W. D. Falk calls statements of “cold fact”—or purely moral propositions (e.g., “You ought to love your enemies” or “You should treat people with more consideration”).³² Non-derivationists have neglected them and failed to see their importance in giving us a picture of the world in which we distinctively place “cold facts” and so place as well—or indeed even have the possibility of coherently making—more explicit purely moral judgments. Nonetheless a recognition of this complexity does not refute non-derivationists, such as Hume, Hägerström, and Hare, who argue that there is no deriving a categorical moral ought or a judgment of intrinsic value from purely factual (“cold fact”) statements.

What needs to be recognized is that the line between where we have a factual disagreement and an evaluative disagreement is much less sharp than the traditional non-derivationist picture gave us to understand (Moore, Hägerström, Ayer, and Hare are paradigms here), that many moral concepts (e.g., treacherous, class enemy) are not as distinctively moral as the concepts typically discussed in traditional moral theory (good, right, ought, duty) and that these less distinctly moral concepts are, as Williams puts it, “tied up with the sorts of concepts we use to describe human nature, the sorts of human characteristics we find interesting, important, significant.” All this is worthy of note and a proper dwelling on it will provide additional support in our struggle to get out of the shadow of Moore and find significant new directions in moral philosophy and in our coming to understand that social science cannot be normatively neutral. Still there is nothing here to refute or even undermine the positions of Hume, Hägerström, or Moore about the is and the ought. The considerations raised do not show us how it will be possible to derive an ought from an is—a fundamental categorical moral proposition from purely factual statements—or establish the truth or justifiability of fundamental moral propositions.

³² W. D. Falk, “Hume on Practical Reason,” *Philosophical Studies* 27 (January 1975): 1–18 and id., “Hume on Is and Ought,” *Canadian Journal of Philosophy* 6 (September 1976): 359–78.

V

We need, in seeing the force of a position like that of Hume's or Hägerström's, to see a little more fully what is being claimed. In talking about facts which do not entail value judgments, we are talking about those value-neutral characteristics of objects or situations which are true of the objects or situations and which hold, independently of the affective significance of those objects or of that situation, for us or indeed for anyone. In that way, as W. D. Falk has well put it, the facts may not be hard but they are cold, for they are that which is empirically or scientifically ascertainable and they are that which characterizes the object or situation short of its affective significance. We do, of course, say of certain situations or things that they are good or bad or that they ought not to obtain. But what is said about these things or situations when such words are used does not further qualify the thing or situation in question, making still more determinate its factual specification. Instead it supervenes on it. If I say, "Southern Africa is beginning to revolt" and then add that "That's as it should be," my "That's as it should be," unlike my "beginning to revolt" does not further specify what is happening in Southern Africa, but, in Hume's terms, expresses an entirely new relation or affirmation, to wit, that by way of a correct view of what is happening there, it will occasion a favorable response in a human reviewer. (Query: what is the criterion for a correct view?) Reason, that is, sense-observation and reasoning, enables us to ascertain the facts in the case: it "adds to our knowledge of the world, of objects, states of affairs, characters, actions."³³ But evaluating, grading, appraising, assessing, aesthetically and morally judging are very different activities than such knowledge or information yielding activities. Further they are what is involved when in being confronted with things as they are, we, taking the objects or situation as known, respond to them. In such evaluation and appraising activities, we are concerned about "the dynamics between things as they are and ourselves."³⁴ We are concerned with their affective relevance or significance for us. Without an understanding of the facts in the case, we could not make such assessments, but such assessments are not further recordings or specifications of the factual situation. Co-

³³ Falk, "Hume on Is and Ought," p. 369.

³⁴ *Ibid.*

herently to make the claim that revolution in Southern Africa would be a good thing, we must know some plain, cold facts about Southern Africa. But its being a good thing is not just another fact about Southern Africa, but is, as Falk well puts it, “a supervenient and descriptively supernumerary conclusion from the cold facts in another order of discourse.”³⁵ Evaluative concepts, as both Hume and Moore see, are fact-dependent and fact-supervenient concepts and in being such they are quite distinct from factual concepts. But Hume, unlike Moore, saw that all judgments of value and all normative judgments rest on: (a) an understanding of what the objective or situation we are concerned with is like and (b) on our *affective* responsiveness to such an understanding of what it is like. The value of something, though it holds by reason of the facts, is not provable by them or derivable from any description or further specification of the facts. We cannot, as both Hume and Hägerström stress, simply observe or demonstrate the value of something: rather value is discerned by critical and reflective *taste*: that is, by reflecting on, taking to heart, and patiently, intelligently, and dispassionately *responding* to, objects and situations, where we are in extensive possession of the facts concerning them.

For Hägerström, and perhaps for Hume, there is a gap between fact and norm, because moral judgments cannot be derived from reason, i.e., we cannot demonstrate their truth or verify their truth. But for all that, they need not be wanton, for, while not derivable from reason, they must be made, to count as justified moral or evaluative judgments, impartially and fully in the light of reason, i.e., with full awareness of and a reflective reviewing of the facts in the case.

So when we fully take to heart and reflect on what evaluating and judging are—what kind of activities they are—and how very different these activities are from the activities of describing, informing, or simply neutrally and indifferently characterizing, it is plain enough why it is impossible to derive an ought from an is or identify value and existence, but it should also be equally evident why matters of fact—considerations about what is the case—must always be essential for any due and reflective appraisal or judgment concerning what ought to be the case or ought to be done.

³⁵ *Ibid.*, p. 370.

VI

Someone might still respond—reviving the dialectic of the argument about the is and the ought once again—that if the above is a tolerably correct picture of the scope of reason in morals, it does not go far enough to meet our reflective expectations, for it remains the case that there might be agreement about the facts—the “cold facts”—and disagreement about what to do even when the disputants involved are people who conscientiously and dispassionately and indeed without intellectual error reviewed the facts, and took them to heart, in the way morality requires. Reason, on such an account, does not have the *authority* to say, to a reflective rational agent conversant with the facts, that if such and such occurs or obtains or is the correct purely factual characterization of the situation—if these are the cold facts—then, no matter what your affective response, such and such must be done. And supporting this, it could be further remarked, that we have, Hume and Falk to the contrary notwithstanding, no criteria for what is a correct or proper appreciation of the facts when we have gone without evasion through the procedures Hume and Falk recommend. The procedures of review could be carried out to the full and without evasion or any blinking from the facts and there still could be disagreement about what to do: the affective responses need not be the same. If this obtains we do not have any way of knowing, at least on their account of knowing, who is making the correct or proper response. In fact on such an account the very notion of a proper or correct response in such a situation seems at least to have no application. But then it is at least tempting to conclude that there is no essential advance here over a Stevensonian conception of a disagreement in attitude not rooted in disagreement in belief. Our expectations about the relationship between value and existence, norm and fact, have led us to hope that just the opposite obtains: that, even over the ends of life—over some of the most fundamental human choices—so our expectations mythologize, if the facts are such and such, there just are some things we must—categorically must—do on pain of irrationality.³⁶ But, if we

³⁶ The subtle and sustained attempt by Philippa Foot to treat moral claims as a distinctive sort of hypothetical imperative is of importance in this context. Philippa Foot, “Morality as a System of Hypothetical Imperatives,” *Philosophical Review* 81 (July 1972): 305–16; id., “Morality

follow out carefully the dialectic of the argument over morals, that understandable expectation or at least hope seems at least to be dashed. It appears to be a confused human reification.

This claim is of such a vast scope and, if sensible, is at least so seemingly portentous in its implications that we should be careful and try at least to assure that we have followed out correctly the dialectic of the argument. Perhaps the Humean-Hägerströmian-Russellian ballast has somehow ill tilted us. Surely, it will be said, one of the things we have failed to do—concentrating on deducibility and entailment as we have—is to consider seriously the possibility of logically sound non-deductive arguments from purely factual premises to moral conclusions. In that way, as Toulmin and Edwards among others have amply shown, we do readily and easily pass from fact to value, from the is to the ought.³⁷ From the fact that the wires are high voltage we conclude that we ought to keep away, from the fact that the water is polluted we conclude that we ought not to drink it, from the fact that the knife is sharp we conclude that we ought to be careful and, more generally, from the fact that something will harm people we conclude that we ought not to do it. Perhaps, as Toulmin argues in *The Uses of Argument*, the analytical ideal of entailments is a spurious norm of cogent reasoning.³⁸

Moving from the above recognition of how easily we do pass from the is to the ought, it might be argued that if people want to do anything at all (have particular aims and goals that they want to achieve) and they are capable of consistent thought and action, then there are certain things they must want, certain things they must value. It isn't that here we are going back on our Humean-

and Art," *Proceedings of The British Academy* 56 (1970): 3–16; Lawrence C. Becker, "The Finality of Moral Judgements: A Reply to Mrs. Foot," *Philosophical Review* 82 (July 1973): 364–70; Robert L. Holmes, "Is Morality a System of Hypothetical Imperatives?" *Analysis* 34 (January 1974): 96–100; Philippa Foot, "Is Morality a System of Hypothetical Imperatives?, A Reply to Mr. Holmes," *Analysis* 35 (December 1974): 53–56; W. K. Frankena, "Under What Net?" *Philosophy* 48 (October 1973): 319–26; W. K. Frankena, "The Philosophers' Attack on Morality," *Philosophy* 49 (October 1974): 345–56; P. Foot, "Reply to Frankena," *Philosophy* 50 (October 1975): 455–59; and D. Z. Phillips, "In Search of the Moral 'Must': Mrs. Foot's Fugitive Thought," *Philosophical Quarterly* 27 (April 1977): 140–57.

³⁷ Paul Edwards, *The Logic of Moral Discourse* (Glencoe, Illinois: The Free Press, 1955) and Toulmin, *Uses of Argument*.

³⁸ Toulmin, pp. 161–77.

Hägerströmian contentions about the non-derivability of categorical norms from statements of fact, but that we are recognizing the propriety of another pattern of reasoning. That is, when we make *hypothetical* value judgments, we can ascertain whether they are true or false by an appeal to the empirical facts. It is sometimes the case that if a certain factual situation obtains, then it follows that a certain hypothetical value judgment is true. It is perfectly correct to argue that if you want to do a certain thing and if you are going to be consistent and achieve your goal, then you must do whatever is indispensable to achieving that goal. If something is valued by us, then we ought to value, though not necessarily in the same way, whatever is indispensable to our achieving the thing we value. And what is or is not necessary to achieving what we value is an empirical question: something which will be determined by the cold facts. Rawls, for example, powerfully argues that there are certain things—certain primary natural and social goods as he calls them—that we must want if we want or value anything at all.³⁹ For, unless they are had, we could not achieve the other things we want. This is a question which is doubly factual: whether that is so (whether there are any such things) and what things, specifically, if any, are so necessary. But, it is tempting to argue, if both answers are “yes”—and whether they are or not is a factual issue—then, if certain facts obtain, it follows that certain things should be valued, *if anything is valued at all and people want to achieve what they value*. The primary social goods Rawls appeals to will illustrate this: they are rights and liberties, opportunities and powers, income and wealth (a share in the common stock of means), and self-respect. Putting aside self-respect, which is more complicated, and not confusing wealth with the desire to be wealthy but taking it simply as the desire to have some of the available stock of means, Rawls’s claim is that, as a matter of fact, if you do not have these things in any measure at all, you will not be able to realize your plans (whatever they are). Without some liberty, we could hardly carry out any of our plans, get anything we want, so liberty must be a good for us. Similarly without rights and powers our chances to gain what we value is considerably lessened, so these must be goods for us. Rights are also similarly strategic. And people must have some of the stock of means to achieve the things they

³⁹ John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971), pp. 90–95, 396, 433, and 447.

want—to realize their intentions—so those things too must be regarded as good by human beings, must be things they ought to have. In our culture, this means having some income and wealth. These are conditions which are necessary for human beings to act.

Yet, tempting or not, it is a mistake to argue in this way, if it is thought that such argument will support derivationism. For it is not the case that the truth of any of these factual assertions will guarantee that anyone who understands them must assent to a certain normative conclusion. Hägerström's unmoved spectator of the actual would not have to so commit himself or indeed commit himself at all. But, if Rawls has identified, as he at least seems to, some of the conditions necessary (presumably factually necessary) for human beings, with any aims or desires at all, successfully to act in the world, then Rawls will have identified some of the conditions any human being will have good reason to want if he (she) wants anything at all. If the facts are as Rawls describes them, it follows for such people—people with desires and people who can be and desire to be rational, i.e., desire to take the means necessary to achieve their ends—that they ought to desire the having of those goods Rawls calls the primary social goods *if what they desire for its own sake is indeed desirable*. But this last Moorean caveat is necessary and supports the non-derivationist.⁴⁰ We cannot identify what is desirable with what is desired for its own sake. Only on the assumption that what is so desired is desirable do certain factual statements entail certain normative commitments for people with certain natures who desire the continuance and stability of their natures. It is, of course, true that in fact people do have these natures and most likely, in the broad sense relevant to the issue to which we are speaking, they will want to remain basically as they are. But this does not show that we can get a categorical ought from an is, derive what is desirable from what is pervasively desired.

The non-derivationist will still respond: (a) that these primary social goods are instrumental goods and not intrinsic goods or something we ought categorically to value and (b) that there is nothing in logic or in the facts in the case that can require people to have such

⁴⁰ That it was mistakenly directed against Mill is beside the present point. See Everett W. Hall, *Categorical Analysis* (Chapel Hill, North Carolina: University of North Carolina Press, 1964), pp. 100–32 and Kai Nielsen, "Mill's Proof of Utility," *Bucknell Review* 23 (Spring 1977): 110–23.

natures, and if people had different natures, very different wants or no wants at all, they would not have to conclude that such things are primary goods which they ought—indeed must—have for their human flourishing. If it turned out that certain people did not care if their wants were endlessly and pervasively frustrated, then it would have not been established that it is the case that they would have good reasons for desiring such primary goods.⁴¹ Moreover, without knowing that these wants are things they ought to want or are desirable, they cannot conclude that they must, to be rational, regard such alleged primary goods to be the things they ought to have.

The derivationist could in turn respond that now the non-derivationist has taken him to a desert island. Certain facts would perhaps not establish certain values for Martians but for people anything recognizably like we know them they would. People could not be rational and not care about whether their desires were pervasively frustrated and, that conceptual point aside, people are not like that, for they (generally speaking) do want to satisfy their desires and thus—a point the above non-derivationist argument neglects—they do need to have these primary goods to achieve whatever else they want. So, if they are rational, and want anything at all, then they will want these primary goods. But again, it should be responded, their wanting *x* does not in itself make *x* desirable or something they ought to have, though it may make it, *ceteris paribus*, desirable.

The dialectic of the argument between the derivationist and the non-derivationist seems to have landed us in the following position: the non-derivationist is right in claiming that there are no cold facts, including facts about human nature or about what people want, sufficient to force a consistent unmoved but through and through rational spectator of the actual to make any normative commitments or take any moral posture whatsoever, but for rational people—agents, not pure spectators—with a human nature recognizably like people as we know them and committed to trying to achieve what they most overridingly desire, certain facts do indeed require certain normative commitments. Meaning by “rational” in “rational person,” a person who will take the means necessary to achieve his

⁴¹ It may be that this very supposition is incoherent, for if P did not care about X, then X could not be said to be something that P pervasively wanted. Yet I think there is a reading of the above sentence in which it is not incoherent.

or her most prized ends, a rational person must (among other things)—the facts being what they are—desire liberty, opportunities, and the possession of rights. So, relative to our human nature and most fundamental commitments, certain facts—“cold facts” if you will—do determine values, but for some pure, affectless intelligence (if such there be) or for some being with totally different emotions this might not be so. So Hume and Hägerström are right *sans phrase*: no facts determine values. But, given the above background, such a conceptual point does not, after all, seem to be very important. There is, in a certain way and with the above qualification, the possibility of founding morality on the nature of man and, *pace* Moore, the basis for establishing by analysis systematic connections between values and the nature of man and the world, while still preserving the insight, common to Hume, Hägerström, and Moore, that (a) value and fact, norm and existence, and the is and the ought are all distinct and (b) the further insight that no categorical moral statements can be derived from the cold facts, including the facts of human nature, or shown to be true or false in the way semantic theory can provide truth conditions for “The cup is on the dish” or “Most Swedes are Lutherans.”

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