HOW FACTS BECOME NORMS (PART II)

Marek Káčer*

Abstract: *I argue that it is possible to derive norms from facts. In this second part of my enterprise I suggest that permanent human behaviour as a matter of fact produces norms as a matter of ought. I proceed to defend this suggestion in two steps. Firstly, I use Festinger's theory of cognitive dissonance applied in the particular context of judicial decision-making to demonstrate how our behaviour changes our normative attitudes. Subsequently, I try to prove that normative attitudes which stem from settled inferential practice can be understood as "the genuine ought". The objectivity of normativity is thus not a matter of reference, but a matter of inference and the meaning of our ought-terms is nothing else but the sum of practical conclusions they usually lead to.*

Keywords: *cognitive dissonance, frege-geach problem, inferentialism, one right answer thesis*

1. NORMATIVE POWER OF FACTICITY

When using is-sentences we believe that they represent some part of our factual world. If they did not and if we still wanted to keep telling the truth, we would need to change them for some other representation, some other is-sentences. If our talk about normativity is supposed to represent some part of the factual world, I suggest that this part is best delimited as subjective attitudes held by particular people. In contrast to external moral realism, the social science account of normativity can explain why certain "facts" do not need to be "queer" in order to have motivational force. That is because it is not controversial to claim that actual holding of normative attitudes motivates actual attitude-holders to act in accordance with their attitudes. This fact – holding of normative attitudes – is maybe hard to investigate, but I assume that statistics based on a set of filled-in questionnaires can do for science more work than some presupposition of some "moral facts" which somehow "supervene" on some natural facts, like for example wrongdoing on voluntary cat-burning[1] (for the discussion, see I.2[2] of this article).

So we have here normativity manifested in social science facts, and as such it can be causally determined by other facts. But even at this level of inquiry it is not easy to demonstrate how actual holding of normative attitudes changes in response to a change in some other facts. What are these facts? There may exist plenty of them, ranging from brain surgery to job loss. I suggest that from among all these facts there is one whose norm-producing power is particularly illustrative; it is persistent human behaviour. Why is just this fact in relation to normative attitudes so extraordi-

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* Mgr. Marek Káčer, Ph.D., Law Faculty of Trnava University, Trnava, Slovak Republic

[1] In the last section I will argue that there is no unbridgeable difference between a norm as a fact (believing, act of judging, ideation) and a norm as an ought (meaning, judgment, idea) and therefore in this part of the article I will use terms "normative attitudes" and "norms" interchangeably.

[2] The Roman numeral indicates the part of my article, while the Arabic numeral indicates the section of the respective article part.

nary?[3] Because persistent behaviour creates not only personal (autonomous) norms but also social norms[4] (and institutions) and because the possibility of a causal relation between behaviour and normative attitudes as between two distinct factual variables is established by the observation that in the ordinary course of events the latter stir the former. It is the consistency of ought-pragmatics which makes us concede that norms are not only reasons guiding our judgment, but also motives determining our behaviour. So if it is possible to establish a causal relationship between normativity and behaviour, then all we need to do in order to demonstrate how facts produce norms, is just to reverse its ordinary direction. We need to show how persistent features of our behaviour determine the content of our norms. One of the most suggestive illustrations of the normative power of facticity is from Georg Jellinek:

"The origin of the belief that our living conditions are normal inheres in a specific psychologically determined relationship between a man and factual events he encounters. Things which permanently surround him; which he constantly perceives; which he steadily does, are considered by his mind not only as facts, but also as norms for its judgments ... There is no need to look immediately at the discipline of ethics and law; it is apparent in the thousandfold norms which create our daily lives; in values which regulate our transactions and morals. To most of us it appears that our own home-made dishes are delicious; that our own lineage is handsome; that prejudices of our own sphere are praiseworthy; that lifestyle of our own social class is the right one."[5]

People are disposed to shape norms according to the facts which surround them. Whereas Jellinek considers this disposition to be a fact, John Mackie takes it only as a hypothesis which gives some support to moral relativism. According to Mackie:

"Disagreement about moral codes seems to reflect people's adherence to and participation in different ways of life. The causal connection seems to be mainly that way round: it is that people approve of monogamy because they participate in a monogamous way of life rather than that they participate in a monogamous way of life because they approve of monogamy."[6]

Leaving aside the question of how much evidence is needed to make a hypothesis become a fact, I assume that the hypothesis according to which we shape our norms to match our persistent behaviour is not unfounded. In what follows I will elaborate on this assumption with the help of the theory of cognitive dissonance.

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[3] Of course, it might be said that there is an even more exclusive norm-producing fact – another normative attitude. My holding of the attitude according to which "Murder is bad" may make me hold another attitude according to which "Abortions are bad". The translation of relations between ought-sentences (justification) into relations of factually-held attitudes (explanation) might seem odd, but one appreciates its usefulness when one realises that reasons are not the only motives due to which we think that something ought to be, and on which we act. For more on the relationship between justification and explanation see LEITER, B. Explanation and Legal Theory. *Iowa Law Review*. 1996–1997, Vol. 82, pp. 905–910.

[4] On this difference see RAZ, J. *Practical reason and norms*. New York: Oxford University Press, 2002, p. 52.

[5] JELLINEK, G. *Allgemeine Staatslehre*. Prague: J. Laichter, 1906, p. 358.

[6] MACKIE, J. Ethics: *Inventing Right and Wrong*. New York: Penguin, 1977, p. 36.

1.1. Theory of cognitive dissonance

When Leon Festinger formulated the theory of cognitive dissonance some 60 years ago, his basic assumption was that *"the individual strives toward consistency within himself"*. It means that the individual's *"knowledge, opinion, or belief about the environment, about oneself, or about one's behaviour ... tend to exist in clusters that are internally consistent"*.[7] This tendency is especially noticeable in a situation when the individual fails to achieve the desired state of harmony; the situation which Festinger called "cognitive dissonance". According to Festinger, the existence of cognitive dissonance is *"a motivating factor in its own right"*, i.e. it *"leads to activity oriented toward dissonance reduction just as hunger leads to activity oriented toward hunger reduction"*.[8]

Here lies the answer for Michael S. Moore (see I.2), who cannot imagine what would compel us to be consistent in our moral judgment, if our moral attitudes were not about anything; if they were but our thoughts. Moore thinks that only a moral realist has a "natural motivation to condemn inconsistency" in her moral judgment, whereas sceptics and subjectivists have no reason to do so.[9] Festinger answers him that the "natural motivation" to strive for consistency is indeed "natural" and therefore there is nobody who would lack it and there is no need to have any "reason" to have it, in the same way as we do not need to have any "reason" to feed ourselves when we are starving. Moreover, moral consistency from the perspective of Festinger's theory explicitly includes also cognitions about one's own behaviour. In this light "to be morally consistent" means to be free not only from contradictions in one's own set of moral attitudes, but also from contradictions between one's own set of moral attitudes and one's own behaviour. So it seems that moral consistency is far less a matter of logical hygiene[10] than it is a matter of psychological hygiene. It is not only about perceiving ourselves as good reason-givers, but also as honest people, people who care about harmony between their words and their acts.

Cognitive dissonance appears when there is no such harmony. Let us imagine a typical situation of norm-following: I believe that it is right not to be a judge in any case which affects my impartiality. If I officially passed judgement in a legal dispute brought by my mother, I would do injustice, because the relation between me and her – one of the legal disputants – could impair my ability to give each disputant her own. So when my mother brought the suit before me as a judge I followed the impartiality norm because I believed it was right. Then some other judge took the case and ultimately my mother lost it. Although I did what was right, the final result of my decision made me feel regret. I simply happened to be in a state of cognitive dissonance. My norm-abiding behaviour was in dissonance with my affection to the person who gave me my life, or perhaps with my belief

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[7] FESTINGER, L. *A Theory of Cognitive Dissonance.* Stanford: Stanford University Press, 1985, pp. 1–3.

[8] After decades of research it has been established that other conditions are necessary for occurrence of dissonance: "Inconsistent behavior produces dissonance: but only when decision freedom is high; but only when people are committed to their behavior; but only when the behavior leads to aversive consequences; but only when those consequences were foreseeable." COOPER, J. *Cognitive Dissonance: Fifty Years of a Classic Theory.* London: SAGE Publications, 2007, p. 73.

[9] MOORE, M. S. Moral Reality Revisited. *Michigan Law Review.* 1992, Vol. 90, No. 8, p. 2462.

[10] "The antirealist lacks any similar motivation for logical hygiene, for his moral beliefs are not about anything." Ibid.

that it was right to take care about her wellbeing. This dissonance itself makes me strive to reduce it, just like hunger usually makes me eat.

Festinger drew up a typology of situations in which cognitive dissonance usually occurs. Dissonance appears after a decision has been willingly taken, after a forced compliance has been performed, after one has been exposed to new information forcedly or accidentally, after an open disagreement in a group has been expressed or after a compelling event which produces a uniform reaction in many people has occurred.[11] All of these situations may create a background for one's norm-following or norm-transgressing, but any disjunction of the first two of them is of general application.[12] We almost inevitably experience cognitive dissonance after we have decided, willingly or coercively, whether to follow a norm at the cost of sacrificing some good or of facing some evil. Only in a perfect world would norm-following or norm-transgressing produce merely internally consistent cognitive clusters, total harmony between interests, values, wellbeing, or social acceptance. But this theodicy is not the result of a true description of our world, but a result of dissonance reduction which this world compels us to make.

In the following subsection I will focus on ways in which cognitive dissonance can be reduced. I will discuss the dissonance caused by making a decision in perplexing situations such as personal dilemmas or hard legal cases. Here the cognition about one's own behaviour (the decision) gets into dissonance with one's own normative attitudes, and the dissonance reduction may take the form of changing the latter in favour of the former. The reduction of the dissonance caused by forced compliance, such as abiding by a law under a threat of sanctions or breaking a law under a promise of reward, I will leave to the reader's imagination.

1.2. Reduction of post-decision dissonance

Reduction of cognitive dissonance can be done in various ways, *inter alia* by changing one or more of the elements involved in dissonant relations.[13] With regard to our main topic it is important that when dissonance stems from the conflict between a norm and a behaviour it can be reduced not only by changing the behaviour but also by changing the norm:

"Certainly we will all grant that cognition stirs behaviour. Consequently, any such relationship between behaviour and holding or not holding an opinion could result from this direction of causality. The theory of dissonance, however, predicts the same relation with the causality in the opposite direction."[14]

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[11] FESTINGER, L. *A Theory of Cognitive Dissonance*. Stanford: Stanford University Press, 1985, pp. 261–262.

[12] Cf. COLLINS, P. M. Cognitive Dissonance on the U.S. Supreme Court. *Political Research Quarterly*. 2011, 64, pp. 363–364.

[13] FESTINGER, L. *A Theory of Cognitive Dissonance*. Stanford: Stanford University Press, 1985, p. 264.

[14] Ibid., p. 154. Today the cognitive dissonance theory is generally regarded as a theory of attitude change: "In general, it is difficult to change cognition about one's behavior. Therefore, when behavior is discrepant from attitudes, the dissonance caused thereby is usually reduced by changing one's attitude. The resistance to change of the behavioral cognition is what makes dissonance theory seem to be a theory of attitude change. Although all cognitions are important for cognitive dissonance theory, the relative ease of changing one's attitudes rather than one's behavior has made dissonance more relevant to attitudes than to any other concept." COOPER, J. *Cognitive Dissonance: Fifty Years of a Classic Theory.* London: SAGE Publications, 2007, p. 8.

Let us first look closer at the reduction of post-decision dissonance.

In the example above I refused to start dealing with my mother's lawsuit because I believed it was right not to be a judge in any case which could affect my impartiality. Nevertheless after my mother's suit was dismissed by the other judge, I felt regret, mainly because I believed it was my duty to care about her wellbeing. In order to follow one norm I transgressed another one and as a consequence I experienced post-decision dissonance. Then I could reduce it by increasing the attractiveness of the chosen alternative or by decreasing the attractiveness of the denied alternative[15] and I took both of these options. So as a result of my decision, *which was nothing other than a fact*, I strengthened the importance of a judge's impartiality and weakened the importance of care about my parents' wellbeing. Needless to say, some weeks later my mother asked me to help her in her garden and I refused to do it, even though I could have found some free time for it.

We can reasonably suppose that this is not the usual way in which judges reduce the dissonance stemming from this kind of decision. It is likely that they usually try to avoid post-decision dissonance by stressing the differences between particular social roles they play. They strictly discern between what they ought to do as judges and what they ought to do as members of their families, and thus they see potential dissonance as something that is not a matter of their internal consistency but a matter of consistency of the different social roles they play.

Nevertheless I propose that post-decision dissonance in legal practice is quite widespread, especially after passing decisions in so-called hard cases. The only way for judges to resolve these cases is to use their power of discretion, so among all possible – equally reasonable – options they have to choose the one which they themselves consider to be the rightest.[16] Since in legal disputes one's victory is another's loss, the judge's cognition that she passed judgement in a hard case is usually in dissonant relation with her cognition that some human being suffered a loss because of her. Dissonance in these situations is commonly reduced by increasing the importance of the principles upon which the decision stands. Thus principles of hard leading cases are sometimes thought to be "the law of the land" even before the enactment of decisions in which they were used for the first time.[17] Some judges or writers may go even further when they dare to say that these principles are not human-made but "natural", and consequently the share of a particular individual in bringing them into existence is reduced to zero. They could say that judges do not make law; they just declare it, and even the occurrence of hard cases cannot refute this proposition because every legal case has only one correct answer. Thus post-

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[15] FESTINGER, L. *A Theory of Cognitive Dissonance*. Stanford: Stanford University Press, 1985, p. 44.

[16] Cf. DWORKIN, R. *Taking Rights Seriously.* Cambridge, Massachusetts: Harvard University Press, 1978, pp. 81–130.

[17] In common law jurisprudence this position is sometimes called "the declaratory theory". Today this theory is recognized rather as a device for preserving the authority of courts, not as a device for description of reality: "Despite (and perhaps also because of) its shortcomings as a description of reality, the "declaratory theory" expresses a symbolic concept of the judicial process on which much of courts' prestige and power depend. This is the strongly held, and deeply felt belief that judges are bound by a body of fixed, overriding law, that they apply that law impersonally as well as impartially, that they exercise no individual choice and have no program of their own to advance." MISHKIN, P. J. The Supreme Court, 1964 Term. *Harvard Law Review.* 1965, No. 79, p. 62.

decision dissonance is eliminated by proving that no real decision has ever been made.[18] Here, in the discussion on legal principles and judicial discretion, we can observe how individual behaviour begets an individual attitude on what is right, and how much this attitude is ashamed of its own parentage. We can see the usual way in which facts become norms. Yes, with a fig leaf.

Application of cognitive dissonance theory shows us how the decisions we make work as norm-producing facts. This norm-producing capacity increases if the decisions are uniform, if our behaviour is persistent. The chance that we reverse our ordinary line of behaving just because we experience qualms of conscience when we have once started out on it, becomes smaller and smaller day by day. To overcome a momentary "weakness of will" is one thing; to nourish a permanent dissonance in mind is other.

In any case, it seems that moral consistency is not posited by any imperative issued by human rationality, neither is it posited by any given moral reality "to whose outcomes no human being would turn in the seriousness and stress of life, and whose effect, therefore, in face of the storm of the passions, would be as great as an enema syringe at a raging fire."[19] It seems that moral consistency is rather a subject of human desire, desire so strong that it is maintained perhaps at all costs.

2. THE TRUTH OF THE OUGHT

Now let us recall the Humean objection against naturalistic fallacy which I depicted in I.1 of this paper: "Let us suppose that from among all the ethical theories which have been hitherto invented (or just "found") there is one which is in best accord with the up-to-date findings of the natural or social sciences. Now, what would make us think that the criterion of concordance with nature or society should guide us in solving our every moral dilemma? Is it nature or society itself?"

So how could I dare to take the norm-producing power of persistent human behaviour as a solution of the is/ought problem if this power works only at the level of explanation but not at the level of justification? In what way is my exposition of the fact-to-norm transformation different from for example the reductionist effort of Stephen Turner (see I.2), according to whom there are no genuine norms but only subjective normative attitudes acquired in communication with others by means of empathy and feedback?

Before I address these objections I would like to underline that my depiction of norm-production is not meant to replace Turner's. They can both function next to each other as mutually supplementing theories; the former stressing the inner, usually unconscious,

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[18] Festinger says that revoking the decision psychologically *"is probably not a usual type of solution to the existence of dissonance".* FESTINGER, L. *A Theory of Cognitive Dissonance.* Stanford: Stanford University Press, 1985, p. 44. When he said this he probably did not have in mind how easy it is to refuse responsibility for all the behaviour performed as part of the "application of law". Some authors have noticed that even the way legal practitioners use their language indicates that they would like not to bear any responsibility for carrying out their profession. See ENG, S. The Doctrine of Precedent in English and Norwegian Law: Some Common and Specific Features. *Scandinavian Studies in Law.* 2000, No. 39, p. 281, p. 314.

[19] Allusion to Schopenhauer's critique of Kant's categorical imperative. Cf. SCHOPENHAUER, A. *The Two Fundamental Problems of Ethics.* Cambridge: Cambridge University Press, 2009, p. 145.

striving for consistency; the latter stressing the inner, usually conscious, striving for understanding of others. There might be rare cases where only one of the theories is applicable. A dictator "knows" what is just and unjust, rational and irrational, without any need to employ her empathy and to deal with feedback from others. On the other hand a saint would never let the slightest weakness of her will corrupt her moral judgment; she would rather seek her redemption (dissonance reduction) in making sacrifices for others and in asking them for forgiveness. Despite this subjectivism, and in contrast to Turner, I see no difficulty in admitting that there is some objective, or let me say genuine, ought.

I acknowledge the cry for objective standards of behaviour. If we do not want to consider our normative argumentation only as a silly game with words, we need to admit that the justifications we offer to others to excuse our behaviour are based on norms whose existence is independent of any arbitrariness, especially of our own.[20] So how do we get to this objectivity of moral talk? Are we supposed to assume that it is based solely on representational semantics? Are there some objective connections between moral terms only because they represent some part of the factual world? And if there are, then what does the factual world look like? According to the social science account of normativity it is not controversial to concede that there are objective connections between moral terms since these represent attitudes of particular people who use them. But these connections work only at the level of explanation, from the external perspective of an observer who records what people think they are doing when they engage in moral argumentation. At the level of justification, from the internal perspective of an actor who excuses her behaviour in front of others, social science representationalism is not capable of producing such objective connections. For example it would be odd to claim that we are *reasonably* entitled to torture terrorist suspects just because *according to our subjective attitudes* we are obliged to do everything that prevents severe public security risks and just because *we think* that the entitlement to torture suspects is logically connected with the obligation to care about public security. Normative inferences are not supposed to be valid just because we think that they are. From this claim to objectivity it is usually concluded that normative terms have to be understood as representations of some objective normative facts and not of some subjective normative attitudes.[21] But is this kind of objective representationalism the only way we can make sense of our sincerely uttered justifications?

The presented objection against subjectivistic, and especially noncognitive, accounts of normativity is familiarly conceptualized in the Frege-Geach problem. According to Frege there is a difference between the action of uttering a sentence (the act of judgment) and the content of the uttered sentence (the meaning of the judgment),[22] which is clearly visible when sentences occur in unasserted contexts such as questions or conditionals. Thus we can assert for example that "If lying is wrong, then getting one's little brother to

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[20] "Any analysis of the meanings of moral terms which omits this claim to objective, intrinsic prescriptivity is to that extent incomplete; and this is true of any non-cognitive analysis, any naturalist one, and any combination of the two." MACKIE, J. *Ethics: Inventing Right and Wrong.* New York: Penguin, 1977, p. 35.

[21] See for example KALDERON, M. E. *Moral Fictionalism.* New York: Oxford University Press, 2005, pp. 60–61.

[22] The distinction between judgment (*Urteil*) and act of judging (*Beurteilung*) was first realized by Lotze and Sigwart. Cf. KÖHNKE, K. CH. *The Rise of Neo-Kantianism: German Academic Philosophy between Idealism and Positivism.* Cambridge: Cambridge University Press, 1991, p. 270.

lie is wrong" without really asserting either that "Lying is wrong" or that "Getting one's little brother to lie is wrong". We can simply hold that the conditional is true without conceding that its antecedent or consequent is true as well. If this is so, then the meaning of the antecedent and the consequent is something other than the accompanying subjective belief according to which these sentences are true. And consequently, we will need to explain how it is possible to build up obviously valid normative arguments such as this:

Premise 1 (embedded context):   If lying is wrong, then getting one's little brother to lie is wrong.
Premise 2 (freestanding context): Lying is wrong.
Conclusion: Getting one's little brother to lie is wrong.[23]

If we admit that only the freestanding ought-sentence expresses a subjective attitude, but the embedded ought-sentence does not, then we will have a problem arriving at the conclusion without committing the fallacy of equivocation.

I assume that this logical depiction of normative argumentation is misleading. "Lying is wrong" in the conditional has no other meaning except "Lying is wrong", and therefore we in fact do not know what this sentence means and how it is used in ordinary communication. Actually, we cannot be sure even whether the conditional itself is true. Let us consider this example:

Premise 1:   If sharing an intimate life with somebody is good, then sharing an intimate life with one's own little brother is good.
Premise 2:   Sharing an intimate life with somebody is good.
Conclusion: Sharing an intimate life with one's own little brother is good.

I claim that if "the lying argument" was obviously valid, then "the intimate life argument" is obviously invalid. We usually do not accept that sharing an intimate life with one's own little brother is a "reasonable decision", even if we usually accept that sharing this life with somebody is good. How is that so? It is because our lack of moral acceptance of the ought-sentence in the conclusion has an influence on the meaning of the ought-sentences embedded in the first premise. Indeed, the sentence "Sharing an intimate life is good" embedded in the antecedent *means* something different from when it is embedded in the consequent, and this difference we conceptualize by claiming that the meaning of the sentence is "context sensitive". So even when ought-sentences are used in embedded contexts their meaning is relative to subjective attitudes and other factual conditions.

The whole problem with the meaning of ought-sentences embedded in a conditional is that logicians think these sentences are meaningful even when the conditional itself is freestanding. But they are not. In giving full account of their meaning, we need to embed the conditional into a normative argument, the normative argument into a normative discourse, the discourse into a context of persuasion of others, the persuasion into a cultural

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[23] I have taken the exposition of the Frege-Geach problem from KALDERON, M. E. *Moral Fictionalism.* New York: Oxford University Press, 2005, p. 54ff.

environment. I maintain that nobody will share an intimate life with his own little brother just because the sentence "Sharing an intimate life is good" appears at some level of the argumentation as "q" and because formal logic says that "q is equal to q". But if we change the meanings of ought-terms according to our acceptance of their practical consequences, then where is the objectivity of normative argumentation we were looking for?

To say that meanings of ought-terms are relative to subjective attitudes does not compel us to claim that there is not the slightest bit of objectivity in our ought-discourses. Formal logic tries to push us to objectivistic representationalism, to the idea that ought-terms are representations of something outside language, but if outside the language there is only the world of facts, then we cannot be pushed any further beyond actually held normative attitudes (see I.2). And it seems that if we want to keep difference between subjective/objective normative standards the only way how to do it is to understand objectivity as a matter of interpersonal relations between particular normative attitude-holders and to mix semantics and pragmatics of their ought-talk.

If the bifurcation thesis holds, then there is a difference between is-sentences and ought-sentences, between explanation and justification, causes and reasons. In order to grasp this thesis at the level of semantics, perhaps the best we can do is to apply to it the difference between reference and inference respectively. Let us look at the matter from the viewpoint of practical reasoners, such as lawyers. These reasoners do not need to bother with the meaning of sentences like "Lying is good"; they do not need to ask themselves what this kind of sentence represents. Instead what they need to be interested in during their entire career are questions like "What is lying?" or "What is the right to a private life?" In order to fix the objectivity of these terms they do not have to recourse to some special ought-reality, they need to see how these terms are applied by and large in the community to which they belong. When getting law students to understand ought-terms, law teachers usually do not show them how nice our world would look if these terms were applied in strict accordance with formal logic. Instead of this they usually show them a series of court cases. Learning the meaning of ought-terms is one and the same activity as learning the practical conclusions (or factual effects) this meaning usually leads to. So there is no proper objectivity of ought-terms except that given by settled inferential practice. At this point we can bring in Robert Brandom's inferentialism:

"Grasping a conceptual content is a kind of practical know-how: mastery of an inferential role. That is being able to discriminate good from bad material (i.e. content-dependent) inferences in which it plays an essential role either in the premises or in the conclusions. Typically, such mastery will be both partial and fallible. But one counts as grasping a concept in so far as one knows what else one would be committed or entitled to by applying it and what would commit or entitle one to do so."[24]

There are two immediate objections to this account of the objectivity of ought. First, how is this account supposed to show us that the objective normativity is a matter of fact, if the inferentialism is founded on *prima facie* normative terms like "commitment" or "entitlement"? Second, in what sense can we claim that inferentialism ensures any objectivity

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[24] BRANDOM, R. Global anti-representationalism? In: Price, H. et al. *Expressivism, Pragmatism and Representationalism.* Cambridge: Cambridge University Press, 2013, pp. 94–95.

of ought-discourse at all, if we at the same time admit that it is relative to the subjective attitudes of participants in the inferential practice? I hope that both of these questions have already been answered in previous sections.

As for the first: inferentialism does not need to be founded on commitments, but just on consistency. We assert the conclusions of our premises not because we are committed to do so but because it is the easiest way to avoid potential dissonance stemming from our acting otherwise.

As for the second: to ask for more genuine objectivity than the one given by inferential practice is in effect to ask for something nonfactual, perhaps a fiction. But this fiction is not necessary to keep our ought-talk susceptible to reason. Moral realists like Michael Moore (I.2) cannot imagine how an antirealist can account for "our sense that we are fallible moral reasoners" because in the antirealist's view "there is nothing we (individually, or at least collectively, for conventionalists) could be wrong about".[25] Moore is right so long as participants in a moral discourse do not share the first premise of their argumentation and in that case this discourse will never end in a reasonable moral judgment. But this does not mean that every moral discourse is doomed to be senseless. When participants share the first premise they can still reasonably argue about what conclusions are to be drawn from it; they can test their inferences against the overall consistency of their normative positions and positions of a community to which they belong. And in the end the truth of a normative position stands and falls with the behaviour of its holder and of the community he lives in.

Finally, the reader can ask what kind of truth I am talking about when I suggest that the truth of our ought-talk can be evaluated by its conformity to what we usually do. At this point I do not let myself get drawn into a discussion on different theories of truth; I just want to recall some remarks on the general relation between truth and knowledge made by Michel Foucault.

A modern man who is the product of Western civilization cannot conceive truth any other way than in relation to knowledge. What might be noteworthy is that this conception of truth radically differs from the one which the founders of our civilization used to have. For conceptualizing this difference Michel Foucault uses notions of "philosophical truth" and "spiritual truth". The former answers the question of what the conditions and limits of true knowledge are, while the latter answers the question of what the methods of searching for one's own subject are, what the practices of renunciation and personal life experience are, with the help of which the subject can undergo a change in her own life style and thus achieve a true life.[26] Foucault noticed that with the exception of Aristotle,[27] throughout the period of Antiquity the philosophical question "How to have access to the truth?" was connected with the spiritual question "How to achieve the necessary transformations in the very being of the subject which will allow access to the truth?"[28] In our era these questions are detached from each other; neither a particular life experience, nor

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[25] MOORE, M. S. Moral Reality Revisited. *Michigan Law Review.* 1992, Vol. 90, No. 8, p. 2452.

[26] FOUCAULT, M. *The Hermeneutics of the Subject: Lectures at The College de France, 1981–82.* New York: Palgrave Macmillan, 2005, p. 15.

[27] "As everyone knows, Aristotle is not the pinnacle of Antiquity but its exception." Ibid., p. 17.

[28] Ibid., p. 17.

an appeal to the moral perfection of one's own personality, but only disinterested knowledge exclusively leads to the truth. Now we may ask the following question: If there is any sense in speaking about the truth of the ought, then who holds this truth? Is it a reasoner who in the comfort of her armchair spellbindingly demonstrates how perfect the only one moral reality is; the one whose only worry is to have sufficient writing ink which she needs to make this reality more evident? Or is it the one who follows her own ought-words in all the predicaments of her life; in the fight against her own earthly passions and her formidable moral enemies? The truth of the ought is not about words; it is about living life in accordance with the words.

CONCLUSIONS

1. Normative consistency within us is rather a result of our natural inclination than a result of our rational choice. If our permanent behaviour conflicts with our normative attitudes the resulting dissonance has a fair chance to be reduced by changing the latter to match the former. Consequently, everything we repeatedly say and repeatedly do in repetitious situations has a fair chance of becoming subject of our normative attitudes.

2. Even when normativity stems from attitudes of particular people, the objectivity of ought-terms can be sustained. To understand what some ought-term *objectively* means is to understand the practical consequences it *usually* leads to. However participants in ought-discourses need not be "committed" or "entitled" to draw appropriate inferences from words they use, as they do so without necessarily employing any such normative notions. After all, the truth of a particular ought-talk can be tested only against the criterion of consistency. In order to claim the truth about how we ought to behave, the only thing we need to do is to maintain consistency between our various ought-words, and consistency between our ought-words and our acts.[29]