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Does Moral Theory Need the Concept of Society?*

Abstract: We have the intuition that the function of morality is to make society possible. That is, the function of morality is to make possible the kind of cooperation and coordination among people that is necessary for societies to exist and to cope with their problems. This intuition is reflected in the 'society centered' moral theory I defended in my book, *Morality, Normativity, and Society.* The theory is a relativistic version of moral naturalism and moral realism. This paper briefly explains some of the basic ideas of my theory and attempts to answer some of the most common objections. I argue that, despite its relativism, my views allow that certain things are simply wrong to do, without any qualifications, and it allows that members of other societies, non-human animals, and even features of the environment, might have non-derivative moral status.

0. Introduction

It is virtually a commonplace to say that morality has the function of making society possible. According to 'society centered' moral theory, this fact about morality is central to justifying the various demands that morality places on us. I defended such a view in my book, *Morality, Normativity, and Society* (Copp 1995). The other major component of the view I defended in the book is a theory of normative judgment that I call the 'standard-based' theory. This theory is intended to explain what the normativity of moral judgments consist in. When combined with the society centered view, the standard based theory yields an account of the truth conditions of moral propositions. It yields a relativistic version of moral naturalism and moral realism.

Let me briefly introduce the basic ideas. According to the standard-based theory, a moral proposition entails, non-trivially, that some moral 'standard'

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is 'justified'. I use the term "standard" as a term of art to refer to the kinds of 'things', such as rules, norms, and commands, that are expressed by imperative sentences. Typical indicative sentences express propositions, and, in a similar way, I say, imperative sentences express standards. Standards are neither true nor false, since they are not propositions.[1] But there are moral propositions, such as the proposition that torture is wrong. According to the standard-based theory, if it is true that torture is wrong, then a corresponding standard that prohibits torture must have an authoritative status that distinguishes it from the many arbitrary and unfounded standards we can imagine, such as a standard that prohibits scratching one's head. I call this status, that of being 'justified'. The society centered theory is intended to explain what this status consists in. It is intended to explain, that is, what the relevant justification of a moral standard would consist in. According to the society centered theory, a rule prohibiting torture is justified in relation to a society just in case the rule is included in the moral code that the society would be rationally required to select, in preference to any other code, to serve as its social moral code, the code that would be subscribed to by the bulk of the members of the society. If it is true that torture is wrong, then some such rule has this status.[2]

This paper is devoted to a brief explanation of some of these ideas and to addressing some objections. I will mainly focus on the society centered theory. I will try to explain briefly what a society is, and the role that the idea of a society plays in my account of morality and of moral truth. I will then discuss some objections. There are reasons to think that moral wrongness is not relativized to societies in the way my theory implies that it is. We might believe that certain things are just wrong to do, without any qualifications, and that they would be wrong for anyone to do regardless of whether her society were in different circumstances from our own society. Morality is often thought to be a set of universally valid or justified rules. These ideas appear to ground objections to my account. My task therefore is to evaluate the objections.

1. Societies

The concept of a society that figures here is perhaps familiar from political philosophy, where it plays a central role in John Rawls's theory of justice and

[1] Sentences can have truth values even though they are not propositions. But the truth value of a sentence is derivative from the truth value of the proposition it expresses. Standards do not express propositions. Like propositions, they are semantic contents that are expressed by certain sentences. Unlike propositions, they lack truth value.

[2] See Copp 1995, 103–104. I am ignoring various qualifications that are discussed in the book.

in egalitarian theories more generally. Rawls holds that the primary subject of justice is the "basic structure" of society (see Rawls 1971, 7–8). Egalitarians are typically concerned to achieve equality among the members of society along some favored parameter.[3] Beyond this, the delivery of justice requires political organization. Societies of course are typically organized into political units called states. The social world would be divided loosely into societies even independently of the organization imposed on it by these political units, but the creation of a state can also lead to the development of social fault lines that didn't exist before. For example, the partition of Germany after the Second World War arguably began a process that did lead, or that eventually would have led, to the existence of two German societies, But the existence of distinct German and French societies arguably pre-dated, or at least is somewhat more independent of, the existence of the two states.

Given these remarks, it should be clear that the entities I have in mind must be distinguished from small face-to-face groups, such as families or discussion groups. They must also be distinguished from familiar organized units with specific goals, such as the Society for the Prevention of Cruelty to Animals, the League of Nations, or Air France. They must also be distinguished from nations, for the members of a society might not identify with the group's history and tradition in the way that members of nations typically do. In addition, societies are not necessarily ethnically or culturally homogeneous or united. They typically are organized into states, but this is not necessary, for although there is a society that comprises the population of the United States, I think there is also a North American society. Societies are relatively comprehensive of the various functions and roles required for a group to be self-sufficient, and they are relatively self-sufficient. They are multigenerational both in the sense that their membership includes members of several generations and in the sense that their existence extends through several generations in time. They are territorial, and their membership includes virtually everyone residing permanently in their territories. Membership is inherited at birth, although a person can leave one society and join another as a result of moving permanently from the territory of one society into that of another society. The people that the members of a society interact with in securing the material necessities of their lives as well as in pursuing cultural priorities are, by and large, also members of the society. Such interactions are governed by norms that are widely shared in the society. A society provides its members with a framework for their lives, for most of their friendships and important relationships are with other members of the society.

There is vagueness in this account. It needs to be recognized that societies have permeable borders and that their borders might not be precisely defined

[3] See, for example, Scanlon 1997, 1: "virtually every society is marked by forms of inequality the elimination of which is a political objective of the first importance."

in the way the borders of states are defined. Most of the characteristics I have mentioned are matters of degree, so that an entity might exhibit one of them to a rather large degree but another to a rather lesser degree. All of this needs more attention than I can pay to it here. Yet I can offer a formula that can serve as a definition, provided that due allowance is given to the factors I have just mentioned, such as the unavoidable vagueness in the formula. With this understood, let me say that "a society is a multi generational temporally extended population of persons, embracing a relatively closed network of relationships of friendship, affection, kinship, and cooperation in reproduction, and limited by the widest boundary of a distinctive [and salient] system of instrumental interaction" that facilitates pursuit of the necessities of life and the priorities of the group's culture.[4]

2. The Concept of Society in Meta-ethical Theory

The concept of society has played a central role in meta-ethical theory as well as in political philosophy. Kurt Baier has argued that moralities are systems of norms that are "sound" or authoritative to the extent that their currency in society advances in an equitable way each person's ability to lead a good life, as judged by her own conception of a good life (Baier 1995, 244, 252–254, 271–272). Richard Brandt has argued that a moral code is justified relative to a person if and only if it is the code, the currency of which in her society she would tend to support in preference to all others, or to none at all, if she expected to spend a lifetime in that society, and if she were "fully rational" (Brandt 1979, 179–182, 188, 192). I hold that a moral code is justified in relation to a society if and only if "the society would be rationally required to choose the code to serve in it as the social moral code, in preference to any alternative" (Copp 1995, 104). These are three different theories about the justification of a moral code—or a system of moral standards—and they have in common an essential reference to society.

The standard-based theory, which I briefly explained before, needs to be married to an account of the conditions under which a moral standard would be relevantly justified. Only then can it provide us with an account of the truth conditions of moral propositions. The theories of Baier and Brandt, like my own theory, can each be wedded with the standard-based theory to yield an account of moral truth. Like Baier's and Brandt's theories, my society centered theory relativizes the justification of moral codes to societies. But the theories of Baier and Brandt are more 'person centered' in that they condition the justification of a moral code (relative to a society) on the good of (relevant) individual members of the society. I want to explain why we might prefer my

[4] Copp 1995, 128. For extended discussion see chapter 7.

society centered theory. In addition, I want to explain why we should think reference to society is appropriate in a theory of moral justification. There are other possibilities. Following David Gauthier, we might propose that the justification of a moral code is best understood to be relativized to *any group* whose members would be rational to dispose themselves to comply with it (Gauthier 1986). Or, following T.M. Scanlon, we might think that a moral code is justified just in case "*no-one*, suitably motivated, could reasonably reject it as a basis for informed, unforced general agreement" (Scanlon 1982; I take the wording from Scanlon 1995, 39, emphasis mine). I discussed several of these alternative views in my book (Copp 1995, ch. 4). Here I must limit myself to some brief remarks.

First, Brandt holds that a moral code is justified relative to a person in a society just in case the person would rationally support the currency of the code in the society if she expected to spend her lifetime there. Given Brandt's understanding of rationality, if we assume that an anti-social buccaneer has fixed desires for her way of life, then a moral code which would promote the buccaneer's good, as assessed relative to her desires, will count as justified relative to her. It will fix her duties, and it will imply that other people in the society have a moral duty (relative to her code) to comply with the rules that would serve her good. Brandt's theory implies in this way that other people have a duty (relative to the buccaneer) to assist the buccaneer in her piracy. At the same time, these other people would have duties given by the moral codes they would be rational themselves to choose for the society. Each person in a society would in this way face a cacophony of relativized duties. For each person in the society, every person would have a duty-relative-to-that-person to comply with the code justified relative to that person. Moreover, even if each person complied with the duties implied by the code justified relative to himself, there is no guarantee that people would be able successfully to cooperate or coordinate with each other since each person assesses the credentials of his own code independently of the assessment by every other person of their own codes. This is an unacceptable implication of Brandt's approach.

On Gauthier's account, we conceive of groups of persons reaching agreements as to which standards governing their behavior would best serve their shared interests. This is clearly an improvement. Yet nothing guarantees that a society won't contain groups of competing buccaneers who have nothing to gain by cooperating with each other. Even if the members of each such group rationally dispose themselves to comply with the code of rules the currency of which in the group would best serve the interests of each member of the group, they might be bound by no rules in interactions with members of competing groups. This is a problem since one deep intuition about morality is that its point is to regulate potentially harmful conflict. We could amend the theory

to require that a moral code qualifies as justified only if all the members of a society would be rational to dispose themselves to comply with it. But this amendment gives the veto over a putatively justified code to people whose desires might be quite anti-social or foolish as well as to the buccaneers in the different groups who might not find it in their individual interest to dispose themselves to do otherwise than simply to pursue their individual interest in interactions with those not in their own group.

Baier's approach seems to avoid some of these difficulties since it stipulates that a code is justified just in case it *equitably* promotes the good of the members of society. Yet equity is a substantive moral value; the proposition that society ought to treat its members equitably is a moral proposition the truth of which, according to the standard-based account, presupposes that a standard calling for equitable treatment is justified. I have no quarrel with this presupposition, but I do have a quarrel with presupposing it in a theory of the justification of moral standards. Moreover, difficulties are created for Baier's approach due to people's disparate values. It is not clear how to promote equitably the good of a monk and of a buccaneer when, as in Baier's view, the good of each is assessed in terms of his own values, and when the buccaneer values having the freedom to plunder freely from the monastery. It is not clear why morality must promote the values of those who are rapacious and anti-social and give them equitable treatment with the values of those who are undemanding and compassionate.

Scanlon's more Kantian approach might seem to help us with these difficulties. Recall that, on Scanlon's account, a moral principle is justified just in case "no-one, suitably motivated, could reasonably reject it as a basis for informed, unforced general agreement". The monk would presumably be reasonable to reject the rules permitting predation that, in Brandt's or Gauthier's theories, would count as justified relative to the buccaneers. Of course, buccaneer would also reject any prohibition on her predatory activities, but Scanlon would claim that this response of the buccaneer would be 'unreasonable'. The problem, obviously, is with the notion of reasonableness. We might think that the monk's objection to the buccaneer's principle of predation is 'reasonable' since we view the monk as having a moral right not to be victimized, and, similarly, we might think that the buccaneer's objection to a prohibition on predation is 'unreasonable' since we view her as taking impermissible advantage of the monk. But in the present context, where we are viewing Scanlon's approach as part of an overall theory of the truth conditions of moral propositions, it would be circular to take the *moral* reasonableness of rejecting a principle as the criterion of whether the principle is justified; this would presuppose the truth of certain judgments about moral reasonableness.

Scanlon himself understands reasonableness in a different way, as a matter of the comparative benefits and burdens imposed on persons. The monk

can reasonably reject the buccaneer's principle permitting predation since it would work especially to his, the monk's, disadvantage, provided that there is some other principle that would not be equally disadvantageous to some other person.[5] Similarly, the buccaneer can reasonably reject the monk's principle that prohibits predation only if there is there is some other principle that would not be equally disadvantageous to some other person. But the buccaneer can argue that the monk's principle prohibits her, the buccaneer, from pursuing her preferred way of life and argue that her principle, which permits predation, does not prohibit anyone's way of life. Her principle does allow her to impose certain costs on the monk, by taking plunder from the monastery, but this is compatible with the monk's continuing to pursue his own life plans to the best of his ability. It will be replied that the buccaneer is not 'suitably motivated' since she is not aiming to find principles that could serve as a basis for informed, unforced general agreement between her and the monk. It will be argued that she could not reasonably reject the monk's prohibition on predation if she had the relevant goals. But this is not obvious. We can imagine the buccaneer saying to the monk: "I will not accept your prohibition on my way of life unless you force me to; I call on you to agree voluntarily to my 'live and let live' principle which will permit you to carry on living the life of a monk even as it permits me to carry on with my life of predation." In face of this, if the monk aimed to interact with the buccaneer on principles that both could voluntarily accept, it seems that he would have to agree to a principle that would let the buccaneer take some plunder. In short, it is anything but clear that Scanlon's theory can deal adequately with conflicts of interest of the sort faced by the monk and the buccaneer.

I believe that the society centered theory can avoid the difficulties that face these alternative approaches. It avoids circular use of moral notions of the kind illustrated in Baier's account, and it also avoids the fuzzy, and perhaps morally loaded, notion of the reasonable. It avoids the coordination problems faced by Brandt's account, and the problem of morally unregulated conflict faced by Gauthier's unamended account, since it counts moral rules as justified just in case they serve a society as a whole. It might seem that similar problems arise for my view in cases of conflict across the boundaries of societies, but I will explain below that this is not the case. The society centered approach does not give each person a veto over the content of the justified code in the way that Gauthier's and Baier's, and, perhaps, Scanlon's accounts do. That is, it does not permit the anti-social preferences or values of buccaneers or other similar predatory individuals, or of people with foolish or evil desires or values, to undercut the credentials of a moral code that serves the overall good of the society. These are all reasons to prefer the society centered approach to the alternatives I have considered.

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[5] I follow the helpful discussion of Scanlon's views in Dworkin 1995, 216–218

3. The Function of Morality

In my book, I offer several interlocking arguments in favor of the society centered view. I will summarize one of the arguments here, an argument from intuitions about the function of morality.[6]

We have the intuition that the function of morality is to make society possible. That is, the function of morality is to make possible the kind of cooperation and coordination among people that is necessary for societies to exist and to cope with their problems. The idea here is an evaluative one, for a thing with a function in the relevant sense is a good thing of its kind when it is performing its function well. The function of the heart is to pump blood, and a good heart does well at this. Some hearts do not do well at this at all; for example, the heart in a cadaver does not pump at all. Similarly, some social moral codes do less well at enabling the society in which they have currency to get along than another social code might, and some, such as racist or sexist moral codes, might even undermine some kinds of cooperation that benefit society. The intuition is, however, that a moral code is a good one if it does well, or would do well, at enabling a society to cope with its problems and needs, if the code were to have currency in the society. A good moral code makes society possible. The society centered theory is friendly to this intuition.

All societies have the same basic needs. They need that their members be able to meet their own needs so that their populations can continue to survive over time. They need that their members share norms that will enable them to cooperate and to coordinate so as to avoid destructive conflict and to work together in pursuing the necessities of life and the priorities of the culture. And they need to have peaceful and cooperative relationships with neighboring societies (Copp 1995, 192–194). But although all societies have the same basic needs, differences in the problems they face can mean that they must meet these needs in different ways. Similarly, all persons need oxygen, but skin-divers fulfill this need in a different way from the way we ordinarily fulfill it. Different societies face different problems because of differences in their physical circumstances and differences between their populations, including cultural differences, for example. So it might be the case that different moral codes are needed by different societies and would be good for different societies. In this way, the intuition that the function of morality is to make society possible leads us to the idea that the assessment of moral codes qua moral codes should be relativized to the societies in which they will, or might, serve as the social moral code.

The intuition also leads, however, to the idea that the assessment of a moral code should be on the basis of how well it does or would contribute

[6] I offer additional arguments in chapter 6 of Copp 1995.

to the relevant society's being able to cope, to meet its needs. Call this the "needs thesis". This does not mesh cleanly with what I said before. For I said before that in my view a moral code is justified relative to a society just in case the society would be rational to select it to serve as the social moral code, in preference to any alternative. Call this the "justification thesis". The connection between these two doctrines is via a conception of rational choice that I defend in my book, and that I call the "needs and values theory". According to this theory, if we ignore qualifications that are irrelevant in this context, an agent is rational to choose a given alternative if and only if so choosing would best serve on balance both its basic needs and its values.[7]

Obviously I cannot hope to defend the needs and values theory in this paper. The chief idea for present purposes, however, is that our needs give us reasons. If I need more exercise, I have a reason to get more exercise even if I don't want to do so and even if I don't value exercise. Moreover, the fact that I have this reason does not depend, I think, on a fine calculation of whether, on balance, my ability to satisfy the desires and values I happen to have is likely to be enhanced by exercise. That is, even if someone claims that he wants more than anything to see his body deteriorate due to lack of exercise, he still has good reason to exercise. He would not be irrational to go for a walk. This is not to say, of course, that he is irrational *not* to exercise. Indeed, given his values, I think he also has reason in this case not to exercise. But the important point for present purposes is that an agent's needs are a source of reasons.

The reason this is the important point for present purposes is that a society as such ordinarily has no values. If it has values, they are typically moral values, and in assessing the justification of a moral code, we obviously do not want to take into account existing moral values. It would be quite uninteresting to learn that a society's existing social moral code is justified in terms of the existing moral values of the society. So in applying the justification thesis, we are looking by and large for moral codes that societies would be rational to choose given their needs.[8] That is, if we ignore the possibility of a society's having values, then the moral code a society would be rational to choose is the one that would best contribute to its meeting its needs. This would be the moral code that would best fulfill the function of morality given the situation faced by the society. To summarize, then, the intuition about the function of morality leads to the needs thesis, which, given the needs and values theory of rationality, leads in turn to the justification thesis. The society centered approach answers in this way to the intuition that the function of morality is to make society possible.

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[7] Copp 1995, 182. Copp 1995, chapter 9 is a defense of this account of rational choice.

[8] I am simplifying here, for a society might have non-moral values. See Copp 1995, 190–192, 206–207.

Because it answers to this intuition, the society centered approach gives a natural response to a kind of 'Nietzschean' moral skepticism that views morality as simply an outmoded set of constraints on behavior, analogous to courtly love. Courtly love was a system of standards governing relations between the genders in Europe during the medieval period. It is certainly an outmoded system of standards, and we now give it no credence whatsoever. Many people in the medieval period subscribed to it, however, and they presumably would have found its requirements quite intuitive. Yet today we think them quite without justification. Imagine now that our Nietzschean skeptic says morality is relevantly analogous to courtly love. Today we subscribe to certain moral standards and find the requirements of morality to be intuitively plausible, but in fact our moral standards are quite without justification and deserve no more credence than the standards of courtly love. Morality deserves the dustbin of history along with courtly love.

I think that the most natural and intuitively satisfactory response to this skeptical view is to point out that societies need morality. Every society does, I think, have certain moral values. A society might not need the values that actually have currency in it. There is no plausibility to the idea that medieval society needed courtly love, nor certainly to the idea that contemporary society needs courtly love. But every society needs some moral code. To make it clear that this is true, of course, I would need to go into details (Copp 1995, 194–197). But the important point is that, even if some existing social moral codes are not justified, it doesn't follow that morality deserves the dustbin of history, for societies need morality.

This intuitively plausible response is given theoretical voice and shape in the society centered theory. For, together with the needs and values account of rational choice, society centered theory implies that the justification of a moral code turns on its ability to serve the needs of society. Societies do need to have a moral code and the best justified code for a society is the one that best serves its needs.

4. The State of Nature

It might be objected that there would be moral obligations in the absence of societies, in a "state of nature". Imagine that a small island has been the site of a number of shipwrecks and that several survivors of the different wrecks are stranded there. Their ships came from different ports, and they share neither language nor culture. They do not constitute a society, for the group is not multi-generational in the relevant sense, it is not connected by a network of friendships, or kinship or affectionate relationships. There is nothing like marriage or cohabitation, and the group does not share a system of norms governing their interaction. Each pursues his self-interest and views

himself as in competition with the others. Yet, one might be inclined to say, these people are morally obligated not to act as predators in their interactions with one another.

In my book, I proposed a minor amendment to the theory to deal with state of nature cases. I said that the moral code that is justified relative to the group of survivors is the code such that, if the group *were* a society, the group *would* be rationally required to select it to serve as the social moral code (Copp 1995, 121–122). But I do not now think that this was a satisfactory response. One of the problems faced by the group on my island is precisely that it is not a society. The code that would serve its needs if it *were* a society might not serve its needs given that it is *not* a society.

To understand state of nature situations, we need to look again at the idea that the function of morality is to make society possible. Given the conception of a society that I have developed, the idea is that the function of morality is to enable a population of individuals to have and to continue to have the properties characteristic of societies. That is, it is to enable such a population to continue to exist over the generations while being unified by a network of relationships of friendship, kinship, and affection and while being characterized by cooperation in reproduction and by a system of norms governing cooperative interaction. This idea leads to society centered theory. That is, it suggests that if a group is a society, then a moral code justified for it would be one the currency of which the society would be rational to choose, given its needs as a society. But in a state of nature situation, where a group is not a society, the idea about the function of morality suggests that the moral code justified for the group would be one the currency of which would enable it to *acquire* the above properties, to *become* unified by a network of social relationships and characterized by a system of norms facilitating cooperation. That is, if a group is neither a society nor a part of a society, then the moral code justified for it is the code the currency of which the group would be rational to choose assuming that it needs to become a society.

With this understood, the society centered view is able to account for the duties people would have in state of nature situations like the situation faced by our survivors in the shipwreck example. The people there ought to try to cooperate, and ought not to prey on one another, for there are justified moral standards that call for cooperation and that preclude predation. These standards are justified in view of the fact that their currency in the group is needed in order for the group to become a society, unified by the social relationships and governed by norms of cooperation.

5. Meta-ethical Relativism

The theory I have presented is a kind of meta-ethical relativism since it treats rightness and wrongness as relations between societies and the actions of persons.[9] Indeed, the theory treats all moral properties as relational. I need to explain what I mean by this and why I say it.

Consider again the proposition that torture is wrong. On my view, the truth of this proposition depends on whether a moral code that prohibits torture is justified in relation to a relevant society; this in turn depends on whether the relevant society would be rational to choose such a code to serve as its social moral code. It would be quite misleading to report this feature of my account by saying that it relativizes moral *truth*. It does no such thing. Truth for the meteorological goose is truth for the moral gander. What my account does, however, is to treat wrongness as a relation that holds between an action and a society just in case the society would be rational to choose a code that prohibits the action to serve as its social moral code. Similarly, if a trait of character is a virtue, then a standard that calls on people to acquire the trait, and to see to it that their children have the trait, and so on, is included in the moral code that the relevant society would be rational to choose to serve as its social moral code. The virtuousness of traits of character is virtuousness in relation to a relevant society

It would be natural enough to object that a kind of action that is wrong is wrong *period*, not merely wrong *relative to* some particular society or other. We do not, for example, think that we need to determine which society is in question in order to disambiguate a claim to the effect that capital punishment is wrong. If Chirac says that capital punishment is wrong and Clinton says that capital punishment is not wrong, it is clear that they disagree. On my view, however, one might think, Chirac's remark is ambiguous since he might be saying something about wrongness relative to France or he might be saying something about wrongness relative to America. Moreover, if Chirac is in fact expressing a proposition about wrongness relative to France, then since Clinton is likely expressing a proposition about wrongness relative to America, they might not disagree at all and both of their claims might be true. That is, on my view, capital punishment might be wrong relative to French society but not be wrong relative to American society. It would be natural to object that if capital punishment is wrong in a given circumstance, it is wrong in any relevantly similar circumstance, even if in a different society. Differences solely in which society a person belongs to, one might say, are not morally relevant.

Several issues are raised by this line of objection. Some of the objections

[9] In Copp 1995 at p. 225, fn. 8, I said rightness is a relation among an action, a person or persons, a society, and a moral code. I ignore some of the details here.

reflect misunderstandings of my view, so I need to begin by explaining myself more fully.

As I said, I think that wrongness is actually a relation between actions and relevant societies. Other moral properties are similarly relational. I agree, however, that this is not obvious. It is not obvious because, in most circumstances, *context* determines which society is relevant so that we do not need to refer *overtly* to the society. Because of this, a person who is competent in the ordinary way with moral concepts might not realize that a societal parameter needs somehow to be supplied or assumed in order for a remark to the effect that, say, capital punishment is wrong, successfully to express a proposition.

There are many other cases in which people of ordinary conceptual competence might not realize that a certain predicate expression actually expresses a relation with a hidden parameter. Consider that Warshawski is large. She is large for a house cat, but small for a feline. Largeness is actually a relation between objects and comparison classes (see Harman 1975, 3). It is not that the term "large" is ambiguous. It expresses the same relation between objects and comparison classes in all contexts, but the comparison class is typically determined by the context rather than semantically. Because of this, one might not have realized that "large" expresses a relation. In addition to being large, Warshawski is *old.* Here again there are hidden parameters. Warshawski is old for a cat, but not by comparison with the University of California. The University, however, is not old for a university. Warshawski is old if she is well advanced in the normal or typical life-span of an animal of her kind. Oldness appears to be a relation between a thing, its age, and the typical life-span of things of its kind. Consider now that the table on which I am working is *solid.* Here I think there is a hidden relativity to the kind of thing that a table is, and perhaps also to the kind of table this table is. My table is solid for an antique pine table but it is not solid by comparison with a melamine table with aluminum legs. The melamine table might be solid for a table, but not by comparison with the rock of Gibraltar. Consider, finally, that Zurich is *to the north* of Padua. This proposition relates Zurich and Padua to the north pole, but one might not have realized that it does. In this way, the phrase, "to the north of" actually expresses a three-place relation. Given these examples, it seems to me, we should not be surprised to find that there are other properties that are relational in ways we had not seen.

I say, then, that moral properties are relational and that one relatum is a relevant society. The society that is relevant is typically determined by the context. In the book, I said that, in the *default* case, the society that is semantically relevant when a moral claim is made or entertained is the smallest society that embraces the person making the claim as well as all the people in the person's intended audience and all the people referred to or quantified

over in the context (Copp 1995, 221). It matters in what *context* Clinton says that capital punishment is permissible. If he says this in a news conference in New York, where the intended audience is newspaper readers in the United States, then he has expressed the proposition that capital punishment is permissible in American society. His claim is true if American society would be rational to choose a social moral code that included no prohibition of capital punishment. But if Clinton says the same thing in Paris at a news conference with Chirac, and if Chirac says in the same context that capital punishment is not permissible, then the two men have disagreed about the permissibility of capital punishment. Since the smallest society that embraces both men might be the very large and loosely organized society that encompasses Europe and former European colonies, they might best be construed as disagreeing about the permissibility of capital punishment in that larger society. If there *is* no such society, they might best be understood to be disagreeing about the permissibility of capital punishment in *any* society. Sometimes, then, the default hypothesis is inapplicable. In other contexts, specific features of the context suggest that the default hypothesis is less reasonable than some alternative. For example, if Clinton says at the Paris news conference that capital punishment is permissible in America but that of course he would not speak to the special circumstances facing Europe, then his remark can be taken at face value as relativizing the claimed permissibility to American society.

The meta-ethical relativism in my view is actually quite weak. There are various details that I won't go into here that mitigate the variability of morality from society to society. One such detail concerns the way that I propose to deal with cases in which societies overlap (Copp 1995, 209–213). But I do want to mention that there is reason to expect on my view that the moral code justified relative to one society will be quite similar to the moral code justified relative to another society. The reason is that, as we saw, the rationality of a society's choosing a code on my view turns on its *needs*, and societies have the same needs even if, when societies are in different circumstances, they might be best to satisfy their needs in somewhat different ways. In saying this, I am simplifying somewhat by ignoring the possibility that a society might have non-moral values that would have to be taken into account. But in most cases, I believe, a society has no non-moral values. If this is correct, then if capital punishment is wrong relative to French society but permissible relative to American society, it must be the case that the societies are in somewhat different circumstances such that French society does best to promote its needs by prohibiting capital punishment although American society, despite having the same needs, does better by permitting capital punishment than it would by prohibiting it. There is a single underlying criterion of justification for moral codes, and it can be expected to yield similar results except when societies are in relevantly different circumstances.

One might now object that if slavery is wrong in a given circumstance, it is wrong in any relevantly similar circumstance, even if in a different society, and that slavery then would *still* be wrong even if the society as a whole had been in circumstances where it would better have served its needs by permitting slavery. This objection can be understood in two ways. It could be a meta-ethical objection or a normative objection.

The meta-ethical objection is simply the rejection of my view. Construed as an argument, it would be question-begging, so instead of taking it to be an argument, I construe it as simply an expression of disagreement. There is nothing I can say to respond except to urge that a fuller statement of my ideas is available in my book. I do want to insist, however, that there is a natural way to understand the objection that is compatible with my view. For I agree that if slavery is wrong in a given circumstance, it is wrong in any relevantly similar circumstance. But I think that if our society had faced different problems, the situation might have been *relevantly* different. For then, given the society's needs, a prohibition on slavery might not have been justified. This brings me to the normative objection, which I will address in the next section.

6. Normative Objections

One might think that society centered theory gives counter-intuitive results in a great variety of areas. It wrongly makes the moral truth depend on the needs of society as a whole[10] and it therefore ignores the moral relevance of all other considerations including, for example, the interests of the disabled and of minorities and the rights of individuals not to be enslaved or exploited. Since animals are not members of any of the societies given pride of place in the theory, the theory can give animals only derivative moral standing at best. It cannot take account of duties we have to members of other societies. It cannot take account of our belief that certain things are just wrong, without any qualifications, and that they would be wrong under any circumstances. For it suggests that anything that is actually wrong would not have been wrong if the relevant society had been in different circumstances. These ideas appear to ground objections to my account.

I think that most of the objections are based on misunderstandings of the theory. But before I explain why I say this, I want to make three preliminary points. I concede of course that people will not be inclined to accept my theory if they find it to have highly counter-intuitive implications. But any theory of the sort that I am advancing can be expected to have counter-intuitive im-

[10] For the moment I am going to simplify by ignoring the possible role of societal non-moral values.

plications. This is for three reasons. First, my theory proposes in effect a test for the cogency or justifiability of our intuitions. No theory of this kind would be worth taking seriously if it could be guaranteed not to imply the contrary of any intuitive moral judgment. I don't say this merely because there is so much moral disagreement in contemporary pluralistic societies. Even if there were no moral disagreement, a *genuine* test of our moral intuitions, as opposed to a test that has been jerry-built to give desired results, must leave open the possibility that it will imply that some of our intuitions are incorrect. A test that cannot be failed is no test at all. Second, according to the theory it is a contingent and empirical matter whether any given moral standard is justified relative to a given society. Because of this, it should not be surprising if, for a given moral standard that we take intuitively to be justified, a possible situation can be described in which the theory would imply it to be unjustified relative to some society, and *vice versa* for standards that we take intuitively to be unjustified. But this is the price of the theory's endeavor to explain morality on the basis of human nature and the nature of society. Third, the society centered theory *predicts* that many people in any given society will find many of its implications to be counter-intuitive. For if people are taught anything about meta-ethical matters, it is best if they are taught that the basic principles of the morality of their culture are simply justified, not that they are justified only given the needs of their society. That is, given the importance of morality in society, and given its fundamental justification according to the theory, in most circumstances it would be best to teach that the basic principles of morality are simply justified, rather than that their justification rests on the needs of the society, since the latter case explicitly entertains the possibility of their not being justified in other circumstances. But this is to say that the theory implies that if early moral teaching gives us any view about these matters, it would be best if it brought us to see various principles as justified independently of the needs of society. It therefore predicts that it itself will seem counter-intuitive to many people. This of course does not make it any less counter-intuitive, but it might explain why I think its being counter-intuitive is not especially good evidence that it is false.

Perhaps the most basic objection to society centered theory is that it wrongly ignores the moral relevance of all considerations other than the needs of society. This objection reflects a fundamental misunderstanding of the theory. According to the theory, the content of the justified moral code determines what considerations are relevant to the rightness and wrongness of actions, the goodness and badness of states of character, and the like. That is, the moral relevance of a consideration is determined by the content of the justified moral code. The theory *does* imply that the content of the justified code depend on the needs of society, but this does *not* mean that nothing but the needs of society is morally relevant. On the contrary, what it means is that

the needs of society affect what is morally relevant. In speculating as to what moral code is such that is currency would best serve the needs of society, we are speculating about a 'second-order' matter. We are operating at a meta-ethical level, speculating about the content of the justified moral code. We are speculating about empirical matters that, on the society centered theory, determine what considerations are morally relevant. The key distinction here is between a first-order speculation about what would be right to do, in which we invoke what we take to be justified moral standards, and a second-order speculation about the content of the justified moral standards. The objection ignores this distinction.

With this understood, let me turn to the objection that society centered theory implies counter-intuitive counter-factuals as to what would be true if society were in different circumstances. This is the normative objection I mentioned at the end of the preceding section. It will simplify matters to work with an example, so consider the proposition that slavery is wrong. The objection is as follows: According to my theory, slavery would not be wrong if our society were in circumstances in which its needs would better be served by the currency of a standard that permitted slavery. But this is counter-intuitive. The wrongness of slavery is due to the rights and interests of individual persons, such as the right not to be exploited and the right to autonomy, and these rights would not cease to exist if the society happened to be in a situation where it would benefit from enslaving some people.

This objection is based on confusing a meta-ethical proposition which my theory implies to be true with a moral proposition which my theory implies to be false. The meta-ethical proposition is that whatever standard prohibiting slavery is justified relative to our society, it would not be justified if the society were in circumstances in which its needs would better be served by the currency of a standard that permits slavery. My theory obviously implies this proposition, but I don't believe that this is contrary to most people's intuitions for I don't believe that most people have intuitions about meta-ethical issues. But there is a moral proposition that can easily be confused with this meta-ethical proposition. It is the proposition that slavery would not be wrong if our society were in circumstances in which its needs would better be served by the currency of a standard that permitted slavery. This proposition is counter-intuitive, but it is not implied by my theory. Let me explain why.

According to the standard-based theory, if it were true that slavery would not be wrong if our society were in circumstances in which its needs would better be served by the currency of a standard that permitted slavery, then some corresponding standard would have to be relevantly justified. The standard corresponding to this proposition would be a standard to the effect that slavery is not to be practiced unless the society is in circumstances in which

its needs would better be served by the currency of a standard that permitted slavery. Notice that this standard is a highly complex second-order conditional standard in which reference is made not only to the interests of society but also to the currency of standards other than that standard itself. I submit that no such standard is likely to be justified by the lights of the society centered theory. The moral standards that are justified are those the currency of which in society would best serve the society's needs. Such standards must be readily teachable and learnable given the limitations of human cognitive abilities. They must also be readily usable by individuals. The above standard is too complex, given these criteria. It is too complex to be a reasonable candidate for currency in society. Moreover, it is complex in a way that would make its currency counter-productive. If a society has an interest in prohibiting slavery, it would be best served by the currency of a standard that simply prohibited slavery. The currency of a standard that prohibited slavery except if the society were in circumstances where a different standard would better serve its needs would undermine the prohibition of slavery even if the circumstances mentioned were highly unlikely to arise. The conditional nature of the standard would make it appear to those who were taught it that slavery is not simply to be avoided since the standard states circumstances in which slavery might in fact be justified. I am not saying that no justified moral standards will be conditional. I am simply arguing that justified moral standards must not be excessively complex given both human psychological limitations and the purposes that the currency of the standards is to serve. For these reasons, it is highly unlikely that a standard of the kind presupposed by the objection would ever be justified in a society.

Similar arguments will help me to deal with some other objections. Consider, for example, the proposition that certain things are simply wrong, without any qualifications, and that they would be wrong under any circumstances. This proposition might well be true according to my theory. Suppose for example that it would best serve the needs of society if an unqualified prohibition of slavery were to have currency among its members. Then slavery would be wrong, without any qualifications. That is, the moral proposition that slavery is wrong without any qualifications would be true.

I noted before that, according to the society centered theory, it is a contingent and empirical matter whether any given moral standard is justified relative to a given society. But it does not follow that no actions are such that they would be morally wrong under any conditions. For if a standard prohibiting slavery under any conditions is justified (relative to our society), then slavery is wrong under any conditions (relative to our society). It might seem paradoxical that slavery might be wrong under any conditions when the standard prohibiting slavery is only contingently justified at best. But if the standard that prohibits slavery allows for no possible circumstances in which

slavery would not be wrong, then it prohibits slavery no matter what the circumstance. Hence, on this supposition, there is no possible situation in which slavery is not wrong relative to the actually justified code of our society.

The idea is that just as the truth of a moral counter-factual is assessed relative to the moral code justified in the relevant society, so the truth of a claim to the effect that something would be wrong under any conditions is assessed relative to the moral code justified in the relevant society. It is easy to become confused about this. But remember that the truth of a moral claim is assessed in light of the standards included in the justified moral code of the society identified in the context as the relevant society. The claim that slavery would be wrong in any circumstances is a moral claim, and it is true if the moral code justified in the relevant society allows no circumstances in which slavery is permissible.

Consider now the treatment of members of other societies and the treatment of animals. One might think that I am committed to saying that animals have only a derivative moral standing and that we have no duties to members of other societies. But neither of these claims follows from my theory. Everything depends on the needs of relevant societies.

Consider, for example, the duty not to harm other people. If the standard with currency in the society merely prohibited harming other members of the society, then people would in effect be given a reason to attempt to determine whether others they were interacting with were *bona fide* members of the society before deciding whether it would be permissible to harm them. This would be counter-productive in most circumstances since it would undermine the solidity of people's disposition not to harm, and it would create the possibility of mistake. The members of our society do not after all wear their membership like a badge. The currency of a standard involves people having certain dispositions to act in certain ways on certain occasions.[11] I submit that in most circumstances it would be best for a society if people were simply disposed not to harm other people rather than having the more complex and qualified disposition not to harm other members of the society. For these reasons, it seems to me quite likely that the needs of most societies would be best served if the standards that had currency and that prescribed duties toward individual persons were not conditional on those persons being members of the society.

There is the further point that, as I explained before, the society that is relevant to assessing the truth of a moral claim in the default case is the smallest society that embraces the person entertaining the claim as well as all the people referred to or quantified over in the context. Hence, our responsibilities toward members of other societies are determined by the needs of

[11] For detailed discussion of the notion of currency and subscription to a standard, see Copp 1995, 82–99.

the smallest society that includes our own society as well as those other societies.[12] There are complications here that I cannot take the time to explore. The basic idea, however, is that since this larger society would have the same need for cooperative interaction among its members that any society has, the justified moral code would presumably require us not to harm each other.

Consider now our duties to animals. It seems to me, for reasons I explained in the book, that it would normally best serve the needs of society if the social moral code gave animals a non-derivative moral status. For example, cruelty to animals should be ruled out simply on the basis of the pain experienced by the animals. The argument for this rests on certain psychological assumptions. I assume that our psychology cannot readily be structured so that we would respond with compassion and kindness to members of our own society but not to animals and to members of other societies. If we are disposed to respond with compassion to the pain of other members of our society, then we will also typically be disposed to respond similarly to the pain of animals, especially animals that are similar to humans in the way they manifest their pain, and to the pain of members of other societies. And if we are not disposed to respond in these ways to pain in general, we will not have a firm disposition to respond appropriately to pain experienced by members of our own society. Since a society needs to have its members respond with compassion and kindness to other members, it will do best if the social moral code calls for people to show kindness and compassion more generally to all humans and to all sentient animals. The currency of a more restrictive standard might undermine people's tendency to feel compassion and kindness in the ways required to members of the society.[13]

It might even be true, according to society centered theory, that there are certain features of the environment that have a non-derivative moral standing. For there presumably are features of the environment the preservation of which is needed by the society. If the most efficient way to preserve these things were to have a moral prohibition on their destruction be widely accepted in society, then such a prohibition would be justified, and it would be wrong to fail to preserve these things. The justified prohibition might be a non-derivative standard to the effect quite simply that these features of the environment are not to be destroyed. If so, then it would be wrong to destroy them, and the wrongness of this would be non-derivative.

Consider now the interests of the disabled and of minorities. Given the results of our discussion of duties to members of other societies, we should expect a justified standard to call for people to show kindness and compassion to all persons. This obviously includes the disabled and minorities. One might

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[12] I owe this point to David Sobel. See his review of Copp 1995 in *Economics and Philosophy*, forthcoming.

[13] For more detail, and for discussion of related issues, see Copp 1995, 204–209.

think, however, that society would have no need to treat the disabled and minorities fairly. In the book, I argued that there is a case for thinking that societies need to ensure that their members are roughly equally able to meet their basic needs to a decent minimal level over a normal lifetime. My idea was, in brief, that a society would not be able to flourish and to cope with the problems it faces if its members were not themselves able to cope with their problems.[14] One might object, however, that a society would be able to get by without taking care of the needs of the disabled, and that it might be able to get by without taking care of the needs of minorities.

I cannot say much more in reply to this objection than I said in the book, but it seems to me that the objection trades on misunderstanding the nature of the problem that would be faced by a society if it were attempting to choose a moral code. Of course, my theory does not suppose that societies do actually choose moral codes, but the point is that it evaluates proposed moral standards by asking the hypothetical question whether the relevant society would be rational to choose them to serve as part of its social moral code. A social moral code would be a feature of the culture of a society, and although cultures do change with time, they change gradually. In choosing a social moral code, a society would be choosing a rough instrument for furthering its needs, and it would be choosing an instrument that would have to deal with a variety of unforseen societal problems that might arise. We can perhaps better appreciate the issues if we imagine ourselves in the shoes of the society, as it were, choosing a moral code that will serve as the social code for the foreseeable future. We know that the various members of the society have talents that might be useful, but we don't know which talents will be useful since we don't know exactly what problems we will face. Moreover, we know that useful talents are not correlated with gender or race or religion or the various other characteristics that set 'minorities' apart from the rest of the population. Therefore, we would not be well advised to choose a moral code that would permit the needs of minorities to be neglected. For similar reasons, we would not be well advised to choose a code that would permit the needs of the disabled to be neglected. A person can be disabled in one respect but be able to make significant social contributions in many other respects. And we cannot know in advance which people with which disabilities will have the talents that we might need. Therefore again, we have reason to prefer a code that calls for enabling people to meet their needs with rough equality.

So far, however, I have ignored the way that societal non-moral values can affect the content of the justified moral code in society centered moral theory. Of course, one might question whether a society as such can have values. I argued in the book that a society as such can plausibly to be said to have a value only if the value is shared with near unanimity by the members of the

[14] This sentence summarizes the argument at Copp 1995, 201–203.

society.[15] For example, a society has consumerist values only if the members nearly all have consumerist values. Let me simply proceed on the assumption that it is possible for a society to have values.

This assumption opens the door to the following objection. Suppose that a society values non-morally a status quo in which certain minorities are discriminated against such that their members are typically not able even to meet their basic needs. Let us stipulate that, in the example, the society's non-moral values would best be served by the currency of a discriminatory moral code that called for minorities not to be enabled to meet their needs. Given the preceding discussion, however, I want to suppose that the society's needs would best be served by the currency of an egalitarian moral code that called for people to be enabled to meet their basic needs with rough equality. In this case, leaving aside various complications,[16] society centered theory would imply that the society is not rationally required to choose the egalitarian moral code and that it also is not rationally required to choose the discriminatory code. For, according to the needs and values theory, when there is conflict between needs and values, society is not required to choose one way rather than the other. Neither code is justified, then, except that if the codes have a core in common, then the society would be required to choose the standards in this core, and these standards would be justified. It is important to realize, then, that the core that is common to the discriminatory code and the egalitarian code would *not* include a standard requiring that members of the favored majority in the society, and only members of the majority, be enabled to meet their basic needs. A standard of this nature is included in the discriminatory moral code by hypothesis, but no such standard is included in the egalitarian moral code. So the core of standards that is justified relative to the society with these discriminatory non-moral values is not discriminatory. Even so, in this example, society centered theory does not support an egalitarianism of basic needs.

The example is useful for my purposes because it illustrates one of the points I made at the beginning of this discussion of putative counter-examples to the society centered theory. The point was that we should not be surprised if, for any given moral standard that I claim to be justified under society centered theory, a possible situation can be described in which the theory would imply it to be unjustified. I said that this is the price of the theory's attempt to ground morality in facts about human nature and the nature of society. In the example we have been considering, it was stipulated that the society in question values a discriminatory status quo non-morally. The important question I believe is not whether such a case is logically possible. It

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[15] The complications are mentioned at Copp 1995, 213–214, 206–207.

[16] For a discussion of societal values and the idea of near-unanimity, see Copp 1995, 190–191.

is whether such a case undermines my argument that in *realistic* cases society centered theory supports an egalitarianism about basic needs.

The question, then, is whether, in realistic cases, a society might have non-moral values that would best be served by the currency of a moral code that called for minorities not to be enabled to meet their needs. Recall that, for reasons I gave before, it is not relevant if a society has discriminatory *moral* values. The point of the society centered theory is to evaluate moral standards. This point would be defeated if the fact that a certain moral standard is widely enough accepted in a society were sufficient to establish that it is warranted. Similarly, if there is a certain widely shared value in a society that would not be widely shared except for the content of the social moral code, then it would defeat the point of the theory to permit the existence of the value to affect our assessment of proposed moral codes for the society. The value would be a moral value in the relevant sense and it ought not to be taken into account by society centered theory. The only values that are relevant to the justification of a moral standard are *non-moral* values.

Now I believe that in typical cases, any discriminatory values that are shared with near-unanimity in a society would be moral values. There are two possible cases. Either the discriminatory behavior that is valued in the society is permitted morally by the social moral code, or it is not permitted. First, if the behavior is not permitted by the social moral code, then it is highly unlikely that the behavior is valued with near unanimity by the members of the society. It is therefore not likely that the society values the behavior. This means that in realistic cases where a society has discriminatory values, the social moral code permits the valued behavior. But, second, if the social moral code permits the valued behavior, then the society's discriminatory values are moral values in the sense that their existence depends on the nature of the social moral code. If the social moral code did not permit the behavior, then as I have just argued, it is not likely that the society would value the behavior. Hence, I submit, it is not plausible in realistic cases to suppose that a society values non-morally a discriminatory status quo. The putative counter-example is not realistic.

7. Conclusion

I have not dealt with more than a small number of the concerns people might have about my views, but I need to conclude. Here is the idea in a nutshell. We are animals that live in societies, and that need to live in societies. We order our lives together by sharing subscription to certain moral standards, and the fact that we subscribe to certain shared standards facilitates cooperation and coordination among us. To the extent that these shared standards do actually function as well as can be to make things go well in our societies, they are

justified, and the corresponding judgments we make about how we ought to act and live are true. This is the basic idea. It gives us a theory that is a kind of naturalistic moral realism as well as a version of relativism. In this paper I have tried briefly to explain this, to motivate it, and to answer certain objections.

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