The argument from disagreement for moral relativism—the view that mutually inconsistent sets of moral judgments may hold true relative to different societies—is as old as the hills. It is the argument that since different societies have unsettleable (i.e., rationally irreconcilable) disagreements over moral judgments, universalism (the view that there is one set of moral judgments which holds true for every possible society) is false, while relativism is true. Recently Nicholas L. Sturgeon has shown that the argument is problematic and perhaps incoherent.1 Here I will defend the standard formulation of the argument by making certain steps clear and thereby showing that they are not incoherent. Afterward I will offer a new formulation of the argument which attempts to steer wholly clear of the potential confusion.

I. Meeting Sturgeon’s Challenge

Sturgeon’s piece is a powerful criticism of some prevalent formulations of the argument from disagreement for moral relativism, chiefly those of David Wong, Philippa Foot, and Gilbert Harman.2 I will not attempt to determine the extent to which those particular forms of the argument from disagreement may be defended against Sturgeon’s criticisms. Rather, I will simply defend the general form of the argument, as I presented it in the second sentence of this article. Sturgeon’s criticism runs as follows:

[D]efenders of relativism regularly appeal to nihilist construals of moral assertions, as opposed to strictly relativist construals, particularly in acknowledging the force of their opponents’ intuition that unsettleable moral disagreements are genuine. My story about how to become a relativist is an attempt to make sense of this duality of vision; and without it, relativism is again vulnerable to the objection that it must deny the genuineness of many disagreements that everyone, including the relativist, does regard in this way.3

But Sturgeon argues that relativism fails to meet the challenge. He says,

[R]elativism needs some way to accommodate the strong intuition that these unsettleable disagreements are univocal. It can do this . . . only by granting that at one level nihilism is correct about these disagreements, in that neither side is right; and then by proposing relativism as a reasonable fallback stance toward the same issues. [This maneuver] fails.4
The problem with the argument from disagreement is that it posits disagreement, says that neither side is correct, and then tries to get away with saying that both sides are correct. As Sturgeon explains, this relativist tactic fails in that it is self-defeating to try to save one's doubtful views by relativizing them to the fact of one's holding them. Having accepted that disagreements are univocal, the relativist must accept that the doubt, nihilism, extends to the standards, not just to the judgments generated by them. There's nothing left to relativize; one is a nihilist through and through. Relativism undermines conviction, getting one into nihilism without resources to get one out. Also, Sturgeon argues that relativism undercuts the motivation we have to deliberate with societies with whom we disagree and to attempt to arrive at shared understandings with them. He acknowledges that this is not evidence that relativism is false, but he rightly finds it troubling nonetheless.

It seems that Sturgeon has indeed refuted nihilistic arguments for relativism. The challenge, then, is to produce a form of relativism which doesn't make its first step a step over the precipice of nihilism. This can be done by producing an error theory which explains why everyone intuitively regards disagreements as genuine and univocal and shows how this fact is consistent with relativism and not committed to nihilism. I offer such a theory here. I will also argue that the theory helps to alleviate Sturgeon's worry that relativism undercuts the motivation to conduct intersocietal moral deliberations.

The way to avoid nihilism is to maintain a relativistic definition of moral terms from start to finish. Sturgeon is right that certain relativists' initial concession—that the intuition of univocality entails that moral terms are universalistic in meaning—is fatal to relativism. It takes the step over the nihilistic precipice, and there is no way back after such a fall. However, I suggest that the intuition of univocality may be interpreted in two ways and that it is false on one interpretation but true on the other interpretation. Sturgeon is right that if the intuition is just false or just true, the argument from disagreement is in serious trouble. But the intuition is neither just false nor just true. As I will show, it is true on one interpretation, and this is enough grounds for the argument from disagreement. On another interpretation, the intuition is false. As we will see, on that interpretation relativism finds positive grounds, as well.

First, consider the following thought experiment. I think it makes clear the ambiguity in the interpretation of the intuition of univocality. Suppose Sturgeon (or any other ordinary user of moral language) were to be asked to listen to a tape recording of the following conversation:

A: "You have to do it! Now, go down there. This is your duty. No one ever promised you life was going to be easy. Show some courage. These people are all going to die, for crying out loud!"

B: "Why me? It's not fair. I never did anything to hurt them."

A: "Look, you know darn well you would be indignant were the shoe on the other foot. If you were dying of organ failure, you would have the lottery winner sacrifice his life so that you and several others could live. We've
been through the argument hundreds of times, indeed thousands, during the last few hundred years in this society. You’re having a bout of weakness of will, and it’s unbecoming. Still, we understand and support you.”

B: “I know. Thank you. I’m know it’s right. I’m ashamed. I’ll go. I don’t know how I could sleep at night knowing that I let those five people die.”

The tape gives details of the subsequent, courageous sacrifice of B and the pride and support shown to B by the community. The tape gives supplemental information, as well. B is sacrificed so that his organs can be used to save five others who are dying of organ failure. A and B, and others in their society, which I’ll call “Society X,” are utilitarians or pretty close to being utilitarians. They use a lottery to decide a “winner”: a sacrifice for the greater good. I suppose Sturgeon would disagree with the standards embraced by A and B and applaud B’s reasons for objecting to them. For I suppose that Sturgeon is not an extreme utilitarian. So he would judge B’s being sacrificed to be wrong. He would think that he disagrees with Society X’s moral judgments. He would think that the terms of the disagreement are univocal. But there is more to the thought experiment.

Let us suppose that there are additional tapes which reveal that a large and coherent set of moral judgments embraced by A, B, and the other members of their society are analogically inconsistent with the judgment that B should not be sacrificed and require instead that he should. Suppose that the society coherently accepts a thoroughly utilitarian set of judgments, and that the judgments are not based on any errors about the nonmoral facts. This would render the disagreement between Sturgeon and Society X unsettlesable. I know of no other way to show a moral judgment to be in error than to show it to be incoherent with others or based on an error about the nonmoral facts.

Still, Sturgeon would maintain that Society X’s judgment is in error. But there is still more to the thought experiment. The tape is a translation from a long dead language. It is the language spoken on a distant planet on a distant star some 100 million years ago. The tape was made from a radio transmission received by our Search for Extraterrestrial Intelligence program. Also, Society X died out 99.9 million years ago, because of a solar flare on its planet’s star.

Here the intuition of univocality falters. It doesn’t make sense to maintain that Society X’s moral standards were in error. Utilitarianism was right for Society X. That the intuition of univocality doesn’t make sense anymore shows that it was based on the assumption that Society X and our own society are in contact and therefore in need of a common set of moral standards. Any societies in more than minimal contact are not mutually distinct. Any society needs a common set of moral standards. Therefore, any societies in more than minimal contact need a common set of moral standards. People know this, and they know it is important. This is why they are keen to enter into dispute when confronting other societies’ values. This keenness, I suggest, contributes to the intuition of univocality and, I will suggest, eventually pushes it too far.

First, consider the following constual of moral terms. “Right” means “right in my society.” This a relativistic semantics, but uncontroversially so.
Ordinary folk exhibit a puzzled look when asked whether they believe their moral judgments have a universalistic meaning or a relativistic meaning which holds good for all possible societies. It is best to suppose that the predicate “right” means “right in my society” than that it means, in addition, “right in all possible societies, as well.” This is not to say that ordinary folk mean “right in my society, but not necessarily in others.” Ordinary folk rarely reflect on metaethical meanings of their judgments. Hence, though relativistic, this construal of moral terms isn’t controversial since it doesn’t entail relativism. If all rational agents must converge on a single universal set of moral judgments, then relativism is false even while this definition holds true. “X is right in my society” and “X is right in any possible society” are mutually consistent.

According to this semantics, there is certainly univocality of meaning within any given society. This is to say that the notion of individualistic relativism is incoherent. For individualistic relativism is the view that the standards to which everyone in our society is supposed to adhere are up to each individual to choose. But societies between which contact is minimal or nonexistent are distinct. That they sometimes show disdain for each other’s standards may be explained without positing a strictly univocal meaning of moral terms. Confrontation, with minimal contact or less, between societies known to have irreconcilably different moral standards is uncommon. People are keen to dispute in order to resolve differences. It isn’t easy to discern that dispute doesn’t make sense in cases such as these.

Here, then, is an error theory which shows how the intuition of univocality, on one interpretation, is indeed in error in some cases of disagreement. Almost all moral disputes take place between members of the same society. Intersocietal moral dialogue is usually the initiation of a larger society which is the union of the two smaller ones. Thus, it is usually intrasocietal dialogue, as well. Even where there is disagreement, the dispute appeals to judgments shared by both of the disputant societies in an effort to generate common ground from which to settle the disagreement. Hence, in this vast majority of intersocietal dialogue, the intuition of univocality is straightforwardly correct. Each disputant means his moral terms to refer to standards embraced by his society, which he believes to be a society formed as the union of the smaller two. This generates the error. For disputants assume that this common meaning is therefore the only meaning in play in intersocietal dispute. When they encounter a case of deep and unsettleable disagreement, they can’t tell that it’s unsettleable at first. They are keen to settle it, and they assume univocality. They assume that the intersocietal dialogue is initiating a larger society, the union of the two smaller ones; they assume it’s intrasocietal dialogue. But it isn’t, because in cases of such deep and unsetteable dispute, there aren’t enough moral standards in common to make such a union possible. Society requires cooperation, and cooperation requires shared moral standards.

This error is crucially different from the one which Sturgeon has shown it to be fatal for the relativist to attribute to ordinary speakers. This error is an error about certain social facts: whether you, my interlocutor, and I share enough values in common to resolve the dispute between us and whether
you and I have created a society by bringing our two societies together. Because of the indexical meaning of moral terms (the “my” in the relativistic semantics given above), this error makes the intuition of univocality erroneous under one interpretation. But it doesn’t make either of our moral judgments erroneous under all interpretations. When I say, “Communism is wrong,” I mean, “Communism violates the (largest and most coherent set of) standards of my society.” This remains true even after I discover that my society remains the same smaller one it was before the dialogue began. Thus, the discovery that both of us are in error about which values hold true for both societies does not entail nihilism. I discover that what holds true in my society does not hold true in your society, but this does no damage to what holds true in my society. There is genuine unsettleable disagreement over which values hold for both societies. For “my society” equivocates indexically between referring to one of the two smaller societies and referring to the union of the two disputant societies. Both judgments are false in a sense, and both are true in a sense. The intuition of univocality is also true in a sense and false in a sense. This shows that the relativist can have it both ways. She can posit a disagreement and dissolve it, too. Thus Sturgeon’s challenge can be met.

Recall the problem Sturgeon diagnosed in other versions of relativism. In those versions, I, the disputant, start out believing that moral standards are by definition the sort of standards which hold for all possible people. Discovering that, given unsettleable disagreement, most of the standards I embrace do not hold for all possible people commits me, Sturgeon shows, to nihilism without the possibility of any fallback relativism. But according to the argument for relativism I’m offering here, I don’t start out accepting such a universalistic definition of moral terms. Rather, my intuition of univocality is empirical, and not definitional. Of course, this makes sense if moral terms are indexical. The moral disputes I’ve encountered in the past were univocal and genuine, and I therefore have the intuition that the next moral dispute is univocal, just as I have the intuition that the thing with fins which I presently see swimming in the ocean is a fish, given that all things with fins seen swimming in the ocean in the past were fish. When I discover that these intuitions are false, I do not thereby commit myself to nihilism about morals or about fish.

In sum, Sturgeon’s argument is that relativists hold the following claims to be consistent, when obviously they are not consistent:

1. S says, “X is wrong,” which is true.
2. S, in saying “X is wrong,” disagrees with R, who says that “X is right,” and neither what S says nor what R says is true.

Sturgeon is right that it looks hopeless for the relativist to make claims 1 and 2. They seem clearly inconsistent, and Sturgeon is to be thanked for taking relativism to task. But claims 1 and 2 may be repaired as follows. First, we should make explicit that moral predicates “right” and “wrong” have the uncontroversially relative meaning: “right/wrong in my society.” Also, we should make explicit which societies are being spoken of. S’s society is called...
“A,” R’s “B,” and the union of the two, if there were such a society, would be called “AB.”

1. S says, “$X$ is wrong in my society,” which is true.
2. S’s claim that $X$ is wrong in their (S and R’s) society (society AB) is inconsistent with R’s claim that $X$ is right in their society (society AB), and neither is true (since there is no society AB and since neither claim represents preferences shared in the union of A and B).
3. S believes that his society is AB.
4. S’s society is A.

These four statements form a consistent set. The four together show how it could be that 1’ and 2’ are mutually consistent. Sturgeon argued that relativists incoherently hold that moral disagreements are both univocal and equivocal. But there is no incoherence. Since moral terms are indexical, and since indexical terms can be ambiguous, moral terms can be ambiguous, such that in one sense two parties univocally disagree (2’), while in another they merely equivocate. S believes truly that $X$ is wrong in his society. He just doesn’t realize which society is his. He thinks it’s AB, but actually it’s A. Hence, S’s disagreement with B is both genuine and equivocal. The mutual consistency of claims 1’ and 2’ enables us to read claims 1 and 2 as mutually consistent, as well. Claim 1 represents relativism’s avoidance of nihilism. Claim 2 represents relativism’s commitment to the view that there is intersocietal disagreement and to the argument from disagreement. Relativism can have it both ways. This should be enough to answer Sturgeon’s objection. This defense of relativism renders the intuition of univocality correct in almost all cases. It renders the intuition—on one interpretation—incorrect in the cases in which, as Sturgeon has demonstrated, the relativist must construe it as incorrect: cases of deep and unsettleable disagreement. Moral terms may therefore be interpreted as indexical, as relative in meaning to the social standards of the speaker. Still, this doesn’t commit us to the view that intersocietal disagreement is unreal. It often is real, since it is often at the same time settleable, intrasocietal disagreement.

The position I’ve sketched here doesn’t have the practical flaws of other forms of relativist explanation of moral talk, flaws which Sturgeon exhibits. He says,

To be told that these disagreements are not genuine, therefore, and that we and the other parties are merely talking past one another, is to be deprived of an important motive for trying to understand the opposing viewpoint, seek common intellectual ground, and in other ways learn from one another.\footnote{Sturgeon’s practical worry about relativism is that if it is true, it commits us to holding that intersocietal debate makes no sense. However, I would reply that this is not so. Nothing stops us, in our keenness to settle dispute, from trying to find out whether we share with another society enough common ground to build a new, larger society. Again, the discovery of equivocation is
partly an empirical discovery of fact, and not of a strictly linguistic or definitional fact that precludes intersocietal dispute. We have reason to hope to settle disagreements. Still, when the disagreement is deep and unsettleable, there is no going forward. We can hope that the dispute will lead to detente and peaceful coexistence, perhaps even mutually beneficial trade or other limited forms of cooperative interaction, to the extent that the societies have enough moral values in common to make that possible. So I acknowledge that there is a failure to solve some of these practical matters in relativism. But I submit that they are unsolvable. In any event, as Sturgeon acknowledges, this failure is not evidence against relativism.7

II. A New Argument from Disagreement

Here I would like to present a new argument from disagreement for moral relativism and to suggest defenses to the standard objections to the theory. Sturgeon’s paper does indeed locate a cul-de-sac in a certain likely formulation of the argument from disagreement. A cul-de-sac awaits any relativist argument which appeals to nihilism and then, as Sturgeon puts it, retreats to relativism as a “fallback stance.” To say, “There are no real moral values of the sort we thought there were, but we may make do with relative values,” is to admit that nihilism is true, that relativism is false, and that we may pretend to ourselves that relativism is true. For it is to admit that the ordinary term “moral facts” has no object. But I think that there is a formulation of the argument from disagreement that doesn’t move in retreat down a cul-de-sac. Such an argument would show that the ordinary terms “right” and “wrong” have different referents relative to different societies, rather than just showing that they do not refer to a universal set of values common to all societies. It would show positively that certain relative moral facts are as robustly moral as ordinary speakers have in mind, and it would show that there are different such facts for different societies. In other words, the argument can’t just show that universalism is false; it must also show that relativism is true. It must be an argument that is inconsistent with nihilism.

I offer the following formulation of the argument from disagreement as just such an argument. It appeals to the simple and compelling intuition that the people in a society (be it our society or some other) may treat each other as they prefer. Of course, even if that intuition is compelling, it requires argument. Here is the argument:

Premise 1: Two societies can differ in the preferences shared by their members for ways the members are to treat one another. In other words, it can be the case that everyone in society A prefers certain standards for how its members are to treat each other, while there is another set that everyone in society B prefers, a set that is inconsistent with society A’s set. Again, everyone in society A might prefer standards which do not permit act $q$, while everyone in society B prefers standards which permit act $q$.

Premise 2: It is morally impermissible to treat a member of one’s society in ways in which everyone in the society prefers he not be treated. This is controversial, I suppose, but I think it is also a logical truth. The reason is that we have no idea what would count as evidence that the moral standards to which a
society ought to adhere are in fact repugnant to the preferences of everyone in the society. Here I’m using a strong sense of “prefer,” in which a preference is a desire which is most consistent with the largest and most coherent set of the person’s desires, as well as the relevant facts about the nature of the treatment. Consider the following question. “The violation of moral standards X, Y, and Z would be thoroughly repugnant to our preferences, but are X, Y, and Z the moral standards to which we ought to adhere?” This is not an open question, although it may sound like one. The reason is that no one has any idea of what would count as evidence that the answer to the question was yes. We should therefore take premise 2 as a logical truth until someone produces an idea of what would count as such evidence.

Premise 3: It is morally permissible to treat a person in the way in which everyone in his society prefers to be treated. (Here, again, I assume a strong sense of “prefer.”) Premise 3 is a logical truth for reasons similar to the ones which show premise 2 to be a logical truth. “Everyone in our society prefers that we treat each other according to standards U, V, and W, but is it wrong to do so?” is not an open question. There can be no evidence that the answer is yes.

The conclusion of the argument is that it is possible for an act to be morally permissible in one society while an act of the same kind would be morally impermissible in another society. The argument seems sound. Of course, it is refuted as soon as premise 1 is falsified. This may be done by proving that all rational inquirers would converge on a single set of values, or in other words, that all disagreement is based on fallacious reasoning or mistakes about the relevant nonmoral facts.

Premises 2 and 3 are supposed to capture the ordinary meanings of moral terms and to show that those terms do indeed have real referents. They capture the ordinary meanings of moral terms because they are analytic truths. They are analytic truths because no one has any idea of what would count as evidence that either was false. Of course, the argument is refuted as soon as anyone produces such evidential criteria.

This formulation of the argument from disagreement proves relativism true, rather than merely proving universalism false. It does this by showing that desires do make certain acts right and others wrong and that desires vary amongst societies. There are details to clear up. Of course, we worry about disagreement within a society. The above argument may prove relativism for intersocietal disagreement between societies in which there is intrasocietal agreement. But what about a society in which there is no unanimity in the preferences of the members? If a minority of those members desire the society to uphold different values from those values that the majority prefer, then which values hold? Relativism doesn’t say, it seems. Its thesis that rightness is relative to society fails to tell us what is right relative to divided societies. At best, relativism seems incomplete as a theory of what is right relative to whom.

However, it seems that the majority’s preference is the basis for right and wrong. Is there some reason why the preference of a lone communist or libertarian in a liberal democracy, such as Canada or the United States, should
count? I don’t see any. It should in fact not count, because the fact that a minority of a society’s members do not like the moral values which apply to them provides no evidence that those values don’t apply to them. One’s dislike of those values doesn’t show that those values don’t apply to one; there is a higher court: the majority. On the other hand, if the majority prefers a certain set of moral values, then no other set applies to it, for here there is no higher court. As I argued above, we have no concept of what would count as evidence that the majority’s (coherent and informed) preferences were wrong. This is why it seems right that no one take an American communist or a Canadian libertarian’s discontent seriously. Unless the dissenter shows that the society’s values are incoherent or based on errors about the nonmoral facts, the dissent counts for nothing.

But, again, what about the societies within societies: tiny minorities which hang together? If relativism is true, then for one of their members one and the same action may be right and wrong at the same time. This makes no sense. So relativism can’t be true, it seems. However, the problem is superflcial. The action is right relative to the individual’s subsociety and wrong relative to his larger society. It’s an unfortunate position for him to be in, but it makes sense. It’s a social problem, not a philosophical one. Metaethics isn’t supposed to solve social problems; it’s supposed to get to the truths about the nature of morality. That believing relativism to be true will not help us settle differences is not evidence that relativism isn’t true.

What about Nazi society, or the U.S. South before the Civil War and Reconstruction? It seems that if relativism were true, their moral values would have been true for them. But that can’t be so, so relativism seems false. However, notice that Nazi values were incoherent, as were those of the antebellum South. Incoherent desires don’t legitimate values, according to relativism. And if you doubt that the value sets of those two societies were incoherent, consider the preferences of cigarette smokers as an analogy. Cigarette smokers prefer the avoidance of grave disease to minor pleasures, except in the case of cigarettes. That’s incoherent, if not logically, then analogically and prudentially (or practically). Relativism does not entail that anything goes, or even that there are no universal values which hold for all societies. Relativism simply says that there are variations among the morals which hold true in different societies.

**III. Conclusion**

The new version of the argument from disagreement presented in section I of this paper seems to go a long way toward overcoming the difficulty for relativism pointed out by Sturgeon. In addition, in section I, I showed that relativists may coherently maintain that there is genuine, unsettleable disagreement which, since also embodying an equivocation, may also be dissolved. The discovery of the equivocation is the discovery that what is right relative to one disputant is different from what is right relative to the other. The disagreement between them is over what is right relative to both. Discovering that neither of their judgments is true relative to both does not show
that neither judgment is true relative to either. Therefore, relativism is neither a nihilistic position nor a “fallback stance.”

I thank Kathy Agne, Michael Harrup, and an anonymous referee.

Notes

4 Ibid., 114.
5 Ibid., 111–14.
6 Ibid., 112.
7 Ibid., 111.
8 A proviso: the desires which generate preferences must include altruistic desires, as well as self-interested desires. A society in which everyone desires only that everyone harm each other is a society devoid of moral values. This proviso is reflected in the stipulation that we are talking about a society. Any society requires cooperative behavior, and cooperative behavior requires that one have concern for others’ interests. The point the relativist is trying to make is that the strengths and manifestations of altruistic and self-interested desires may vary from society to society.