

Disagreeing about how to disagree

Kate Manne · David Sobel

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David Enoch’s excellent recent book, *Taking Morality Seriously*, provides a subtle, highly innovative, and stimulating set of arguments for “Robust Realism”: the view that there are normative truths and facts, that such facts exist over and above any set of naturalistic facts, and that our claims about them “amount not just to an expression of any practical attitude, but to a representation of these normative truths and facts.”¹

In this paper, we focus on the arguments Enoch gives to help along such a view in Chap. 2 of his book. Enoch’s arguments there are sometimes so complex and nuanced that we think the best way to convey his view is to initially present it in a very streamlined and simplified manner. Then we will introduce some of the complications that Enoch notes. After that, we will try to explain why we do not yet find Enoch’s arguments in Chap. 2 fully convincing.

So, simplifying significantly, Enoch argues in Chap. 2 that it is typically normatively appropriate, when one is in a factual dispute with someone, to not compromise with that person but rather to stand one’s ground. Suppose I know the way to grandmother’s house better than you do. I am correct about how to get there and you are not, and I am also more justified in my opinion than you are. In such a case it seems that I ought not to (or am permitted not to) opt for a compromise where you decide this case and I decide the next, or where we flip a coin to decide which road we will take.

But when we come to disputes concerning mere preferences, where there is no fact of the matter that we are disagreeing about, it is typically normatively

¹ David Enoch, *Taking Morality Seriously* (2011, p. 1). All page numbers in the text refer to this book.

K. Manne
Cornell University, 225 Goldwin Smith Hall, Ithaca, NY 14850, USA

D. Sobel (✉)
129 Dorset Rd, Syracuse, NY 13210, USA
e-mail: davidsobel3@gmail.com

appropriate to adopt some “impartial” solution such as splitting the difference or flipping a coin. So, if you and I are determined to spend the afternoon together, but I would rather play tennis and you would rather see a movie, then we ought to compromise—i.e., take turns deciding, or flip a coin to determine what we are going to do. It would be inappropriate, in such a situation, for either of us to stand our ground and be uncompromising, Enoch holds (p. 17).

More generally, Enoch argues for the moral principle “Impartiality.” It claims that “in an interpersonal conflict, we should step back from our mere preferences, or feelings, or attitudes, or some such, and to the extent the conflict is due to those, an impartial egalitarian solution is called for. Furthermore, each party to the conflict should acknowledge as much: Standing one’s ground is, in such cases, morally wrong” (p. 19).

After Enoch attempts to persuade us that there is the broad asymmetry in how, normatively, we ought to deal with factual versus preference disagreements, he then claims that the way we ought to behave in cases of moral disagreement looks a lot more like the way we ought to behave in cases of factual disagreement and not much like how we ought to behave in preference disagreements. That is, “the right way to proceed in cases of interpersonal conflict due to moral disagreement is analogous to the right way to proceed in cases of interpersonal conflicts due to factual disagreement, and not to the right way to proceed in cases of interpersonal conflicts due to mere preferences” (p. 24). And this, he claims, is a reason to think that ethical disputes are best modeled on factual disputes rather than conative disputes, just as the robust realist would predict.² For, although ethical disputes could be held to be a special *sort* of conative dispute, where standing one’s ground is always or often warranted, this move, absent some independent motivation, would plausibly be objectionably ad hoc. Enoch claims that this argument generalizes fairly far, though not all the way, towards vindicating Robust Realism. He tells us that the above argument is “best seen not as an argument for moral truth, but rather as an argument against [most] response-dependence theories of moral truth” (p. 29), and expressivist views too. Our paper is focused primarily on Enoch’s claim that there is an asymmetry in how normatively to deal with factual versus conative disputes (Sect. 1), and also on how one might explain the intuitive data to do with how we ought to behave in moral versus preference-based conflicts (Sect. 2).

Let us now briefly mention some of the complications that Enoch considers in building his case for (what we’ll call) the Fundamental Normative Asymmetry, between factual disputes (where standing one’s ground is generally appropriate) versus preference-based conflicts (where compromise is typically called for). First, Enoch allows that Impartiality “does not hold in full generality” (p. 19). He even allows that Impartiality, in conative dispute cases, might be the exception rather than the rule (p. 20) and that he lacks an account of where, in such cases,

² In Chap. 2 this argument is urged merely as something it would cost rival views “plausibility points” if they are unable to accommodate. However, in Chap. 5, p. 95, for example, this argument of Chap. 2 is treated as by itself “sufficient” to discredit rival views that fail to accommodate it, without a need to tote up the plausibility points of the rival theory. We do not find an argument that failing to accommodate the argument of Chap. 2 would be an especially big cost in terms of a theory’s overall plausibility. Indeed, Enoch eventually expresses some concern that this is not the case (p. 270).

Impartiality holds and where it does not (p. 24). Still, he claims, “there are many sets of circumstances in which Impartiality would hold for a mere-preference conflict, but no analogous principle would hold for one that is grounded in a factual or moral disagreement” (p. 24). Second, Enoch allows that in some cases, especially when we are no better justified in our beliefs than the person we are disagreeing with, we ought not to stand our ground in factual disputes but rather should compromise towards the view of our equally rational disputant. Still, he says, when we are more justified than the person we are having a factual disagreement with and we are in fact correct, then standing our ground is often called for or appropriate. Third, he admits that there can be practical costs to failing to compromise in factual disputes and these might often make it best to not stand one’s ground. Still, he thinks that when we screen such practical upshot from consideration, we see the underlying truth that there is an asymmetry between factual disputes and preference conflicts, such that in the former sorts of cases there is room to stand one’s ground that does not exist in the latter sorts of cases.

1 Worries about the fundamental normative asymmetry

Now let us move on to try to explain why we are not yet fully convinced by Enoch’s argument in Chap. 2. We’ll proceed in two stages. In this section, we’ll argue that the fundamental normative asymmetry—between preference-based conflicts, on the one hand, and factual conflicts, on the other—is not as straightforward as Enoch needs to make his case. In the next section, we’ll argue that there are *alternative explanations* of whatever data needs to be accommodated here that may be no embarrassment to many of the meta-normative theories Enoch means to be discrediting.

Note first that there are a wide range of preference disputes in which there is no obvious pressure towards Impartiality. If you have two watches and want them both and I have none and want both of yours, we should not think that you owe me one of your watches. If you want to eat Brussels sprouts but I want you to eat dog food, there is no pressure on you to mix dog food in with the sprouts.

It seems that there are two main responses Enoch might make to deal with such cases. First, as it seems he says in the text noted above, he could admit that there may be *no* pressure towards Impartiality in certain preference dispute cases. In discussion, he has offered the idea that the pressure towards compromise only arises when “coordination is held fixed”—that is, we take it, there is most or decisive reason for the parties to the dispute to coordinate their actions, rather than simply going their separate ways. Second, he could say that there is universally such pressure in preference dispute cases, but sometimes stronger rival normative forces mask this extant pressure. Enoch has lately told us that the latter better characterizes his view. We think his view gets into trouble either way.

Consider the first option above. The picture here is that there is *not* generally pressure towards Impartiality in all preference disputes but only in a special subset of such disputes, such as disputes where coordination between the disputants is called for. Perhaps, for example, each party to the preference dispute prefers such a

coordinated outcome to any non-coordinated outcome, as in the case where we both most want to spend the afternoon together but have different preferences about how to do so. If Enoch's claim about the correctness of Impartiality in preference dispute cases is restricted to a narrow domain—for example, where coordination makes sense—then we are inclined to agree with him that it is plausible that compromise tends to be appropriate in these cases.

However, it also seems to us there are costs to so restricting the scope of the relevant claim. The most obvious cost is a serious reduction in generality, which has effects on the ensuing argument. If we start by considering the set of cases where preferences conflict, we see that the cases where cooperation is rationalized by all parties preferring a coordinated solution to any non-coordinated solution are a small subset of the general case. Imagine a Venn diagram with two main circles. One circle is Factual Disputes, one is Preference Disputes. Draw a smaller circle inside the Preference Disputes circle labeled "Coordination Cases." Draw another smaller circle inside the Factual Dispute circle labeled "Cases where one party is correct and more justified than the other." Let's call this smaller circle "Justified" for short.

On the horn of the dilemma that we are currently considering, Enoch's thinking would seem to go something like this:

- (1) Compromise is typically called for in Coordination Cases.
- (2) Compromise is not typically called for in Factual Dispute Cases (or at least not in Justified Cases).
- (3) Compromise is not typically called for in moral disputes. (Not clear if this claim is restricted to cases where one party is both correct and more justified than the other, but that need not detain us here.)
- (4) Therefore moral disputes fit the profile of factual disputes better than preference disputes, when it comes to whether or not a compromise is called for.

But, even if we grant the premises, it seems the most we can conclude is that moral conflicts do not fit the profile of preference disputes in contexts where coordination is held fixed. It seems hasty to conclude that moral conflicts are therefore more like factual disputes than they are like preference disputes quite generally. The smaller the subset of preference disputes that is contained in Coordination Cases, the less justified this inference seems. What we so far lack is a reason to think that moral disputes (or, perhaps, that subset of moral disputes in which standing one's ground is indeed appropriate) are more like factual disputes than they are like preference disputes where coordination is *not* called for.

On this horn of the dilemma, there is also a worry that what is driving our intuitions about the cases of preference-based conflicts Enoch points to *is* the simple fact that we are committed to coordinating. One might well think that standing one's ground when there are serious benefits of cooperation to be gained is rationally a quite risky strategy. One risks the other party walking away or standing their own ground too and so losing out on what could have been a mutually beneficial instance of cooperation. So, such a strategy might be rationally criticizable. Or we could say the same thing but add that it is *immoral* to take action that risks such a collectively sub-optimal solution. In

conversation, Enoch has been inclined to try to set aside such explanations by focusing on cases where one party is in a position to dictate how the coordination will take place. In such cases there would be no risk of the loss of the benefits of cooperation. But we think that such dictated “cooperation” will typically be morally problematic in its own right. Hence, our reaction against such dictatorial actions need not help vindicate Impartiality, by suggesting that we should compromise because the relevant conflicts are preference-based, so much as show that we typically think people ought not to control other people’s morally permissible actions. Or we could point out that standing your ground is likely to irritate the other person involved and threaten friendships and future cooperation, which is morally and rationally not good. In the book, Enoch considers this last thought and asks us to set it aside by focusing on cases where such considerations are not in play, because, for example, your partner is so forgetful that they will not recall that you stood your ground. Again, it seems to us that it is generally not nice to take advantage of the fact that one’s friends have poor memories in negotiating with them, and that is true quite independently of Impartiality. Enoch, at a minimum, needs to find ways to set aside what he thinks of as distracting noise in the system that do not themselves introduce more noise that is potentially distracting to our intuitions as well.

So, there are worries about shoring up the fundamental normative asymmetry Enoch needs to make his case here by focusing on cases of interpersonal disagreement where coordination is held fixed. Consider now the other horn of the dilemma introduced above. Here Enoch would claim that there is always normative pressure towards Impartiality in preference disputes, but stronger normative forces frequently mask this pressure, especially when coordination is not called for.

One issue with this horn of the dilemma is that Enoch offers no evidence for this claim. If I would prefer that there were more stars in the sky, and you like it as it is, then we assume we have a preference dispute. But it is hard to believe that there is pressure on agents to be impartial between their own preferences and the preferences of the person they are in a preference dispute with in cases such as this. Is there really pressure towards being indifferent between the two ways the sky might be? Or suppose I would prefer that Syracuse beat Cornell in lacrosse and you have the opposite preference. Is there really pressure on me here to be indifferent between my preference and yours? Such a surprising claim would need to be argued for. And, as far as we can see, Enoch offers no argument for such a claim and does not provide examples that would help to make this claim plausible.

Now, we will venture a few more general methodological remarks. Sometimes Enoch’s strategy for defending the fundamental normative asymmetry seems to be to point us towards a narrow range of cases where his claim seems most plausible. For example, in the factual dispute case he focuses our attention on cases where one party is more justified than the other and in fact believes the truth. In such cases, he claims, we are permitted to stand our ground. In the preference dispute case he focuses our attention on cases where cooperation is especially likely and seen to be very valuable to all the involved parties. But what it seems to us Enoch needs to do to establish the fundamental normative asymmetry is to try to make the cases on both sides of that divide as similar as possible and then see if the asymmetry remains. We are doubtful that it does.

In the factual dispute case, Enoch thinks that standing one's ground is permitted when I am more justified in my factual belief than you, and my factual belief is true whereas yours is not. What would the analogous case look like on the preference side? Preferences cannot be true and so how to make the cases directly analogous is not immediately obvious. But we might think that preferences can be more or less informed and so more or less accurate as reflections of what the agent really wants, or more or less justified as getting at what the agent really wants. So suppose I am in a preference dispute with someone where my preferences are significantly better informed than the other person's and in fact my preference is for what I really want, whereas the other person's preference is not.³ Would this fact about the case diminish our tendency to say that one must be impartial between your own well-informed desires and the other person's poorly informed desires? It seems to us that it would. Thus it seems to us that enhancing the relative pedigree of the attitude, be it a belief or a desire, generally tends to diminish our intuition that one must be impartial between one's own high pedigree attitude and the attitude of the other with a much lesser pedigree. Thus when the cases on both sides of the divide are made as similar as possible in this respect, we think the asymmetry between preference disputes and factual disputes significantly diminishes.

Additionally, on the preference conflict side, Enoch directs our attention to cases where both parties see significant advantages to cooperation. His example of the relevant kind of preference conflict, recall, is a case where we both most want to spend the day together but you would rather that we play tennis and I would rather that we see a movie. This is a special case where we both rank more highly either playing tennis or going to the movies in concert than we rank any of the alternatives where we are not together. This makes cooperation essential and makes splitting the difference on the remaining, less important issue of how we will spend time together, rational. It might be this feature which generates the normative pressure towards compromise, not the bare fact that it is our preferences which conflict.

If we add the need to coordinate our actions to the moral case, though, the rationale for standing one's ground seems to be diminished too. If we both think that morally speaking the most important thing is that the child be saved, and that all the morally best worlds involve the child being saved, and the child can only be saved if we make a joint decision, then again the pressure to compromise is increased. I think that things would be slightly morally better if our coordinating on one type of rescue saved the child. You think that things would be slightly morally better if we instead agree on another sort of rescue as a means of saving the child. We have tried arguing it out and failed. Our dispute is not over the factual question of which action would be a surer means to saving the child but rather which is a morally better way to do so. Surely we should compromise by flipping a coin or whatever. Again, making the cases on both sides of the divide, in this case on both sides of the factual

³ Enoch, in his "Why Idealize?" (2005, pp. 759–787) argued that the subjectivist has no principled grounds for granting normative authority to informed desires rather than uninformed desires. If that were true, that would perhaps blunt the argument presented here. David Sobel has argued, in "Subjectivism and Idealization," (2009, pp. 336–352), directly against Enoch's contention about idealization. Enoch replies to Sobel in "Idealizing Still Not off the Hook: A Reply to Sobel," manuscript.

dispute/moral dispute divide, as similar as possible diminishes the case for the asymmetry Enoch ultimately wants to explain using the resources of robust realism.⁴

2 Alternative explanations

In the last section, we argued that Enoch's principle Impartiality raises several worries. Admittedly, Enoch is happy to allow that "the truth in the vicinity of Impartiality is... messier than the discussion [in Chap. 2] seems to imply" (p. 24). But we worry that the relevant truth is *so* messy, and open to importantly different precisifications, that his argument against the response-dependence theorist and the expressivist may be in trouble. Enoch is right that the response-dependence theorist and the expressivist cannot explain the intuitive legitimacy of standing one's ground in certain moral conflicts by pointing to the fundamental normative asymmetry—i.e., that standing one's ground tends to be called for in factual disputes but not preference-based conflicts. But pointing out that these rival theorists are deprived of such an explanation is only as damaging to their theories as the explanandum cries out for explanation (as opposed to whimpers softly) and that explanation is good. And, as we argued in the previous section, it is not clear that this *is* so. That is because the strength and scope of the fundamental normative asymmetry is itself open to doubt.

We can now come at this from another direction. Instead of trying to undermine the robust realist's proposed explanation for the intuitive data Enoch points to, we'll try to offer an *alternative* explanation for this data that is friendly to the theorists who Enoch means to be putting pressure on in Chap. 2.

To see this alternative, note that Enoch effectively proposes something like the following principle:

DISTINCTIVE: Practical interpersonal conflicts based on moral disagreements are (at least fairly) *distinctive*, as compared with (clear-cut cases of) preference-based disagreements. That is, moral disagreements tend to generate conflicts where you should (or at least may) stand your ground, whereas preference-based conflicts tend to generate conflicts where you shouldn't stand your ground.⁵

⁴ In conversation, Enoch responded to this argument. We took him to be saying that it is difficult to understand how to make the relevant changes on the preference side that would mimic the claim that the relevant beliefs (in factual dispute cases) are correct and better justified than their rivals. Enoch said that if a belief is correct, and you are in a factual dispute about it with someone, then it just follows that your opponent is incorrect. But it does not similarly follow, Enoch says, that if my preference is accurate to my real wants and/or well justified, that my opponent's preferences must be less good on this score. This is true. But on the belief side Enoch seems to need the thought that the relevant beliefs are not only justified but also rather better justified than one's opponent's. Seemingly we only get the effect that I should stand my ground if my belief is better justified than the person against whom I am standing my ground. So he is in no position to resist the thought that symmetry requires also making the preference higher in pedigree than the preference it is up against in a dispute. And in these cases, the rationale for Standing One's Ground is diminished.

⁵ We use this principle rather than Enoch's own, similar principle, Impartiality, introduced above, because for our purposes having a principle that directly contrasts the moral and preference-based cases is particularly useful.

Admittedly, this is a slight recasting of Enoch's own principle, Impartiality, but it is one which he has said (in correspondence) that he is perfectly happy to run with. And, with this principle on the table, we can introduce a rival to it, namely:

IMPORTANT: Practical interpersonal conflicts where it is particularly *important* that I should get my way (rather than you getting your way) are generally the ones where I should (or at least may) stand my ground—regardless of what kind of disagreement this conflict is based on.

It should be noted that 'importance,' in this principle, is intended to encompass both personal importance and impersonal importance.⁶ That is, it might simply be important to *you* that you get your way, or it might be (supposed to be) important in some more general, impersonal, sense. (As an example of the latter, consider the case of torturing an animal, of which more shortly.) So it may be that response-dependence theories like caricatured subjectivism, which have no notion of importance beyond personal importance to invoke, will be in trouble from the get-go here. We leave this issue open, noting that many response-dependence theorists, and also expressivists, do take themselves to have a notion of impersonal importance at their disposal. Perhaps they are too optimistic about their own resources, but—as we'll point out at the end—that simply remains to be seen, for all that Enoch has said. For whether or not various theorists have suitable basic normative notions, such as importance, at their disposal is a very basic question about these theories, rather than the sort of issue that Enoch is tackling directly in Chap. 2.

Note too that **DISTINCTIVE** and **IMPORTANT** are rival *explanations* of our intuitions about various kinds of disagreements; they are not necessarily incompatible in their first-order implications (especially given the generalized rather than universal quantifiers implicit in **DISTINCTIVE**). For, it could be that moral disagreements just tend to be particularly important. In fact, on grounds soon to emerge, we tend not to think that this is so—there are plenty of comparatively trivial moral conflicts, and plenty of comparatively weighty (clear-cut) preference-based conflicts. It is more likely that moral disagreements are *paradigmatically* more important. But this actually goes towards our point. For, a plausible explanation of why Enoch is tempted by **DISTINCTIVE** is that he is mistaking the *nature* of moral disagreements with the nature of particularly salient examples of them, in which the relevant issues are very important. At any rate, we do not need **DISTINCTIVE** to make incorrect predictions. What we need for our purposes is that **IMPORTANT** predicts and thus explains whatever intuitive data needs to be explained here at least as well as **DISTINCTIVE**, and that it is not necessarily any embarrassment to many of the theorists who Enoch means to be embarrassing. We'll argue for these claims in turn.

⁶ It may also be helpful to clarify that the license to stand one's ground referred to in **IMPORTANT** is intended to be a *moral* license or permission. A complication is that it may not be appropriate to say that one is morally required (or should) stand one's ground in cases where the relevant issue is simply personally important. (Whether or not it is a moral or rational/prudential requirement, if a requirement it be, probably turns on tricky and controversial issues to do with the possibility of distinctively moral duties to the self.) But, for our purposes, we do not need to decide these issues, we take it—especially since Enoch does not explicitly commit himself to anything more than a thesis about the moral permissibility of standing one's ground in certain cases.

We can compare *DISTINCTIVE* and *IMPORTANT* by comparing pairs of cases in which the matters to be decided between us are as similar in importance as possible, but where the disagreement involved is moral in one case, and (clearly) preference-based in the other.⁷ Here is one such pair of cases, the first of which is taken from Enoch himself:

Afternoon Activity 1: “We’re spending the afternoon together. I want to go catch a movie I’ve been looking forward to seeing. You’d rather play tennis. But both of us really want to spend the afternoon together. How should we proceed?” (p. 17).

Afternoon Activity 2: We’re spending the afternoon together, doing some volunteering. I think we should, and would thus prefer to, help out at the local amateur film society. You think we should, and would thus prefer to, help out at an organization that gives tennis lessons to troubled youths. How should we proceed?

Let us imagine, to keep the cases as similar as possible, that our preferences in the second case are equally strong, to each other and also to the preferences in the first case, and otherwise symmetrical (just as Enoch has it in the first case). We should also specify that our preferences in the second case reflect a genuinely moral conflict between us, and not some sort of factual disagreement about the most effective use of our time, or which organization is the most in need of assistance. Nor, we should add, do we have differing personal preferences as to what would be the most fun, in addition to being the most valuable. Rather, we diverge purely in how morally important we think it is to help struggling artists make movies, versus teaching troubled youths to play tennis. The question, then, seems to be this: does the sheer fact that our diverging preferences are based on moral differences, rather than more personal factors, make a difference in how we should proceed in adjudicating the disagreement?

Intuitively, we are inclined to think not. Standing one’s ground in the second case seems equally inappropriate or unreasonable as standing one’s ground in the first case, we feel. And the point seems to reflect the fact that this seems like a fairly *minor* moral disagreement, in the sense that it is not particularly important that either of us gets our way. Furthermore, both parties to the dispute might be hoped to recognize as such. We would naturally imagine that each of us thinks that the others’ suggested course of action is not without moral merit. We simply disagree (although, as we’ve stipulated, not very strongly) about how *much* moral merit each other’s proposal has.

So it seems to us that *DISTINCTIVE* gets the wrong results here, whereas *IMPORTANT* gets things right. And, crucially, *IMPORTANT* is sensitive to the fact that, if we varied the cases imaginatively, and made the relevant moral issues more serious, our intuitions might change. So we obviously need not insist, as proponents of *IMPORTANT*, that there is *no way* *Afternoon Activity 2* could be turned into a ‘stand

⁷ Another good thing to do would be to hold the moral/preferential nature of the disagreement fixed, and ratchet up the stakes. Thought experiments along these lines would speak strongly in favor of *IMPORTANT*, we feel. Unfortunately, Enoch’s restrictions on the set of cases we should look at means that this would be difficult, since he has sometimes suggested (in conversation) that we are meant to hold the price of coordinating fixed—and we are trying to grant him the restrictions he wants here, for the sake of argument.

your ground' case. We need only insist that the way to get our intuitions going on this score is to ratchet up the intuitive importance of getting our own way.⁸

Here's another pair of cases to get our intuitions flowing. Here we have cases where it instead seems *very* important that I get my way, and where one of the underlying disagreements is moral and the other merely preference-based. Again, the first of these cases is simply Enoch's own:

Dog Cruelty 1: "Suppose I believe that there is nothing wrong in causing animals (say, dogs) serious pain... You, on the other hand, believe that there *is* something morally wrong in subjecting dogs to serious pain... we need to decide about a joint course of action, with one alternative involving causing serious pain to dogs, and the other involving no such thing..." (p. 23). How should we proceed?

Dog Cruelty 2: We're spending the afternoon together. I want to go torture a dog I've been looking forward to torturing. You'd rather play tennis. But both of us really want to spend the afternoon together. How should we proceed?

Now, it seems to us that anyone who had the intuition (as we expect every respectable person would) that your standing your ground in the first *dog cruelty* case is called for will have the same intuition about the second *dog cruelty* case. Initially, it might look like *DISTINCTIVE* can explain this. But this is not necessarily so. In particular, given Enoch's rejection of motivational internalism (Chap. 9), he himself is committed to recognizing the following possibility: I might agree *completely* with you that there is something seriously wrong in subjecting dogs to serious pain. And this is, in fact, precisely why I want to do it. For, I am bad to the bone. Given that there is no moral disagreement at issue here, then, *DISTINCTIVE* will get things wrong. On the other hand, the issue of whether to torture a dog or not seems undeniably important. So, again, *IMPORTANT* gets things right.

Admittedly, this is something of an *ad hominem*, since Enoch's rejection of motivational internalism is fairly controversial. So, let's have one more pair of cases to illustrate the point, in a way that everyone should be able to accept. This pair of cases will also involve a dispute that is preference-based, on the one hand, and based on differing moral views, on the other. But, in the former case, the two people propose different courses of action because of standard, non-moral factors (rather than a desire to do something positively bad):

Shrimpy 1: Jack and Jill are a married couple, who share their evening meals. Jack and Jill have both come to the conclusion that eating shrimp is morally permissible. Jack has a strong preference for incorporating shrimp into their hitherto vegetarian diet, since he finds shrimp delicious. Jill has an equally strong preference

⁸ Compare the telling ticking bomb case, "where the relevant truth is extremely important" (p. 21) Enoch sometimes seems to want to say that the importance of the stakes is an irrelevant factor. He writes, for example, that: "Here as everywhere else we're trying to isolate different factors. So I am entitled, it seems to me, to neutralize all importance-affecting factors to see whether an intuitive difference between the different kinds of disagreement remains." (Unpublished SPAWN comment.) Fair enough, but then it seems to us dialectically awkward that Enoch goes for a case like the ticking bomb case—where the stakes are obviously very high—in order to bring our intuitions around to his position regarding *factual* disagreements. It looks like he may be tacitly trading here on factors that he wants us to think of as mere intuitive noise.

as Jack for *not* incorporating shrimp into their diet, though, since she finds shrimp disgusting. How should they proceed?

Shrimpy 2: Jack and Jill are a married couple, who share their evening meals. Jack and Jill both think that shrimp are delicious and nutritious. Jack has a strong preference for incorporating shrimp into their hitherto vegetarian diet. Jill has an equally strong preference as Jack for *not* incorporating shrimp into their diet, though, since she still believes (unlike Jack) that eating shrimp is morally wrong. How should they proceed?

In this case, our intuitions are that Jill should, or at least may, stand her ground in both cases—whereas Jack should not. The intuitive reason for this is simple, and is duly predicted by *IMPORTANT*: it is pretty important that we have *veto power* over what we eat, within reason, and not nearly so important that we get to eat anything we like.⁹ And, imagining that the ‘yuk factor’ and the moral view of Jill’s lead to equally strong preferences in the two different cases, we have a hard time finding in our breasts a stronger intuition in *Shrimpy 2* than we detect in *Shrimpy 1*. But, according to Enoch’s principle *DISTINCTIVE*, the moral rather than the more personal basis of the preference might be expected to make at least some intuitive difference. So once again this is bad news for Enoch, at least if our intuitions are representative.¹⁰

It would be good to look at even more pairs of cases here. But, of course, space is limited. So let us move to consider what we take to be the upshot.

Consider that Enoch’s argument against (most) response-dependence theorists hinges on constructing a kind of dilemma for them. On the one hand, they say that certain moral judgments (as in *dog cruelty*) are based on ‘special’ preferences,

⁹ So note that we are not simply making the suggestion that strength in preferences can do all the work here. We have stipulated that Jack and Jill’s preferences are equally strong, albeit in opposite directions. It would also be worth considering sexual preferences in this connection, which make the point especially plainly. Such preferences may be equally strong, but the person saying ‘no’ gets precedence. And, needless to say, these are often cases in which standing one’s (negative) ground is quite appropriate, despite the fact that it is preferences rather than beliefs that are in conflict.

¹⁰ But is there good news in the offing? One case that Enoch thinks *IMPORTANT* can’t explain, and *DISTINCTIVE* can, is his grieving physicians case (p. 19). But we don’t see why *IMPORTANT* can’t explain the need to compromise when the only two physicians in town are both grieving, and would prefer not to work their shifts. For, it seems to us that what is going on here is that it is extremely important *that the shifts be covered*, even more important than the physicians getting to have the time off. After all, their patients’ lives or at least well-being hangs in the balance. Our intuitions would be different, note, if the two parties to the dispute were not physicians, but were instead hospital clowns (or practitioners of a similarly worthwhile but inessential craft). In that case, it might indeed be permissible that both parties to the dispute stand their ground, since it is not so important that the shifts be covered. This seems to us to be telling against Enoch’s contention that *IMPORTANT* cannot handle this case.

Enoch might reply to this that we can *assume* that the physicians’ shifts will be covered, one way or another, because the other physician is so spineless that she will work my shift if I decide to stand my ground. Even so, it seems that I should compromise. True enough, but we suspect that this can be explained by citing the fact that free-riding on someone else’s willingness to do vitally important work that would normally be split between us is independently morally objectionable, and hence important not to do.

So we don’t think that the two physicians case does much to show that *DISTINCTIVE* does some residual explanatory work that *IMPORTANT* cannot do. Indeed, the case seems to us to tacitly trade on the work involved being of an *important* nature.

which seems rather ad hoc. On the other, they implausibly admit that such judgments do *not* license standing one's ground when they clash with the judgments of others, as with common-or-garden preferences. The first horn of this dilemma collapses, though, if (clear-cut) preference-based disagreements are *not* particularly distinctive from moral disagreements, when it comes to the appropriateness of standing one's ground versus compromising. For, if the response-dependence theorist can appeal here to a perfectly general principle—namely, *IMPORTANT*—which explains why one ought to stand one's ground in certain (putatively) preference-based cases, then they are not guilty of carving off moral preferences as somehow special. There need be nothing ad hoc about their position, then, if *IMPORTANT* offers an equally (if not better) explanation than *DISTINCTIVE* of the intuitive difference between different kinds of disagreements. And it seems to us that it does, or at least may, offer such an explanation.

So we believe that, at this point in the dialectic, Enoch owes us an argument that (a) *DISTINCTIVE* wins over *IMPORTANT*, contrary to what the cases adduced above have suggested, or (b) *IMPORTANT* is a principle that robust realists can make much better sense of, as compared with the theorists Enoch wishes to take on in Chap. 2.

Perhaps one or other of these arguments is in the offing; we look forward to hearing more. And we are glad to have had our productive and enjoyable disagreement with Enoch about how to disagree. For the moment, however, we prefer to think that we are right.

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References

- Enoch, D. (2005). Why idealize? *Ethics*, 115, 759–787.
Enoch, D. (2011). *Taking morality seriously*. Oxford: Oxford University Press.
Sobel, D. (2009). Subjectivism and Idealization. *Ethics*, 119, 336–352.