Naturalism and Constructivism in Metaethics

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Edited by

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and Mattia Sorgon

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PREFACE

AND NOW, ETHICS

SOFIA BONICALZI, LEONARDO CAFFO
AND MATTIA SORGON

The best things always happen by chance: they just happen, they fall outside the meticulous projects in which we pretend to locate every manifestation of our life. In line with this tradition, the book you are holding in your hands stems from a conference whose papers, at least initially, were not intended for publication. In June 2012 we organised, a conference called "Workshop on Ethics: a Junior-Senior Debate" at the Department of Philosophy of the University of Milan, which we think it is worth saying a few words about.

First of all we have to thank the institutions that made this possible: apart from the already mentioned Department of Philosophy of the University of Milan we must express our gratitude to the editorial staff of *Rivista Italiana di Filosofia Analitica Junior (Junior Italian Journal of Analytical Philosophy)* among the official organs of the Italian Society of Analytical Philosophy, for helping us in the refereeing process of the contributions that make up this book. Although its activities have ceased for contingent reasons, we also wish to thank the Research Centre for Philosophy "Doiè": the enthusiasm and economic contribution of the people involved made the development of the conference possible. One final institutional heartfelt thanks goes to the ESAP, European Society for Analytic Philosophy, for welcoming our workshop among its prestigious international events.

The subject matter of the conference was obviously ethics in its various declinations, but you might wonder why there was so much excitement over one particular conference on ethics of the many held all over the world. The answer is simple and it lies in the unique and innovative formula of the event. Divided into three sections, it had six young researchers, Master's and PhD students, engaging in dialogue with three renowned professors: Carla Bagnoli, Luciana Ceri and Mario De

Caro. To them, we would like to extend our sincerest gratitude for the enthusiasm and keenness they showed in this complex project which we can now consider not only successful, but also worthy of a new edition in the near future.

This book is not just a mere re-proposition of the papers discussed on that marvellous day, it is instead the result of a collaboration that was shaped and inspired by that day: some authors joined in later, others were unable to participate, but the fundamental idea has always been that of comparing two philosophical generations in the context of the most decisive issue for the "life to come": ethics. A complex dialogue, but a crucial one, not only for philosophy but also for everyday life: we do think we succeeded in the task we set ourselves. We shall let the readers judge this for themselves.

A Note

This book is dedicated to Luca Magni, too fragile for this world, and to Ettore Brocca, who has given up philosophy but, aware of it or not, started all this with his intelligence and the passion of a deep friendship. We are deeply indebted to Tommaso Bertolotti who first revised and refined this manuscript, providing insightful and constructive comments, and to Merope Ippiotis for her ultimate professional proofreading. We would like to express our deepest gratitude to Carlo Sandroni, for his invaluable support and encouragement. Further thanks go to Sarah De Sanctis, who translated from Italian and revised the greater part of this book. Her intelligence, competence and humility are the proof that Quine was right: there is something.

PART ONE

EMPATHY AND NATURE

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1

The purpose of this section is to reflect upon two entities—"empathy" and "nature"—in relation to contemporary ethics. The main thesis of this field of study is inscribed in an analysis of the nature of mind, applied to the foundation of morals. The unconscious part of the human mind is the key to decipher in what way morals and ethics, the private and the social, are influenced by our biological makeup. That is, they are influenced by the *frames* built into that machine we call *Homo Sapiens*. These innate aspects of the mind connect and join us to one another at a deep level, defining the general meaning that allows the very existence of our species' ethical life. They establish an ontological foundation of human morality, which, since the discovery of mirror neurons, has been fostering the (now unexciting) idea that if on the one hand ethics is essentially a social construction, on the other hand morality—on which human coexistence is built—is more innate and absolute than even Plato could have imagined. (However, the realism or semi-realism defended by Lavazza in this volume, about the *is/ought question*, is the best theory to describe how this whole issue is still an open question). The rigorous arguments presented in the essays of this section are developed within this framework, which is significantly supported by contemporary literature, and trigger the reflection about what makes ethical enunciates absolute or relative. Let us consider the following notion: if there are valid arguments in favour of an "altruistic" thesis in a technical (cognitive) sense, for which—against Hobbes and those philosophical traditions that have elaborated on his views—humans live *for* other humans and can develop their nature only within a reciprocal cooperation, then a moral theory which aims at dividing rather than uniting human beings (favouring for instance egoism and interest rather than benevolence and altruism) is wrong not only from certain viewpoints, but in an *absolute* sense. The power deriving from this use of cognitive science (and analytic philosophy) should be clear: by

entering the vast domain of moral theory, it can guarantee an empirical validation of widespread intuitions. Here is an example.

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When Umberto Bossi—unfortunately a famous Italian politician—calls for secession, he is not only acting "inelegantly" towards Italian democracy, he is also violating human nature, which reaches its goal and is thus fulfilled in the exclusive coexistence of different individuals. In fact, various human beings join together in a single epiphenomenon called "empathy", which regulates our revulsion at the abandonment at sea of illegal immigrants, unjustified killings, etc. However, political practices violate the nature of our species in many other ways. In modern times everything is regulated through the social object we call "money". As a social object, money is construed on the basis of a "weak textualism" [(I am herein uncritically accepting the theory proposed by Derrida/Ferraris (Ferraris 2012)] and, unlike stones or seas, it would not exist if human beings disappeared from the Earth. Can ethics, i.e. acting for the other, follow the trend of money, markets, and other phenomena which were invented to serve us in our daily lives, but which now—in a very disheartening turn of events—have become masters of their own creators? To answer this question all we have to do is "look outside:" the following analyses will illustrate that we can build social and ethical relations on psychologically founded *frames*, and that "morality" means "wellness" inasmuch as it stands for the wellness of community. As discussed, for instance, in an essay by Sarah Songhorian, here lies the ultimate confutation of the egoism that regulates the wretched power relations of our age. Paraphrasing Lakoff's scientific thinking into a political setting, to appeal to the *masses* in an attempt to display some sort of factual evidence is useless. What really matters is to foster coexistence and mutual aid by encouraging the individual's intrinsic moral capability, without encountering the typical naturalistic fallacy, as the essay by Michele Borri (in this book) aptly demonstrates. Until we will learn to associate our good with the common good, we will always have a "stranger" at our door: at first it will be "the nigger", then "the southerner", and finally "the woman". Cognitive science tells us that we live through metaphors, and that human beings need to go beyond the brutality of the world in order to saturate the need for desire that is characteristic of our species. Man is not a "wolf among men", but a being that exists, acts and speaks as part of a complex structure populated by other living beings, which complete each other especially on the basis of their difference. As, after Chomsky,

language cannot exist for a Robinson-Crusoe-like figure born and grown up in isolation, similarly, life only makes sense if there is cooperation among humans who act and live because others have acted and lived, "dwarfs standing on the shoulders of giants." In contemporary research, the analysis of ethics through scientific data is almost entirely *in fieri*, hence this volume is meant to fill a relevant gap in the existing and still developing literature on these matters.

3

The theses exposed in this book are, in fact, of great importance to the recent and expanding field of study that stems from the interaction between moral philosophy and cognitive science. We are not referring to Neuroethics, as some might think, as the latter should investigate the connection between neuroscience and the individual's moral cognition. The essence of our discussion is more philosophical and aims to answer—and better express—questions such as: in there anything like *a just life*, beyond all interpretations? Can morality exist regardless of social constructions? To what extent is ethics natural and to what extent is it cultural? There is one key underlying idea that runs through these studies: the moral point of view stands far above our personal interests, as it is objective rather than contingent. This claim is clearly deployed against the relativistic perspective in philosophy, for which *truth* as a theoretical entity does not exist (I am thinking, for instance, of Harman's arguments). The intuition we are referring to becomes even more crucial if we consider Sarah Songhorian's analysis, which moves the axis of empathy from a descriptive to a prescriptive dimension. Obviously, we are not arguing in favour of an ingenuous objective criterion, as we are well aware of the possibility of correlation between objective moral assertions and subjective decisions. (Kutschera 1991, 65 ff.; Kant 2007, "Analytics," par. 7). The ethics underlying the advocated stance could probably be better defined as a *metaethics*, arguing that Right is set close to the biological dimension of humans—i.e. to act socially or *for the other*—and Wrong gets bigger the further one gets away from this biological being (recalling Hobbes and the argument against capitalism). In a 1958 study (Baier 1958) which philosophers today are very familiar with, Kurt Baier argued that moral perspective "can show some 'good reasons' to distinguish what is right from what is wrong" (Da Re 2010, 14). This thesis is today widely accepted, though more "reasons" are necessary in order to claim that social acts are right when they are close to human nature and wrong when they move in the opposite direction.

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A world where human actions are moved by *a* logic that is egotistic or *self-interested* is an unhappier world for everyone. Nonetheless, we all know that our reality is shaped on this model: even though self-interest is not always blind to judicious moral reflections and is surely directed at social construction, in such a social sphere the human being is totally subdued by social facts—while the growing volume of studies we are analysing would rather have it the opposite way. Whereas Baier argues that the *moral point of view* is not really a "point of view", the former model (caring for others) is necessarily better than the latter (egotism), as the former is closer to objectivity—that is, to "morality in itself" (Baier 1958, 181). The strength of such an assertion is self-evident: existing norms are neither intangible nor unchangeable, rather, they necessitate a constant replacement with "other possible, ideal norms" (*Ib.*, 174). Reading this, one might wonder: what kind of ethics should we have, then? How can we do justice to a social and moral project that is founded on human biology? And what are the boundaries, if we are to act for the other? In *The Republic* Plato presents for the first time what can be defined as "group ethics". Polemarchus follows Cephalus in the stressful dialogue with Socrates (Plato, *The Republic*, 332 a-b) and states that justice is founded on giving and returning to everyone what they deserve, in a reciprocal gesture of help. However, for Cephalus this should be a preferential kind of treatment reserved for friends, while enemies should be fought until death. Of course Socrates, insatiable as always, pushes Cephalus to yield to the idea that damaging another is always despicable and that we can never tell for certain our friends from our enemies. Rather than an objection, Socrates' statement is the extension of an ethical theory that, if properly discussed, can be helpful to us. Paraphrasing what Cephalus said on the basis of the course we have charted in this chapter, we can obtain an ethics for which, on the one hand, one should give and return to others what they are entitled to (for example, a fair salary or the possibility to actively make use of social facts). On the other hand, such an ethics would make acting for others necessary, because if the other is inscribed in us (as argued by neuroscience and empathy studies, supported by the recent discovery of mirror neurons), and if reciprocal action rightly develops our nature, then the conflict between enemy and friend will be overcome. *Group ethics* becomes *ethics of the other*. The very other has to be slowly rejected as other than oneself (as Jacques Derrida claimed in his *The Animal that Therefore I Am*) in order for the discourse to take shape. If we consider ethics in this light, Hegel's distinction between "ethics"

(*Sittlichkeit*) and "morality" (*Moralität*) falls apart—as specialized literature has already almost entirely accepted. In fact, if morality is the personal moral dimension, while ethics is the realization of morality within the sphere of customs and institutions like family, society and state, then both entities cannot be considered from an internal/external perspective anymore, because they collapse into one single dimension. In his *Oneself as Another*, Paul Ricœur finely argues that otherness is intimately implied in ipseity and viceversa (Ricœur 1993, 75-79). The desire to live happily with ourselves coincides with the desire to live happily with and for others, so that —as Ricœur reminds us—we may live within just institutions in which we know the following things to be necessary: the dimension of freedom, seen as the saturation of the void of desire (freedom as development), and the subjugation of social facts to what is human—and not the opposite. But what are the boundaries, if there are any, of this "other than oneself" which we have discussed? For *whom* are we to act? And with *whom* are we to realize our biological course? When can we know we have committed an "immoral" action, i.e. contrary to the *mores* we are outlining on the basis of cognitive studies?

Specialized studies and some of the arguments included in this chapter and throughout the book aim to answer these questions. This volume aimss to contribute to a growing research field, which aims at showing (in analytic philosophy, but not only) what can be defined as a proper "ethical turn".

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NATURALISM, FREE WILL, AND DIFFERENT APPROACHES TO THE IS/OUGHT PROBLEM

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Abstract

The chapter considers recent attempts to derive a prescription from a description or, more generally, from a matter of fact on the basis of neuroscience findings about free will and brain functioning. But it is argued that—within the framework of the attempted naturalization of morals— we must face improper inferences from scientific descriptions and explanations to normative concepts. The inferences taken into consideration are improper first of all because relevant knowledge is insufficient or insufficiently corroborated. Secondly, inferences are improper because, as we attempt to argue, it is not legitimate to move from descriptions of average phenomena to general prescriptions. This is not motivated only by the impossibility of *deriving ought from is* contained in the literal interpretation of Hume's Law, but also because of the very nature of normative judgments expressed by human beings.

1. Introduction

The metaphysical idea of free will has always been at the centre of the debate on the meta-ethical criteria that can legitimately be adopted in a moral system. Nevertheless, incompatibilist views—which negate free will as at odds with determinism as a metaphysical thesis and empirical reality—have never promised to subvert the moral reflection as credibly as they are starting to do now. The well-known experiments of Benjamin Libet (Libet et al. 1983) and John-Dylan Haynes and his research group (Soon et al. 2008; 2013) attempt to demonstrate that, rather than being agents able to set their own course of action and take responsibility for it, we —together with our conscious awareness—are passive spectators who watch the unfolding of actions that our brain has "launched" before we even realized it (Prior to these studies, we had been fully convinced that

such an action could only be the fruit of our determination.). According to many students of empirical psychology, the phenomenon known as confabulation, by which we try to motivate ex-post choices made on the basis of environmental clues that orient us "automatically", is the flip side of our being "autonomous", by which we respond to impulses from the physical and human world according to models we learned over the course of our evolutionary history in order to adapt to our environment and reproduce.

Obviously, this is a simplified description of an extreme case, but it is not far from the description of our "moral" life provided by some naturalistic approaches. They are descriptions in which classical categories are challenged by a new, naturalized understanding of how human behaviour arises, and to what extent many of the meta-ethics and moral prescriptions adopted over the course of human history are "unrealistic" and thus "irrational", with the exception of those that can be directly traced back to our species' adaptive mechanisms.

It is interesting to note that the so-called *Hume's Law* appears to be an obstacle for this type of naturalism, and yet it is perceived to be an ally of non-cognitivism, and thus questioned by moral realists. The impossibility of deriving a prescription from a description or, more generally, from a matter of fact, is one of the most controversial meta-ethical principles, and has been interpreted in many ways and questioned by many authors on the basis of various strategies.

Hume's Law establishes that one cannot derive a prescriptive or normative statement from a descriptive statement, or from a matter of fact, without making a categorial mistake.

> In every system of morality, which I have hitherto met with, I have always remarked, that the author proceeds for some time in the ordinary ways of reasoning, and establishes the being of a God, or makes observations concerning human affairs; when all of a sudden I am surprised to find, that instead of the usual copulations of propositions, is, and is not, I meet with no proposition that is not connected with an ought, or an ought not. This change is imperceptible; but is however, of the last consequence. For as this ought, or ought not, expresses some new relation or affirmation, 'tis necessary that it should be observed and explained; and at the same time that a reason should be given; for what seems altogether inconceivable, how this new relation can be a deduction from others, which are entirely different from it (Hume 1739, 3,1,1)

From the point of view of formal deductive logic, "deriving" means building a valid argument that moves from true premises to true conclusions. An example is the classic syllogism "All men are mortal,

Socrates is a man, so Socrates is mortal". It is thus not possible to derive (in terms of a formally valid logical argument) a proposition on how we should act from a series of descriptions or events.

The so-called *is/ought problem* was also recently challenged and — whether implicitly or explicitly—declared obsolete, or deemed non-binding by supporters of certain forms of the naturalization of morals, since "you cannot derive an *ought* from an *is*" is considered a powerful argument against the possibility of deriving moral prescriptions from that which is truthfully described by physical sciences (These are the most recent meta-ethical trends, which tend to set themselves apart from the naturalism debate launched by Moore).

In this chapter I will thus consider certain attempts to circumvent Hume's Law, including a few that I think should be subject to criticism and one that seems to be more plausible. These attempts are framed in various different philosophical and naturalistic approaches.

2. Neurophilosophy

In her recent book *Braintrust*, Patricia S. Churchland proposed a way to move beyond *Hume's Law*. She claims that:

> In a much broader sense of "infer" than *derive* you can infer (*figure out*) what you ought to do, drawing on knowledge, perceptions, emotions, and understandings, and balancing considerations against each other. We do it constantly, in both the physical and social worlds. In matters of health, animal husbandry, horticulture, carpentry, education of the young, and a host of other practical domains, we regularly figure out what we ought to do based on the facts of the case, and our background understanding. I have a horrendous toothache? I ought to see a dentist. There is a fire on the stove? I ought to throw baking soda on it. The bear is on my path? I ought to walk quietly, humming to myself, in the orthogonal direction. What gets us around the world is mainly not logical deduction (derivation). (…) The important point for my project, therefore, is straightforward: that you cannot *derive* an *ought* from an *is* has very little bearing so far as in-the-world problem solving is concerned. (Churchland 2011, 6-7).

Formally, this type of inference resembles the attempts of ethical naturalists (who affirm that moral truth exists) to respond to Hume's Law, in particular those of A. MacIntyre. They maintain that for person P to achieve objective O, P should undertake action A. I should point out that I am not interested in staking out a position on cognitivism or non-cognitivism in ethics, or on moral realism. What I aim to highlight is that it is not possible to overcome the is-ought problem in this way in order to

naturalize, in a neuroscientific sense, certain matters that are part of the moral sphere. Indeed, the argument put forward by Churchland is only valid to the extent that it has an external criterion of "truthfulness", linked to the efficacy of the action on the world. For example, when one has a toothache, going to see an ophthalmologist neither soothes the pain nor helps in treating the abscess. A dentist's care, instead, is effective, because dentists possess the required knowledge about teeth, based on the current scientific consensus. If it were a common occurrence to find fake dentists who attempt to sell themselves as professionals without possessing the right skills, the answer to the question "what should I do when I have a toothache?" would be: visit a dentist who can show you their degree certificate. Similarly, when we run across a hungry bear, our *goal* is to get away unharmed.

The means adopted to achieve these goals are those available in that specific moment. Not all means, of course, but just those that are effective at keeping us safe. The efficacy of such means will be clear to all when they see us coming back safe and sound from the bear's den (or from the dentist's parlour!). If at time t1 we are facing the hungry bear and adopt a certain behaviour, and if at time t2 we are safe and sound, assuming all other variables remain constant, no one will be able to doubt that the behaviour we adopted is *effective* and *recommended* if we want to survive a bear attack. This is what we mean by the external criterion of "truthfulness", and it is also how science works. Science attempts to describe how the world works, and on the basis of this description we can draw inferences on the best way to achieve results, defined as states of affairs in the world.

However, these types of inferences become problematic precisely when they are applied in "moral" contexts. For the purposes of this paper, a minimal, ad hoc description of moral contexts suffices. By moral contexts we mean those in which results are at stake, and defining "results" as states of affairs in the world that can be prohibited, allowed, or mandatory, with social or legal enforcement. Let us return to the type of inference introduced by Patricia Churchland. Suppose that empirical psychology tells us (as indeed it seems to do) that the best and easiest way to win an election is to denigrate one's adversary and appeal to the simplest, unconscious emotions of citizens and their stereotypes (including those on the alleged superiority of one race over another). This entails that the answer to the question "What should a candidate do during an election?" must be to denigrate one's adversary and appeal to the simplest, unconscious emotions of citizens and their stereotypes (including those to do with the alleged superiority of one race over another).

While all may agree about the efficacy of such a campaign, many would argue that it constitutes "bad politics", and that it leads to a violent debate in which the true problems of society are overlooked. The outcome of the electoral process would probably be disastrous, also from a strictly "non-moral" point of view, since it could lead to such a tense and unruly social climate—with clashes between different groups of citizens (along ethnic fault lines, for example)—that the very politicians who won the election could hardly manage the country at all, as they would be unable to meet the approval of their very voters. The final outcome would be that, much like aspiring witch-doctors, they would fail to be re-elected.

It is thus not unreasonable to suppose that even a certain number of aspiring politicians would reject this advice on how to conduct an election. They would thus reject the inference that moves from an *is* to an *ought*, even though it is, in some aspects, an *effective* inference, which delivers the results it promises, this being the "*ought to be case"* one aims for, based on the "*is the case"* of those preferences and predispositions displayed by voters when they choose which candidate to support. The difference lies in the assessment of how the result is achieved and also in the result itself, namely the election of candidates who show a disinterest in public issues and adopt an aggressive, rather than thoughtful, political attitude.

This is the moral context in which an inference that is less rigid compared to Hume's Law turns out to be controversial and, in the final analysis, unconvincing. Of course, one could object that Churchland's arguments can also be taken to the extreme, and thus that the counter-example of neuro-politics cannot be generalized. For example, one could escape unharmed from the bear's den by killing the bear. This is a conduct that many would disapprove of—at least in the absence of clear and present danger that could constitute grounds for self-defence. The commonest behaviour is instead to escape, which can take a number of different forms.

Nevertheless, those inferences, as postulated by Churchland, aim to overcome the obstacle of Hume's Law while moving towards ethics deriving from neuroscience. They are only valid within the framework of practical knowledge embodying the "truthfulness" criterion. The latter is to be understood as a reflection of the actual state of the world, and thus universally accepted and prevailing over criteria adopted in "moral" frameworks, about which the assessments differ, whatever the origin of these differences. Indeed, it could be argued that different people have different moral intuitions, or that they explicitly adhere to different moral codes, and that any convergence on shared moral rules takes place on the

basis of reason and conviction, or on the basis of emotional states. But it does not seem that rules of behaviour, as they include specific purposes and specify what is preferable, can be adopted on the basis of explanations of the state of the world (This does not mean that prescriptions should not take into account material contingencies, such as a scarcity of medical resources when one is forced to choose who to treat and who not to treat, or the psychological discoveries concerning the "force of will" in the education of children).

One may also argue that Churchland aims to propose these inferences in a prescriptive way precisely in order to overcome the differences that emerge in controversial situations. If we move from *is* to *ought*, consensus can only be reached thanks to science and "truthfulness" criteria that are objectively and intersubjectively verifiable. But this is a conventional proposal, which in many cases clashes both with emotivism (moral intuitions are stronger than scientific descriptions) and with rationalism (which is contrary by definition to such a proposal). What would remain is a petition of principle, an attempt at rhetorical persuasion. The acceptance of Churchland's inferences thus becomes an empirical question that can be measured over time in different social contexts. Perhaps the equation between *is* and *ought* will be made by a small group of neuroscientists, while failing to convince all others, since it appears to lack the coherence and force of a persuasive argument.

It is interesting to note that recent arguments have been proposed against the supposed obligation to change one's belief about ethics because of discoveries in neuroscience (Kaposy 2010). In that case, criticism was aimed at the "normative claim that ethical thought ought to reflect the conclusions of neuroscience that contest concepts such as free will, selfhood, and personhood." Kaposy's main argument is that "from the perspective of instrumental rationality, it is rational to preserve our belief in free will, selfhood, and personhood", even though scientific evidence seems to question these very concepts, which play an essential role in the moral sphere.

My line of argument differs from that of Kaposy—whose basic approach I share—in two aspects. The first concerns the need for a coherent framework for one's own beliefs, which cannot disregard what science tells us about reality, both with regards to the physical world and to human beings and their functioning. This does not mean that we must adhere to a complete naturalization of knowledge, which places scientific research (generally intended as comprising natural sciences only) as the sole source of genuine knowledge or understanding of the world. Therefore, if at the basis of certain concepts—including some that are

"highly valued components of our ethical worldview" (Kaposy 2010)—there are elements questioned by neuroscience, those concepts should be modified. The second aspect concerns the nature of the concepts under consideration. One, free will, undoubtedly has an empirical component that cannot be ignored. The others, selfhood and personhood, are in my opinion essentially normative concepts, for which criticism based on neuroscience is either off the mark (personhood) or only partially applicable (selfhood).

One could say that the recent success of scientific naturalism is underpinned by the so-called "success of science" argument (cf. De Caro and Macarthur 2010). Indeed, there is no doubt that science and its applications can be portrayed as a series of epistemic successes that allowed us to establish our domain over fields that appeared mysterious and threatening just a few centuries ago. According to proponents of scientific naturalism, a sort of super-induction is thus possible, which allows us to conclude that even phenomena that currently appear not to be "naturalizable"—meaning that they can't be explained in terms of natural science—will become so one day (or at least may become so in principle).

However, concepts that are intrinsically normative in character, such as personal identity, moral responsibility, intentionality, and—at least in part—free will itself, continue to elude the possibility of a scientific explanation.

Along these lines, Sam Harris maintains that morality "relates to the intentions and behaviours that affect the well-being of conscious creatures" (2010), and that science is thus equipped with the best tools to identify all that contributes to this well-being, since the latter is linked to cerebral states. The point here is that well-being as a criterion has been on offer on the metaethics market for a long time. It represents the point of view of classical and contemporary utilitarianisms (in their various shades) and it is engaged in an unsettled competition with other meta-ethical points of view, such as deontological virtues or morals, according to which what is obtained (well-being) is not as important as how it is obtained (that is, whether the right procedures have been followed). Science therefore does not seem to be any more able to settle the meta-ethical question today than it was in the past, in spite of increased empirical knowledge.

3. From Neuroscience to the "Abolition" of Personhood

There is widespread consensus about the fact that the concept of personhood has a significant prescriptive value and is not, by itself, a natural category, unlike human beings as a biological species. A testament

of this is the fact that many scholars question the equation between human being and person, as they do not deem it proper to confer the 'title' of person to each and every member of the species *Homo sapiens sapiens* at all stages of their lives.

Nevertheless, thanks to the rapid progress of cognitive neuroscience, several researches began to use neurobiological criteria in order to reassess or discredit the concept of personhood by defining it as illusory. In particular, Farah and Heberlein (2007) maintain that there is an innate cerebral network, comprising four specific areas of the brain, which automatically produces the perception of a particular category of objects that are then defined as persons. This hypothesis is based on an increasing body of experimental data, which are individually well supported by the extant evidence. Due to the difficulties associated with defining personhood in the most controversial bioethical cases, they suggest that the concept itself should be abandoned as the outcome of an evolutionary and adaptive mechanism that has become inadequate in the light of the dilemmas created by contemporary medicine.

In other words, Farah and Heberlein erase the is/ought distinction—albeit not explicitly—in an inverse direction compared to what Churchland proposed. While the latter moved from neurobiological evidence to a moral prescription, the former uses neurobiological evidence to argue against a widely used prescriptive concept.

According to Farah and Heberlein, one could argue that we come into the world genetically programmed to represent people as something distinct from the other entities of the external world. This hard-to-silence system is autonomous, inasmuch as it fires, when activated by a wide range of stimuli, some of which——such as drawings, geometrical shapes, including irrelevant or counterintuitive ones—we know not to be persons, thanks to the correcting activity performed by other parts of our brain.

Farah and Heberlein thus maintain that the distinctive criteria of the 'person' concept are not easily set apart if compared, for example, to the 'plant' category, which possesses a degree of objective reality that a person would not have. The brain is innately equipped to deal with certain kinds of stimuli in a special manner, and the perception of certain activating characteristics, such as human faces, bodies, or movements, sets which mode of processing should be used. The result is that we perceive and ponder such characteristics using a dedicated cerebral system, and we do so in an innate, automatic, and insuppressible manner. Our impression that the world holds two radically different categories of things—persons and non-persons—might be the result of the periodical activation of the neural network that helps us recognize persons by certain stimuli, and does

not reflect a fundamental distinction between stimuli that activate it and stimuli that do not. Mental representations—Farah and Heberlein write—can exist and be activated by stimuli even without systematically grasping fundamental categories of the natural world. Obviously, they note, certain "things" have minds, and others do not (although they do not specify what they mean by mind, given their naturalistic presuppositions).

Farah and Heberlein stress two important aspects of the "person recognition network". The first is its separation from systems used for the recognition of other entities. This causes the illusion that persons and non-persons are two different categories of things, in spite of our inability to establish, in principle, a distinction between the two. In other words, we have the intuition that—although human beings, animals, and computers may have varying degrees of intelligence, ability to communicate, and self-awareness, and although we are unable to identify a break in the continuum between a healthy individual, an individual in a coma, a stupid machine, and an intelligent machine—we have the impression that certain entities are people and others are not.

The second significant aspect has to do with the autonomy of the "person recognition network", with its tendency to be activated by certain stimuli (faces, behaviours). For this reason—they claim—it is difficult to abandon the idea of person even in front of a patient in a vegetative state or a foetus. If we had a separate cerebral system for plants—this is the paradox they use—we would have the impulse to smell the flowers on our friends' Hawaiian shirts, or to water green rugs. We evolved this way—Farah and Heberlein argue—, because it was fundamentally important for us to interact with our fellow humans, and to recognize them always and under all circumstances. Identifying an object as a human being is more functional to our survival and a more effective adaptation that identifying a human being as an object. Additionally, such an adaptation must have arisen in a physical world where uncertain or ambiguous cases were reduced to a minimum: there were no foetal ultrasounds, people did not live long enough to develop Alzheimer's disease, and traumas that today cause vegetative states were invariably lethal.

To sum things up, the concept of person is the result of a sort of illusion, much like a visual illusion: the result of cerebral mechanisms that depict the world in an untruthful manner under certain circumstances.

The authors themselves acknowledge that their analysis is nihilistic, since it undermines many ethical systems. If persons are not part of the basic landscape of the world, then there are no tangible elements that define the status of a given being as a person, and thus there is no chance of obtaining objective criteria for the 'person' concept itself (cf. Strawson

1959). This underlies their suggestion to fall back on a utilitarian approach (even if it does not resolve the concepts that were meant to be tackled), which considers the ability of living beings to express certain psychological characters (intelligence, self-awareness...) and attempts to protect the interests of these beings. The fact remains that, as individuals immersed in our social lives, it matters little to us that the 'person' concept is an illusion. Indeed, we cannot biologically re-programme ourselves (at least not for now...). Furthermore, we cannot deny that the 'person concept,' as inadequate as it is in a world that is far different from the one we evolved in, is still of use to us in many practical fields (from child care to showing respect for others…).

The fact that, in this case, it does not seem possible to make Hume's Law obsolete may be demonstrated by presenting a defence of the 'person' concept that does not deny the neurobiological data presented by the two authors. Indeed, the 'person' concept seems to contain a cultural, prescriptive component that does not arise solely from the functioning of specific cerebral areas.

For example, without straying from our cultural traditions, it was recently summarized—on the back of a vast trove of anthropological, historical, and critical literature—that in the *Iliad* and the *Odyssey* depictions of human beings are not based on the distinctions between organic and inorganic, external and interior, physical and spiritual, but rather on different areas and surfaces of the body (*thymos, phrenes, noos*…) which give life, together with all the other elements they interact with, to a kaleidoscopic game[1]. In Homer's work, the human body is never depicted by a single term, but as a plurality of moving limbs.

In the *Iliad*, human and divine events are told through the use of similes comparing them to animal characters and behaviours, atmospheric phenomena, or simple states of affairs. The human figures, whose deeds are recounted by the epic poems, are unique entities moved by a series of impulses provoked by the deities who dominate the scene. On the one hand, the human body hybridizes with and is often contaminated by the forms assumed by deities; on the other, human prerogatives such as *menos* (energy, strength, yearning) are also attributed to natural things and elements (lances, fire, and rivers are also endowed with *menos*). All of this evidently clashes with the innate tendency of cerebral functions to automatically categorize *living things*, capable of telic actions according to beliefs and desires, as separate from *things*, which are completely inert and inanimate[2]. In fact, these mechanisms have played a fundamental role in human evolution: in the savannah, recognizing a predator at first glance can be a life-saving skill, and those among our progenitors who did so

faster and more automatically that the others, and whose genes were better adapted to do so, had a better chance of transmitting such genes to a great many descendants.

It follows that the 'person' concept is historically "new", and appears gradually at different times and in different places. It also gradually emerges—this is obvious and undeniable if we are not dealing with an entirely *a priori* concept—on the material basis of our perceptive tools and the cerebral architecture that allows us to reason. But the idea that every human being has a *prima facie* right to equal respect and attention under rules of equity does not seem to arise automatically from only the biological factors wired into our brains. There are people who kill and torture specific "categories of persons" or presumed "non-persons", and argue that their actions are legitimate on the basis of an explicitly-affirmed difference from other "categories of persons", an argument that instinctively repulses most 21st century humans[3].

Remaining in the field of the critique of "universal concepts" arising from our neurological make-up as shaped by Darwinian evolution, we can claim that accounting for the genesis of a given phenomenon is not the same as explaining its meaning or its importance. The cerebral wiring behind the 'person' concept is comparable to the wiring behind morality, as argued by Marc Hauser (2006) (cf. also de Waal 2006). Whether there are moral universes is questionable. For example, the precept "help the children and the weak" does not hold true in those cultures that discriminate between superior and inferior ethnicities. Additionally, if there is such a thing as a 'person concept' network, it is not only a tool for passive recognition, but also a spur to action, otherwise it would have never evolved and bioethics would not be concerned with it. Indeed, to classify people as persons means to treat them as persons. We must thus ask why the moral obligations relating to the person are violated with extreme frequency, as can be empirically demonstrated.

If anything, Farah and Heberlein describe the *enabling conditions* for moral behaviours and statements. Such conditions are very varied and, most importantly, none is able to account for the specifically moral content of human practices. It is also evidently insufficient to consider evolutionary advantages only. This takes us back to E.G. Moore's *naturalistic fallacy*: we cannot bridge the gap between being and having to be. Nevertheless, as stated above, we are attempting a categorial critique of naturalism. Therefore, our comment on the empirical falsification of the automatic and universal character of the 'concept'—since it is produced by our brain—shall suffice.

Actually, the 'person' concept being tried is not a basic concept; it is already a construct that blends "automatic" intuitions together with a "data

point" that comes from cultural stratification and intellectual reflection. In order words, if we come into the world and grow up in an anthropized environment, we continuously receive messages containing concepts that are already structured and interact with our innate endowments, to which we may add the invention/discovery of new ideas. This does not imply negating that the human experience may have been meaningfully organized prior to (and independently from) language and acquired concepts, nor does it deny that primary conceptual structures are endowed with meaning, as they are based on experience with actual objects and situations brought about by general capabilities, such as gestalt perception, motor movements, and the formation of mental images. In this perspective, basic physical experience provides the preconceptual foundation of language and other cognitive functions.

4. Putnam Versus the Fact/Value Dichotomy

Hilary Putnam is an authoritative critic of the fact/value dichotomy, namely the position that does not allow for deriving a normative statement from a descriptive statement, or from a matter of fact. In his opinion, facts and values are connected in a non-obvious manner.

> Facts and values are entangled in at least two senses. First, factual judgments, even in physics, depend on and presuppose epistemic values. One would think that this ought to be uncontroversial, but in fact all the leading positivists – joined here by Popper, in spite of his frequently touted disagreements with Carnap and Reichenbach – made what I regard as pathetic attempts to evade this fact. What the logical! positivists were shutting their eyes to, as so many today who refer to values as purely "subjective" and science as purely "objective" continue to do, is obvious: the fact that judgments of coherence, simplicity (which is itself a whole bundle of different values, not just one "parameter"), "beauty", "naturalness", and so on are presupposed by physical science. But *coherence*, *simplicity*, and the like are *values*. All of the standard arguments for noncognitivism in ethics could be repeated without any change whatsoever for noncognitivism in *epistemology*; for example, Hume's argument that ethical values are not "matters of fact" (because we do not have a "sense impression" of goodness) could be modified to read "epistemic values are not matters of fact because we do not have a sense impression of simplicity or a sense impression of coherence." Disagreements about the beauty or "inner perfection" (Einstein's term) of a theory could certainly be described as "differences in attitude". And when it comes to fields less subject to experimental control than physics, fields like history or economics, for example, it is utterly simplistic to suppose that such disagreements can always be settled by "induction and deduction". In fact,

> after the publication of Nelson Goodman's "The New Riddle of Induction", the idea that there is such a thing as *the* method of "induction" has been seen by philosophers of science to be extremely problematic (Putnam 2012, 291-292).

Another one of Putnam's lines of argument concerns purely logical aspects, and seems to capture an important component of ethical statements with a normative component (that is, the "positive" or "negative" sense they are endowed with). Indeed, they seem to require a double understanding that is impossible if the descriptive plane is separated from the prescriptive one.

> A second way in which values and facts are entangled might be described as "logical" or "grammatical". What is characteristic of "negative" descriptions like "cruel", as well as of "positive" descriptions like "brave", "temperate", or "just" (note that these are the terms that Socrates keeps forcing his interlocutors to discuss), is that to use them with any discrimination, one has to be able to understand an *evaluative point of view*. That is why someone who thinks that "brave" simply means "not afraid to risk life and limb" would not be able to understand the all-important distinction that Socrates kept drawing between mere *rashness* or *foolhardiness* and genuine *bravery*. It is also the reason that, as Iris Murdoch stressed, it is always possible to *improve one's understanding* of a concept like "bravery" or "justice". If one did not at *any* point feel the *appeal* of the relevant ethical point of view, one would not be able to acquire a thick ethical concept, and sophisticated use of it requires a continuing ability to identify (at least in imagination) with that point of view (Putnam 2012, 292).

The point is that, for Putnam, this implies a conceptual pluralism at odds with classical ethical relativism. As aptly underlined by Mario De Caro and David Macarthur, editors of his most recent collection of essays,

> One of Putnam's most important insights regarding the question of fact and value is to see that one has a subjectivist attitude toward moral values, according to which they are incapable of genuine truth and justification, then consistency dictates that one must adopt the same subjectivist attitude toward the cognitive values of consistency, reasonableness, simplicity, and the like. These values are presupposed by reason in the areas of science, epistemology, and logic that the metaphysician takes for granted. So if all values were subjective then so, too, would be all the "facts" (De Caro and Macarthur 2012, 15).

It follows that scientistic opponents of Putnam's position must grapple with an acute dilemma: either concede his point or treat these paradigmatically

cognitivist domains as non-cognitive, "effectively sawing off the branch upon which they are sitting since surely no-one will argue that *all* discourses are non-cognitive, incapable of genuine truth and justification" (*Ibid.*).

As Putnam himself recounts, "a few years ago, speaking to an audience that contained at least fifty Nobel Prize winners, [he] said the following:"

> I have argued that even when the judgments of reasonableness are left tacit, such judgments are presupposed by scientific inquiry. (Indeed, judgments of *coherence* are essential even at the observational level: we have to decide *which* observations to trust, which scientists to trust-sometimes even which of our *memories* to trust). I have argued that judgments of reasonableness can be objective. And I have argued that they have all of the typical properties of "value-judgments" In short, I have argued that my pragmatist teachers were right: "knowledge of facts presupposes knowledge of values". But the history of the philosophy of science in the last half century has largely been a history of attempts-some of which would be amusing, if the suspicion of the very idea of justifying a value judgment which underlies them were nor so serious in its implications—to *evade* this issue. Apparently any fantasy—the fantasy of doing science using only deductive logic (Popper), the fantasy of vindicating induction deductively (Reichenbach), the fantasy of reducing science to a simple sampling algorithm (Carnap), the fantasy of selecting theories given a mysteriously available set of "true observation conditionals", or, alternatively, "settling far psychology" (both are Quine's)—is regarded as preferable to rethinking the whole dogma – the last dogma of empiricism?—that facts are objective and values are subjective and never the twain shall meet (Putnam 2012, 47-48).

On that occasion none of the scientists had any objections. This does not mean that Putnam's position was widely shared, on the contrary. Nevertheless, it brings us closer to an idea that does not reduce ethical prescriptions and judgments to mere subjectivity unrelated to facts, and it does not elevate "facts" to a level of objectivity that forces us to maintain the "present state of affairs" as the normative code for our behaviour.

An example can help us understand this attempt. Consider the sex selection of foetuses. Some feel that (leaving aside for a moment the thorny issue of the destruction of embryos) selecting the sex of new-born infants is legitimate, and that it is up to the parents to decide whether they prefer a boy or a girl, regardless of the fact that in the specific case of those parents (or of that single parent) nature itself had "randomly drawn" a boy or a girl. There is thus a moral decision in agreement with Hume's Law: a prescription cannot be derived from a state of affairs. Indeed, a

couple might prefer a girl for a series of justifiable reasons, regardless of the concept in which they find themselves.

What might happen, however—and this should be kept in mind when assessing the morality of foetal sex selection—is that the single independent decisions of parents, taken as a whole, might result in a certain geographical area (or even an entire country) finding itself with a generation characterized by a highly skewed gender ratio. In such a scenario, the overwhelming preponderance of men (or women) would have serious repercussions both on individuals and on society as a whole: these problems are so evident they do not need to be listed here.

In light of this, not allowing the selection of foetal sex seems more reasonable and morally justifiable, unless one were to impose "quotas" of boys and girls on the parents, which would constitute a serious violation of their autonomy in a way that almost anyone would deem unacceptable. It would thus seem that the best solution would be to let nature take its course, since this would ensure an almost even sex ratio, most likely as a result of selective and adaptive evolution. In this case, it would appear that a moral decision made to protect future generations from serious personal and societal problems arises from the understanding, appreciation and acceptance of a natural mechanism, in apparent contradiction of the is/ought, fact/value distinctions.

Yet, a careful examination shows this not to be the case, because the crux of the matter still concerns assessing the preferability of states of affairs that depend on the considered judgment of the involved subjects, which subjects must take into account the physical context in which they find themselves, but are not bound by their decisions to *that* state of affairs. It is only thus that one can go "beyond" a restrictive understanding of Hume's law, in the spirit of Putnam's proposals. But this does not push us into the realm of the strong naturalization proposed by, amongst others Churchland, Farah or Heberlein.

5. Conclusion

My position is thus to try to show that—within the framework of the attempted naturalization of morals—there are *today* improper inferences from scientific descriptions and explanations to normative concepts. In my opinion, the inferences we take into consideration are undue first of all because relevant knowledge is insufficient or insufficiently corroborated. Secondly, inferences are undue because, as we attempt to argue, it is not legitimate to move from descriptions of average phenomena to general prescriptions. This is not motivated only by the impossibility of *deriving*

ought from is contained in the literal interpretation of Hume's Law, but by the very nature of normative judgments expressed by human beings. These judgments are defined by the idea that, in many situations, it is preferable to achieve a certain state of affairs—how to treat a person, how to distribute a good—independently from how this generally takes place, and independently from the origins of both the mechanisms underlying natural events and the genesis of moral judgments. In other words, there may be moral dissent over what we *ought* to do, but I do not think it is sustainable to derive a new consensus from a total naturalization of normativity according to a perspective underpinned by the simple description of the world—including the human world—on the part of science.

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