

Rightmaking And Supervenience

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1 Introduction

When John Mackie argued that moral properties were “queer”, he wrote:

Another way of bringing out this queerness is to ask, about anything that is supposed to have some objective moral quality, how this is linked with its natural features? What is the connection between the natural fact that an action is a piece of deliberate cruelty — say, causing pain just for fun — and the moral fact that it is wrong? It cannot be an entailment, a logical or semantic necessity. Yet it is not merely that the two features occur together. The wrongness must be somehow ‘consequential’ or ‘supervenient’; it is wrong because it is a piece of deliberate cruelty. But just *what in the world* is signified by this ‘because’?¹

This passage suggests an argument. Its implicit assumption is the claim, often taken to be *a priori* necessary, of *Moral Dependence*: objective moral properties, if they exist, have an essential connection with explanation. That is to say, necessarily, if a course of action has any objective moral property, then it has it *because* of something. But, suggests Mackie, there is no relation such uses of “because” can signify. So there are no objective moral properties.

Mackie’s argument certainly seems valid, and I’m going to assume that moral dependence is true *at least* with respect to the properties of being obligatory and wrong. Permissibility might be a special case of an objective moral property which doesn’t always require an explanation. Perhaps acts, as it were, are permissible *by default*, permissible *unless* something makes them obligatory or wrong. Nevertheless, moral dependence certainly seems true of the properties of objective obligatoriness and wrongness, so if scepticism about those properties is to be avoided, we need some account of the relation(s) that underwrite explanations of why acts have their moral properties.

There are other reasons to want of how explanations of moral facts work. For that there are explanations of moral facts, and that they are philosophically respectable, is central to moral theory.

For example, at the level of first order moral theory, it is widely accepted that moral theories which agree in all possible cases about which acts have which moral properties, and so are extensionally equivalent, are nonetheless

¹Mackie, *Ethics : inventing right and wrong*, p. 41.

distinct if they give different explanations of the moral facts. Many would also accept the converse claim, that moral theories which offer identical explanations of moral facts are identical moral theories. Taken together these claims imply that explanations of why acts are right and wrong provide the identity condition of first order moral theories: identity and difference in the explanation of moral facts imply identity and difference of moral theory. And if that is true, then it follows also that a set of propositions define a moral theory iff it states a comprehensive explanation of why acts have their moral properties.

This idea, that explanation is essential to the definition of first order moral theories, sits well Mark Timmons claim that:

The main theoretical aim of moral theory is to discover those underlying features of actions, persons, and other items of moral evaluation that make them right or wrong, good or bad.²

Explanations of moral facts are also important to metaethics. To give just one example, in his book *Kant, duty and moral worth*, Philip Stratton-Lake defends an amendment to Kant's account of the good-willed or virtuous agent by defending the *symmetry thesis*, the claim that:

[...] the reason why a morally good person does what she should, and the reason why she should do that act are, under favourable conditions, the same.³

Don't be misled by the word "reason" here. As John Broome has pointed out, "another confusing feature of English is that the explanation of why a fact obtains is also called 'the reason' why it obtains."⁴

Despite the centrality of explanations to moral theory, there has until recently been little sustained attention given to how such explanations work. In this paper, I propose that explanations of moral facts are underwritten by what I call the *deontic making* relation. I'll spend a little time discussing the metaphysics of this relation, and the kind of formal properties one might expect it to have, but the main part of this paper is devoted to the prospects of analysis this making relation in terms of supervenience.

2 Explanation and Deontic Making

I claim that explanations of moral facts are *underwritten* by a relation, which I call the *deontic making* relation. I call it the "deontic" making relation because I think that the more familiar terms "rightmaking relation" and "wrongmaking relation" refer to one and the same making relation. So, when something makes an act right, and when something makes an act wrong, I think the same making relation is involved in both cases. So I call it "deontic" making to indicate that I'm interested in the making relation that underwrites all explanations of why an act has a deontic property.

Also, as I conceive of it, the deontic making relation is the relation of making an act *overall* right or *all things considered* wrong. There may also be a relation of making an act *prima facie* right or *pro tanto* wrong, or *wrong in a respect*.

²Timmons, *Moral theory : an introduction*, p. 4.

³Stratton-Lake, *Kant, duty and moral worth*, p. 3.

⁴Broome, "Reasons".

But if there is, I want to stay neutral on how overall making might relate to non-overall making.

I said before that explanations of moral facts are *underwritten* by the deontic making relation. I put it that way because I want to leave room for what Wesley Salmon calls a *two-tier* account of explanation. This is the view that explanation has both an epistemic and a real component. The epistemic component is expressed in the claim that p explains q only if knowing that p , perhaps in conjunction with other knowledge, puts one in a position to understand why q . However, genuine understanding is understanding *of the world*, so explanation cannot be, as it were, wholly internal to the mind. Instead, understanding that q because p requires that there be some relation in the world between q and p , or the entities they refer to, that underwrites the epistemic connection between them.

The two-tier account of explanation is quite common in discussion of causal explanations in science. The distinction between the epistemic and the non-epistemic components of causal explanations is put quite nicely by Strawson:

A little more must be said [...] about the distinction I have drawn, or suggested, between the putatively natural relation of causation, said to hold between things in nature, and the non-natural explaining relation, said to hold between facts or truths. [...] As a first approximation, one could say that the non-natural fact that the explaining relation holds between the fact that p and the fact that q expands into the natural fact that coming to know that p will tend, in the light of other knowledge (or of theory) to induce a state which we call ‘understanding why q ’.⁵

If causal explanations have both an epistemic and a real component, then the same may be true moral explanations. However, the epistemic component of explanation, though fascinating, is not one that I’ll address. Instead, I take deontic making to be the real relation that is involved in explanations of moral facts. When Mackie asks what “*in the world*” underwrites explanations of moral facts, I don’t think those words are there just for emphasis.

A first natural step to take in characterising a relation is to ask for its domain, that is, to ask what kind of thing it relates. Here the leading candidates are propositions, facts, states of affairs and events, or more precisely, sets of them. I’m going to ignore that question today. Since all of the candidates have something like a propositional structure, I’m going to treat them as if they were propositions.

I take the making relation, then, to be a binary relation between sets of proposition-like entities, and I symbolise that relation using the notation you have on your handout:

$$M(\{p_1 \dots p_i\}, \{Da\}) =_{def} p_1 \dots p_i \text{ together make it the case that act } a \text{ has deontic property } D$$

I’ve used curly brackets to indicate sets here, but in practice I’ll drop the set notation whenever it is unnecessary. Now that I’ve said a little about the metaphysics of deontic making, let’s consider some of its formal properties.

⁵Strawson, “Causation and Explanation”, p. 117.

2.1 Factiveness

Although I've said very little about the relata of the deontic making relation, whatever they are, I think it will be appropriate to say that they are sets of *facts*. That is because I take deontic making to be *doubly factive*. To see why, note that the words "makes it the case that", just like the word "because", are a sentence-functor that is also a partial truth-functor whose behaviour is described in the truth table you have on your handout:

p	q	q because p or p makes it the case that q
T	T	?
T	F	F
F	T	F
F	F	F

Table 1: Truth Table for "because" and "makes it the case that"

It follows from this truth table that the deontic making relation holds only between things which are in fact the case. Indeed, this may a property of all making relations. If p makes it the case that q , both p and q must be the case.

Factiveness $[M(\mathbb{P}, q) \rightarrow [\forall p \in \mathbb{P} p \ \& \ q]]$

2.2 Asymmetry

I also take deontic making to be asymmetric. That is to say, if the fact that I promised to help you makes it the case that I ought to help you, it is not also the case that the fact that I ought to help you makes it the case that I promised to help you. The asymmetry of the deontic making relation is, to my knoweldge, universally accepted, and again this may be a general feature of making and explanation relations. In the moral case, however, this seems especially obvious. For while moral properties can be directly explained by non-moral properties, moral properties don't seem able directly to explain non-moral properties. The moral facts may be as they are because of the way the nonmoral world is. But the nonmoral world isn't the way it is because of the way the moral facts are. So I'm going to assume that deontic making is asymmetric.

Asymmetry $[M(\mathbb{P}, q) \rightarrow \neg M(q, \mathbb{P})]$

2.3 Irreflexivity

Asymmetry entails irreflexivity, so if deontic making is asymmetric, then it is also irreflexive. But irreflexivity is also independently plausible through the intuition that the fact that an action is, say, wrong, should never what makes it wrong. One good argument for irreflexivity is that if there could be cases when the fact that an act is wrong makes it wrong, then this would likely underwrite the explanation that the act is wrong because it is wrong. And although we can imagine someone saying "It's wrong because it's wrong!" in exasperation, this isn't a case of explanation so much as a case where someone has given up

trying to explain. Nozick argues in his *Philosophical Explanations* that some explanations are not irreflexive, so it's certainly not beyond doubt. But here I'm going to assume that irreflexivity does in fact hold.

Irreflexivity $\neg M(\mathbb{P}, \mathbb{P})$

I think the same intuition that supports irreflexivity also supports something stronger. My intuition is that it is not just that no fact should make itself the case, but also that no fact should be part of what makes it the case. Again, there is a link with explanation here in that we usually want things to be not even partially self-explanatory. So it seems that deontic making also has the property I call Strengthened Irreflexivity:

Strengthened Irreflexivity $[M(\mathbb{P}, q) \rightarrow q \notin \mathbb{P}]$

2.4 Transitivity?

Transitivity $[[M(\mathbb{P}, \mathbb{Q}) \ \& \ M(\mathbb{Q}, \mathbb{R})] \rightarrow M(\mathbb{P}, \mathbb{R})]$

Now let's consider transitivity. I left my earlier formulation of moral dependence a little vague. I defined it as the claim that necessarily if an act has some objective moral property, then it has it because of something, perhaps something nonmoral. Now, if *only* nonmoral facts can make an act right or wrong, then deontic making may turn out to be trivially transitive. There may simply not be any cases of a natural fact making a first moral fact the case, and that first moral fact making a second moral fact the case. So if you accept that only nonmoral facts can make a moral fact obtain, transitivity may follow trivially.

The situation becomes more interesting if you accept, as I do, that sometimes moral facts can make other moral facts obtain. The fact that I did something wrong can sometimes make it the case that I have an obligation to say sorry or somehow make amends. And if cases like that are possible, it comes a nontrivial question whether deontic making is transitive or not.

Here's an argument for thinking that deontic making is transitive. Suppose I promise to drive you to the railway station, and I thereby incur an obligation to do it. But because I'm disorganised, I miss our appointment, and you end up paying a taxi to the station.

By not driving you to the station, I break my promise and do something wrong. And, let's suppose that, because I've done something wrong to you, I incur an obligation to make amends to you by repaying your taxi money. I hope this seems like a plausible story of how morality might play out in everyday life, and it's an important one because we now have a case where the fact that I promised to take you to the station made it wrong for me not to do it, and the fact that it was wrong for me not to take you to the station makes it the case that I ought to repay your taxi money. The question, then, is whether we can now say that the fact that I promised to drive you to the station makes it the case that I ought to repay your taxi money? My intuition is that this is true. If I want to explain why I ought to owe you back your taxi money, it seems natural to say that it's because I promised to take you to the station.

I shan't try to defend transitivity more than this, because it would require considering many more cases. I'll just note two things. If moral facts can

make other moral facts obtain, and transitivity doesn't hold, then moral facts may not essentially depend on nonmoral facts. They will essentially depend on *something*, but the something could also include moral facts. Second, if transitivity can be defended, then we would have another good reason to accept asymmetry, since transitivity and irreflexivity entail asymmetry.

2.5 Non-Monotonicity

Non-Monotonicity $\neg \Box [M(\mathbb{P}, q) \rightarrow M(\mathbb{P} \cup \{r\}, q)]$

The last of the formal properties that I'll mention today is non-monotonicity. In some ways, deontic making looks a little like semantic entailment: both are binary relations between proposition-like entities where the second relatum in some sense "follows" from the first. However, the semantic entailment relation is monotonic. Informally, what this means is that a valid argument cannot become invalid by adding extra premisses. But the same cannot be said about deontic making. Consider again Mackie's case where the fact that an act is a piece of deliberate cruelty makes it wrong. It is not necessarily true that the making relation will continue to hold if, as it were, we expand the set of making facts to include *any further fact*. It is not necessarily true, for example, that if the fact that an action is a piece of deliberate cruelty makes it wrong, then the facts that (a) the act is a piece of deliberate cruelty; and (b) grass is green also make it wrong. So, deontic making is non-monotonic.

You might think that non-monotonicity follows straight from factivity. But factivity only gets you part of the way. Factivity implies is that one cannot expand a set of deontic making facts to include something which is not the case and still keep the making relation intact. But it would be consistent with factivity that expanding the set of deontic making facts to include extra *facts* always kept a making relation intact, but this isn't consistent with non-monotonicity.

I've discussed some formal properties of the relation I take to underwrite moral explanations for two reasons. I think the fact that we can discuss these properties lends some support to the idea that despite what Mackie says, there is some relation that underwrites explanations of moral facts, and we seem to have a pretty good grasp of it. I also think that discussing formal properties is the right way to go if you want to investigate possible analyses of the deontic making relation, as we're about to do. Few or none of the formal properties that I've discussed are beyond question, but they do help to guide the analysis. Discussing formal properties is also helpful insofar as it doesn't presuppose any particular account of the deontic making. Indeed, the good thing about discussing formal properties is that it's something you can do even if the relation you're looking is basic, and so has no analysis.

With that in mind, I'll turn to the main work of this paper and consider the prospects for analysis deontic making in terms of supervenience. In what follows, the only formal properties properties I'll be relying on are factivity, asymmetry and irreflexivity, properties which I hope are among the least controversial.

3 Supervenience Accounts of Deontic Making

3.1 Introduction

The idea that there is some connection between deontic making and supervenience is quite a common one. As we've seen, Mackie thought that objective deontic properties, if they exist at all, “must be somehow ‘consequential’ or ‘supervenient’”⁶ on the features that make acts have those properties, and Jaegwon Kim has suggested that “the belief that the moral supervenes on the non-moral may have shaped some of the major assumptions and tasks of moral philosophy”, including “the belief that there are such things as “good-making” or “right-making characteristics””.⁷

The thought that deontic making and supervenience are necessarily connected no doubt draws motivation from the widespread belief that supervenience has some necessary connection with explanation. For if deontic making and explanation are necessarily connected, and if explanation and supervenience are necessarily connected, then by the transitivity of necessary connection, deontic making and supervenience are necessarily connected. Moreover, the claim that supervenience and explanation are necessarily connected may seem especially attractive in the moral case. For as Nick Zangwill explains, it is natural to look to supervenience to provide an answer to Mackie's question of “what *in the world*” we might signify by the word “because” in moral contexts because:

A plausible thought is that we need a *necessity* to make sense of the “because”: moral and natural properties are necessarily connected. What is called moral-natural “supervenience” is the usual way of articulating precisely what the necessary connection is.⁸

Supervenience: The Core Idea

Supervenience is defined as a relation between sets of properties in which the core idea is that of what Kim calls *covariance*⁹ and McLaughlin calls *dependent-variation*¹⁰. Most discussions of supervenience focus on *single domain* supervenience, which concerns the distribution of sets of properties over a single, fixed domain of entities.¹¹ More precisely, letting \mathbb{A} and \mathbb{B} be sets of properties, we can define weak and strong versions of *single domain supervenience* as follows:¹²

\mathbb{A} *weakly supervenes on* \mathbb{B} =*def.* for all possible worlds w and for all x and y , if x and y are \mathbb{B} -indiscernible in w then x and y are \mathbb{A} -indiscernible in w .

\mathbb{A} *strongly supervenes on* \mathbb{B} =*def.* for all possible worlds w and w' , and for all x and y , if x in w is \mathbb{B} -indiscernible from y in w' , then x in w is \mathbb{A} -indiscernible from y in w' .

⁶Mackie, *Ethics : inventing right and wrong*, p. 41.

⁷Kim, “Concepts of Supervenience”, p. 176.

⁸Zangwill, “Moral Dependence”.

⁹Kim, “Supervenience as a philosophical concept”, esp. p. 140.

¹⁰McLaughlin, “Varieties of Supervenience”, p. 18.

¹¹See Kim, “Supervenience for Multiple Domains”, p. 110.

¹²Cf. Kim, “Concepts of Supervenience”; McLaughlin, “Varieties of Supervenience”.

I'm going to ignore weak supervenience here because it's usually thought to be too weak to be interesting.

We can note straightaway two properties strong supervenience. First, supervenience is transitive. If A strongly supervenes on B , and B on C , then A strongly supervenes on C . The second property is what I'll call:

Expansion Every subset of a set of properties strongly supervenes on it.

I call it expansion because it implies that every set of properties supervenes on supersets of its properties.

Transitivity and expansion together entail that if A supervenes on B , then A supervenes on every superset of B that is itself a set of properties. I'll rely on this result from time to time in the discussion to come.

My definition of strong supervenience makes no assumptions regarding the membership of property sets. In particular, it leaves it open that those sets may be empty. But I'll follow standard practice and require that supervenience relate non-empty property sets. More importantly, my definition makes no assumptions about the nature of properties and the structure of the property sets related by supervenience, but this deserves some discussion.

Most discussions of supervenience follow Kim in assuming that the operations of negation, disjunction and conjunction (hereafter, the *Boolean operations*) are valid methods of forming properties, and that supervenience relates sets of properties closed under these operations. So if F and G are properties, then not- F and not- G are properties, F -and- G is a property, and F -or- G is a property. However, the validity of the Boolean operations has been criticised on multiple grounds. Van Cleve objects to negation¹³, Armstrong objects to disjunction¹⁴, and while neither of these authors objects to conjunction, others have done so.¹⁵

A second issue is the nature of propertyhood. Noting Kim's acceptance of the Boolean operations, McLaughlin writes that:

[...] Kim appears to use "property" in its most liberal philosophical sense: he appears to take every meaningful predicate to express a property and two predicates to express different properties if they are non-synonymous. [...] I take such a use of property to be *pleonastic*, rather than to designate an ontological category, a mode of being.¹⁶

There are then a number of disputed metaphysical assumptions behind the standard Kim-style definitions of supervenience. Fortunately, everything I wish to say in this chapter can be said without assuming or denying the validity of the Boolean operations. However, it is a further question whether a particular property is genuinely a mode of being rather than being a property in the merely pleonastic sense. Lacking any generally applicable test for genuine propertyhood, I propose to confront this issue in the only way I can, namely by discussing particular cases as they arise.

¹³Van Cleve, "Supervenience and Closure".

¹⁴Armstrong, *Universals and scientific realism*.

¹⁵See e.g. Kraemer, "Conjunctive Properties and Scientific Realism"; Casullo, "Conjunctive properties revisited".

¹⁶McLaughlin, "Varieties of Supervenience", p. 21.

Motivation for the Chapter

If deontic making and supervenience are necessarily connected, it is natural to ask whether either one can be analysed in terms of the other. There are several reasons besides those already mentioned for examining whether deontic making can be analysed in terms of supervenience. For one thing, supervenience is often taken to be sufficiency for deontic making. For example, Jonathan Bennett writes:

Moral judgements supervene on non-moral facts; so if some particular act is wrong, it is made so by some of its non-moral properties and relations, ones that would suffice to make wrong any act that had them.¹⁷

But some want to go further and claim that supervenience is both necessary and sufficient for deontic making. Most of these claims arise in connection with the thesis that I'll call:

Moral Supervenience Moral properties strongly supervene on nonmoral properties.

Sometimes people discuss the alternative view that moral properties *globally supervene* on nonmoral properties, but I'm going to ignore the differences between strong and global supervenience.

With rare exceptions, *moral supervenience* is taken to be an *a priori* necessary truth, and nothing that I say in this paper is intended to question that claim. But how does moral supervenience relate to our earlier claim of moral dependence?

Moral dependence is sometimes thought to be a kind of moral supervenience claim. For example, Jonas Olson has defined one version of moral dependence and calls it the "*in virtue of* formulation" of supervenience, writing:

(S_{IVO}) Necessarily, for all x , if x has a certain value, then x has this value in virtue of (a subset or the total set of) x 's non-evaluative properties.¹⁸

However, while Olson stresses the need to separate moral dependence from moral supervenience, other authors prefer to assimilate them. For example, in a recent article Ira Schnall writes:

It is generally agreed among metaethicists that moral properties, such as rightness or wrongness of actions, supervene on natural, or empirical, properties. That is, no two situations that are identical with respect to their natural properties can differ with respect to their moral properties. Another, more precise, way to construe this relation of supervenience of the moral on the natural is to say that an act has whatever moral properties it has in virtue of certain of its natural properties.¹⁹

And Michael Smith in a recent paper writes:

¹⁷Bennett, *The Act Itself*, p. 19.

¹⁸Olson, "Axiological Investigations", p. 19.

¹⁹Schnall, "Ignorance and Blame", p. 312.

The claim that the evaluative supervenes on the natural divides into two parts. The first part is the claim that the evaluative is *supervenient*; the second part is a claim about what the evaluative supervenes on — namely, the *natural*. As regards the first part, the relevant fact seems to be that that it is simply incoherent to suppose that evaluative claims could be *barely true*. Evaluative claims must always be *made true* by other claims. [...] This is all that is meant to say that the evaluative is supervenient.²⁰

Schnall and Smith both seem to imply at least that moral supervenience and moral dependence are necessarily equivalent, and that in turn implies that some supervenience relation is necessary and sufficient for deontic making.

Another reason to investigate supervenience analyses of deontic making arises in connection with consequentialism. Several theorists, including Broome, Bykvist and Vallentyne, have argued that consequentialism, or the distinctive element in it, is best defined as a claim of the supervenience of deontic status on the value of alternative acts. However, some have questioned whether consequentialism, so defined, really provides a first order moral theory, in the sense of a theory of what makes acts right or wrong. Instead, it is suggested, this would make consequentialism simply a constraint first order moral theories. It would rule out some first order moral theories by being inconsistent with them, but it would not uniquely identify one first order moral theory as the correct one.

It is clearly of some importance to this debate whether deontic making can be analysed in terms of supervenience. If the kind of supervenience relation that Broome, Bykvist, Vallentyne and others use to define consequentialism implies deontic making, then there will be no room for the view that when it is understood in this way, consequentialism is merely a constraint on moral theories.

By the way, I should say that the kind of supervenience claim that Bykvist, Vallentyne and Broome is really a version of multiple domain supervenience. So what I have to say won't directly affect them. For today I'll simply record my opinion that multiple domain supervenience is vulnerable to the same objections as I'll raise against single domain.

3.2 The Simple Analysis

I take it to be a necessary condition of any such successful analysis of deontic making that it should express a relation that is both necessary and sufficient for deontic making. So what we need some relation, cashed out in terms of supervenience, to take the place of R in the simple schema:

Simple Schema $\square [M(x, y) \leftrightarrow R(x, y)]$

Sophisticated Schema $\square [M(\{F_1a \dots F_i a\}, Da) \leftrightarrow R(\{F_1a \dots F_i a\}, Da)]$

²⁰Smith, "Does the Evaluative Supervene on the Natural?", p. 108. Smith's conception of supervenience is officially expressed as a relation between propositions, but it could be re-expressed without too much controversy as the claim that something must make evaluative facts obtain.

I'm going to be discussing separately whether the relations we put in place of R are sufficient or necessary for deontic making, and I'll refer to these as the sufficiency thesis and the necessity thesis.

I'm going to begin with a very simple analysis, and then suggest that, because of its faults, we look at something for sophisticated. Letting \mathbb{D} be the set of deontic properties we are interested in, the simple analysis goes like this:

The Simple Analysis Necessarily: for all acts a , for all deontic properties $D \in \mathbb{D}$, and for all property sets \mathbb{F} , the facts of a having each of the properties in \mathbb{F} together make a have deontic property D iff:

1. a has D ; and
2. a has every property in \mathbb{F} ; and
3. D is not a member of, or a Boolean component of a member of \mathbb{F} ; and
4. the singleton set of property D strongly supervenes on \mathbb{F} ; and
5. \mathbb{F} does not strongly supervene on the singleton set of property D

Conditions 1 and 2 here are required in order to make the analysis factive, and 3 is required to make it irreflexive. Conditions 4-5 provide the supervenience component of the analysis, and the asymmetry of the supervenience guarantees the asymmetry of the analysis.

Earlier, I mentioned the widely accepted claim of *moral supervenience*, and looking at the simple analysis, you might be wondering what has happened to it. Although *moral supervenience* is an important principle, I think it is something of a distraction to the question of whether deontic making can be analysed in terms of supervenience. In order to sustain a supervenience analysis of deontic making we require a quite general connection between deontic making and supervenience. It must say something general like: these features of an act make it right iff there is some supervenience connection between these features and the act's rightness. Of course, it might be that only the nonmoral properties stand in the relevant supervenience relation, but if other sets of properties also stand in the relevant supervenience relation, supervenience itself gives us no grounds for discriminating between them. For that reason, all my analyses will have something like this more general form.

I'm going to criticise the simple analysis using three arguments from Jonathan Dancy. Dancy's name for the deontic making relation is "resultance", and he calls the features that make an act right or wrong its "resultance base". The essentials of Dancy's three objections are contained in this passage:

Moral properties supervene on others in the sense that if an action has a moral property, then any other action similar to the first in non-moral respects will have that moral property too. Here the base we are talking about — the supervenience base — consists in *all the non-moral features of the action*, not just those that make it wrong. The supervenience base is far larger than the resultance base, then, and it includes crucially all the features that count in favour of the wrong action, all enablers and absence of disablers, quite apart from all the non-moral features as well.²¹

²¹Dancy, *Ethics without principles*, p. 86.

Despite what I just said about moral supervenience being a distraction, both Dancy and I accept it a necessary truth, so it's permissible to use it as Dancy does as a good source of examples.

Dancy's three objections all aim to show that the relevant supervenience base either must be, or at least can be, wider than the resultant base. There are three arguments here, though, because Dancy gives three different reasons for thinking the supervenience base might be larger than the resultant base.

The Objection from Irrelevant Subvenient Properties Dancy's first argument is that when we claim that moral properties supervene on non-moral properties, we have in mind all non-moral properties of an action. But, according to Dancy, some non-moral properties are simply irrelevant to making an act have its deontic properties. Just consider properties such as the height or weight of the agent, how many hairs on his head, and such like. Though these properties may be relevant in special cases, they are not generally relevant. I'll call this the objection from *irrelevant subvenient properties*.

The objection counts the simple sufficiency thesis, but it is no objection to the simple necessity thesis. For all that this objection says, it may yet be true that if some features make an act right, then rightness supervenes on those features. But the necessity thesis faces other objections.

The Objection From Enablers Dancy's second argument is that the natural properties on which deontic properties supervene can, and indeed *must* include, over and above the properties that make an act have its deontic properties, any properties which function as what Dancy calls *enabling conditions*. This objection relies on Dancy's theory that explanation encompasses more than one rôle. One way in which a fact, and by extension a property, can play a part in explaining why an act has some deontic property is by making it have that property. But another, equally important way is by enabling another property, usually distinct from itself, to do the making. Dancy introduces his theory of alternative explanatory rôles in connection with normative reasons, but he writes that:

Just as the favouring relation can be enabled and disabled, so can the rightmaking or ought-making relation. So there are enablers and disablers for rightmaking as well as for favouring.²²

If Dancy's distinction between deontic makers and enablers is a valid one, and if it functions in something like the way that Dancy thinks it does, then it counts against the simple sufficiency thesis. A set of properties will provide a supervenience base for a moral property only if it includes both the making properties and any enabling properties. To see why, suppose that having feature *F* makes an act right only when accompanied by some independent non-rightmaking feature *G*. Thus, *G* is, in a minimal sense, an enabler for *F*'s rightmaking. Consequently, it will not be true that having *F* necessarily makes an act right. *F* might make an act right when accompanied by *G*, or by some other enabler; but if feature *F* needs to be enabled, and if it is possible for an act to instantiate feature *F* without also instantiating feature either *G* or any other feature that enables *F* to play its rightmaking rôle, then cases can arise

²²Dancy, *Ethics without principles*, p. 41.

where an act has feature F but neither F nor anything else makes it right. So if there can be enablers for deontic making, the deontic making properties alone will not provide a supervenience base for rightness. To get a supervenience base, we will need to include alongside F any enablers and disablers.

Understood in this way, the objection from enablers counts against the sufficiency thesis. The features on which an act's rightness supervenes do not always make it right. But the same objection also counts against the necessity thesis. As Dancy himself writes:

It is extremely plausible to suggest that if an action is wrong, every other action that is exactly similar in non-moral respects must be wrong also. [...] It is nothing like so plausible to suggest that if an action is wrong, every other action that shares the features that make the first one wrong must also be wrong. Two actions may be similar to each other in a limited way, that is, in the respects that disfavour the first one and thereby and thereby make it wrong, but differ in other respects so that the second is not wrong; the features that manage to make the first wrong are prevented from doing so in the second case because of variations that lie beyond the common resultance base. I take this point to be established by appeal to the distinction between favourers and enablers.²³

In a recent paper, Nick Zangwill draws a distinction which I take to parallel Dancy's distinction between deontic makers and enablers using the alternative terminology of *responsibility* and *relevance*, and he too objects against the claim that supervenience is necessary for deontic making. Zangwill expresses his claim using Kim's alternative formulation of supervenience, whereby \mathbb{A} strongly supervenes on \mathbb{B} iff for every property in \mathbb{A} , there is some property in \mathbb{B} that necessarily implies it. Zangwill argues that if deontic making implied supervenience, then an act's deontic makers would have to necessitate its deontic property. But he argues to the contrary:

[...] I propose that when we make a moral judgment, we must have in mind some specific dependency, but we need not have in mind some specific sufficiency. While we have in mind deliberately causing pain as that which makes the act bad, we do not have in mind all the possible defeaters without which it would not have been bad. We do not have in mind all the negative natural properties that must be conjoined with the positive natural property of being a deliberate pain-causing in order to yield a conjunctive property that suffices for wrongness. This means that moral dependence conditionals are *contingent*.²⁴

The objection from enablers thus counts both ways against the simple analysis.

The Objection From Reasons There is a third, independent argument in my original quotation from Dancy. After reminding us that “the ‘resultance base’ for wrongness of a particular action consists in those features that make it wrong [...]”²⁵ Dancy expands on this argument as follows:

²³Dancy, *Ethics without principles*, p. 87.

²⁴Zangwill, “Moral Dependence”, p. 6.

²⁵Dancy, *Ethics without principles*, p. 86.

At this point a crucial question arises: should we say that the properties in the resultant base for this act's wrongness are the same as those which disfavour the act [...] or should we take the resultant base to range rather more widely? For the moment, and for the sake of a clear initial contrast between resultant and supervenience, I am going to take it that we should say they are the same. So the resultant base for this act's wrongness consists in those features that make the act wrong in the sense of being the ones that count against doing it, that disfavour it.²⁶

In this passage, Dancy proposes a very tight link between the deontic making relation and the normative reason-providing relation: the suggestion is that the properties that jointly make an act right will include all and only those that provide good normative reasons to do the act, while the properties that make an act wrong will include all and only those that provide good normative reasons against doing it. Strictly speaking, this connection is tighter than is needed to provide an objection against the simple analysis, in fact I think it's too tight but I won't go into that. All we need for now is the weaker connection that all rightmaking properties are reasons in favour of an act, while all wrongmaking properties provide reasons against it.

If we grant the weak connection between deontic making and reasons, we get the following objections to the simple analysis. Suppose we have a right act, and suppose that, although there is overall reason to perform that act, there are nevertheless a number of reasons against it. Now, moral properties supervene on nonmoral properties, so the sufficiency thesis implies that all the nonmoral properties of the act make it right, so all the nonmoral features of the act are reasons for doing it. But, *ex hypothesi*, some of those nonmoral features were providing reasons against doing the act. So we have an objection to the simple sufficiency thesis.

We also have an objection to the simple necessity thesis. If a right act has a number of properties that provide reasons in its favour, it does not follow that any act that shares just those properties will also be right. That does not follow even if we deny that there are such things as enablers and disablers. All we need to deny the implication from deontic making to supervenience is that an act may have a number of reasons in its favour and yet still be wrong because it has a greater weight of reasons against it. So the objection from reasons counts against both directions of the the supervenience analysis.

Conclusion to Dancy's Core Arguments Dancy's three arguments are valid and plausible as far as they go. But there have a number of weaknesses. Both the objection from enablers and the the objection from reasons rely on highly controversial premisses. The objection from enablers evidently relies on Dancy's theory of alternative explanatory rôles, and though some find that theory plausible, others have remained sceptical.

Meanwhile, the objection from reasons relies on a connection between right-making and reasons in favour and wrongmaking and reasons against which, though *prima facie* plausible is eminently questionable. Even if there must be some connection between rightmaking and providing reasons, that connection

²⁶Dancy, *Ethics without principles*, p. 86.

might be weaker than Dancy's proposal. For example, one might claim that a set of facts makes an act right iff those facts altogether provide a greater weight of reasons for performing it than for omitting it, and this is consistent with the claim that the facts which make an act right might include some reasons against doing it, so long the balance of reasons that those facts provide in favour of doing the act is greater than the balance of reasons against performing the action. So the objection from reasons also relies on a questionable assumption.

Lastly, the argument from irrelevant properties has its own weaknesses. To begin with, it provides an objection only against the sufficiency thesis, so it leaves the necessity thesis untouched. It is also potentially vulnerable to the reply that there are standard techniques to eliminate irrelevant properties from a supervenience base, namely by specifying that the supervenience base must be *minimal* (see §3.6). So this objection may in the end come to nothing.

The three arguments that I have discussed also suffer from a further weakness, that of potentially missing the point. For one thing, it is not clear that the simple supervenience analysis of deontic making is one that anyone would wish to defend. It may seem simply seem too crude. More importantly, however, the simple analysis has no obvious connection with the claim that moral properties supervene on natural properties. I take it that moral supervenience is the primary motivation for looking for a supervenience analysis of deontic making through the thought that some appropriately delimited subset of an act's natural properties must make it right or wrong or what have because deontic properties supervene on natural properties. The essential problem for the simple analysis is that it is not a generalisation of this intuition. Or, to put the matter the other way, the simple analysis cannot yield this intuition as substitution instance. So it seems that we need to look for a better analysis.

3.3 A Better Analysis?

I said above that in looking for a supervenience analysis of deontic making, we should be trying to produce something that is a generalisation of the intuition that nonmoral properties, or at least, some of them, make acts have their nonmoral properties because moral properties supervene on nonmoral properties. I take the general intuition behind this to be as follows: Suppose that an act a has some deontic property, say, rightness. And suppose that a has in addition a number of properties, F_1, \dots, F_i from some set \mathbb{F} of non-deontic properties, a set on which the deontic properties asymmetrically supervene. Then, according to the supervenience analysis of deontic making, these conditions are both necessary and sufficient for the facts of a 's having properties F_1, \dots, F_i together to make a right.

You can probably already see that this intuition is pretty complex, but I think it has a worse problem, namely that the English here is ambiguous between two non-equivalent formalisations. You might think, for example, that the right way to capture this intuition is by what I'll call the Existential Analysis:

The Existential Analysis Necessarily: for all acts a , for all deontic properties $D \in \mathbb{D}$, and for all property sets \mathbb{F} , the facts of act a having each of the properties in \mathbb{F} together make act a have deontic property D iff:

1. a has D ; and
2. a has every property in \mathbb{F} ; and
3. there is some set of properties \mathbb{G} which is a superset of \mathbb{F} such that:
 - a) no member of \mathbb{D} is a member, or a Boolean component of a member, of \mathbb{G} ; and
 - b) \mathbb{D} strongly supervenes on \mathbb{G} ; and
 - c) \mathbb{G} does not strongly supervene on \mathbb{D} ; and

The problem with this analysis is that it makes the necessity thesis trivial and the sufficiency thesis obviously false. The necessity thesis comes out trivially true because of the moral supervenience claim. According to moral supervenience, moral properties strongly and asymmetrically supervene on non-moral properties. And from this it follows trivially that if having each of some set of properties makes an act (e.g.) right, then there is *some* superset of those properties that meets the required conditions. For either the properties that make an act right are nonmoral properties, in which case, they are directly taken care of by moral supervenience, or else, if they are neither moral nor nonmoral, if, say, they are evaluative, then we can simply take the union of the set of nonmoral properties and these extra properties, and again moral properties will supervene on them because supervenience has the property of expansion.

The Existential Analysis makes the sufficiency thesis obviously false because given the assumption of moral supervenience, Existential Analysis will imply that every nonmoral property an act has will, on its own, make it right. That is because, for every nonmoral property an act has, it is of course true that it is part of some *some* set of it on which deontic properties asymmetrically supervene. So the Existential Analysis will imply that each nonmoral property on its own will make an act have its deontic properties. And that implication is obviously false.

3.4 The Indirect Supervenience Analysis

What I think we need then is an analysis along these lines:

The Indirect Analysis Necessarily: for all acts a , for all deontic properties $D \in \mathbb{D}$, for all property sets \mathbb{F} and for all property sets \mathbb{G} which are supersets of \mathbb{F} , the set of facts of act a having each of the properties of \mathbb{F} together make act a have deontic property D iff:

1. a has D ; and
2. a has every property in \mathbb{F} ; and
3. every property a has in \mathbb{F} is a property in \mathbb{G} ; and
4. no member of \mathbb{D} is a member, or a Boolean component of a member, of \mathbb{G} ; and
5. \mathbb{D} strongly supervenes on \mathbb{G} ; and
6. \mathbb{G} does not strongly supervene on \mathbb{D} ; and

This formalisation may be understood as follows. Conditions 1 and 2 again ensure that the analysing relation is factive, while condition 4 again ensures that it is irreflexive. Conditions 3, 5 and 6, however, take a little more explaining.

Condition 3 ensures that the set of properties \mathbb{F} that we are talking about includes all the properties that the act has from the set \mathbb{G} on which deontic properties supervene. In the case of nonmoral properties, for example, it ensures that the properties which we take to make an act right or wrong include all the nonmoral properties that an act has, not just some subset of them. Finally, conditions 5 and 6 ensures that the general set of properties \mathbb{G} is one on which the deontic properties asymmetrically supervene.

I call this an *indirect* supervenience analysis because it does not claim that there is any direct supervenience relation between the deontic property an act has and the other properties that make it have that deontic property. To my knowledge, no one has ever explicitly considered an indirect supervenience analysis of deontic making, and some of the things that Dancy and others write suggest that its possibility has been overlooked. But the indirect analysis has the benefit of a clear connection with the motivation provided by moral supervenience, because that motivation is simply a substitution instance of the the indirect analysis. Let \mathbb{G} be the set of nonmoral properties, and \mathbb{F} will be the set of all the nonmoral properties had by a particular action.

Now that I've indicated what I take to be the best of version of the supervenience analysis of deontic making, we can ask how defensible it is. The first thing to note is that the three objections we considered before, the objection from irrelevant properties, the objection from enablers, and the objection from reasons all count against the indirect analysis just as they did against the simple analysis. The objection from enablers and the objection from reasons still count against both the sufficiency and the necessity of the new analysis, while the objection from irrelevant properties still counts against the sufficiency thesis. So those objections remain in place. But so do their weaknesses. So our three previous objections provide something of a case against the indirect analysis, it would be better if we could find arguments against that did not rely on any assumptions as questionable as those that are need for the objection from enablers and reasons. There also remains the question of the vulnerability of the objection from irrelevant properties to the claim that we should instead talk of minimal supervenience bases.

So what I'm going to do now is two things. First, I'm going to present a very general argument against the indirect necessity thesis, one that relies on no controversial assumptions. Then I'm going to present a very general problem for the indirect sufficiency thesis, one that the move to minimal supervenience bases cannot solve.

I should perhaps reiterate that when I say I'm going to argue against the claim that supervenience is necessary for deontic making, I don't mean to deny the claim that moral properties strongly supervenes on nonmoral properties. I've got a few funny looks when I've told people for the first time that I deny the necessity claim. But as I hope is now clear, that claim is only obviously true in the case of the Existential Analysis, and it's only obviously true there because it is trivial. In the case of the indirect analysis, nonmoral properties may provide one true instance of the sufficiency claim, but as I hope is obvious from the universal quantification, one true instance will not verify the analysis.

I came up with these arguments independently but you can find less detailed versions of them in a little known paper, by Depaul (“Supervenience and Moral Dependence”).

3.5 Against The Supervenience Necessity Thesis

So here’s my objection against the claim that the relation expressed in my indirect supervenience analysis is necessary for deontic making.

Consider a standard definition of maximising consequentialism, which involves both an extensional components and an explanatory component. The extensional component is given as follows²⁷:

1. An act is obligatory iff it is uniquely optimal
2. An act is permissible iff it is optimal
3. An act is wrong iff it is sub-optimal

The explanatory component of this definition, which is usually left implicit, is simply that what make an act have each of the deontic properties is its having the property with which it is co-extensive. So obligatory acts are made obligatory by being uniquely optimal, wrong acts are made wrong by being sub-optimal, and permissible acts are made permissible by being optimal. For present purposes, the salient feature of this definition is that

1. for each deontic property, there is one other property that makes acts have it; and
2. within the domain of acts, each deontic property is necessarily co-extensive with its deontic making property.

I’ll call any moral theory whose definition meets these constraints a *monistic extensional* moral theory. The class of monistic extensional moral theories includes many of our most plausible moral theories, because many such theories can be represented in this form. Consider, for example, the following sets of properties:

- \mathbb{C}_{rule} {required by the best set(s) of rules, compatible with the best set(s) of rule, forbidden by the best set(s) of rules}
- \mathbb{K} : {is an act the maxim of whose omission cannot be universalized, has a maxim that can be universalised, has a maxim that cannot be universalized}
- \mathbb{V} : {would not be omitted by a virtuous agent, would be performed by a virtuous agent, would not be performed by a virtuous agent}

\mathbb{C}_{rule} corresponds to a version of rule consequentialism, \mathbb{K} to a version of Kantianism, and \mathbb{V} to a version of virtue ethics. So monistic extensional moral theories form an important class.

My objection against the necessity thesis of indirect supervenience is simply that it is inconsistent with all monistic extensional theories, because monistic

²⁷By “optimal” I shall mean “not bettered by any available alternative”.

extensional deontic theories imply that the deontic properties *symmetrically* supervene on their deontic makers. For example, in the above definition of MC, the deontic properties supervene on evaluative properties, but evaluative properties supervene on deontic properties. No two acts alike in respect of being uniquely optimal, optimal, or sub-optimal can differ in respect of their deontic properties. But the same is also true in the other direction. No two acts alike in respect of being obligatory, permissible, or wrong, can differ in respect of being uniquely optimal, optimal or sub-optimal. The symmetry of the supervenience is guaranteed by the necessary equivalence of the deontic properties with their deontic making properties.

My objection against the necessity thesis then is that it will be false for a very important class of moral theories, because those moral theories imply that condition 6 of the analysis is false. Although I'll say very little about it, it should also be clear that this provides an objection against the sufficiency thesis too. If monistic extensional moral theories imply that condition 6 is false, then they imply that the sufficiency thesis is true, but only in the trivial sense that the whole conditional is true because its antecedent is necessarily false. So in fact, the objection from monistic extensional moral theories provides an objection against both the indirect necessity thesis and the indirect sufficiency thesis.

The only possibly reply to this objection is to give up the requirement that deontic making be asymmetric. But that is a high price to pay. To reject asymmetry is to accept that the possibility of symmetry, to accept, that is, that there can be cases where the facts that make deontic facts obtain are themselves made to obtain by those deontic facts. This raises two distinct concerns. The first problem is if making relations underpin explanatory relations, then symmetric making relations may underpin symmetric explanations, thus implying that there are true propositions of the form ' p because q and q because p '. But it is questionable whether explanations can be symmetric in this way.

However, an even worse problem arises if we accept that what makes an act right or wrong is usually some natural circumstance in the world. Although it is very plausible the natural facts can explain moral facts, the reverse claim is extremely doubtful. If the property of being an instance of stabbing someone in the chest to obtain money seems able to make a particular act wrong, it is hard even to make sense of the idea that the act's wrongness can similarly make the act into an instance of stabbing someone in the chest for money. I find it hard even to make sense of the denial of asymmetry.

The objection from monistic extensional moral theories thus seems to me to be fatal. The indirect analysis cannot be true whilst it retains condition 6, and it cannot be true without it. So, it cannot be true at all. But I might be wrong about that, so I'm also going to argue against the indirect sufficiency thesis too.

3.6 Against The Supervenience Sufficiency Thesis

The indirect sufficiency thesis is the claim that the relation expressed in my indirect supervenience analysis is sufficient for deontic making. The objection from irrelevant properties which I discussed earlier provides one objection from this claim, but I said that it was vulnerable to the reply that there are standard

ways of taking care of irrelevant properties. I'm going now to present an alternative version of the objection from irrelevant properties, and then argue that there is no way of removing the irrelevant properties while remaining within the confines of a pure supervenience analysis of deontic making. I'll present the objection formally first, and then illustrate it with examples.

Let's remind ourselves of the sufficiency thesis says in detail. Suppose that there is some set \mathbb{F} , on which the deontic properties supervene. And suppose that we have a right act which has some \mathbb{F} -properties. The indirect sufficiency thesis entails that the \mathbb{F} -properties of this right act make it right, and so far, there is nothing wrong with that. But, it also says that this is true of every set one which the deontic properties supervene. \mathbb{F} is one such set, but there may also be others.

Now, we know that supervenience is transitive. So if the deontic properties supervene on \mathbb{F} , then they also supervene any set of properties that \mathbb{F} supervenes on. However, remember that \mathbb{F} was chosen arbitrarily, as simply any set on which the deontic properties supervene. So what we really have here is a kind of closure principle. What makes an act right or wrong will be any properties it has from any set of properties on which the deontic properties supervene. Let's say that a set of properties is a potential source of deontic makers if it's true that any properties an act has from that set make the act have its deontic properties. A set of properties is a potential source of deontic makers iff either: (a) the deontic properties supervene on it; or (b) a set that is a potential source of deontic makers supervenes on it. It is the recursive nature of the definition of what it is to be a source of potential deontic makers that alerts us to the problem.

The formal definition of the problem is hard to see first time, so let me illustrate it how it works in practice with an example. Consider again the theory of maximising consequentialism (MC) which I defined earlier. Let \mathbb{C} be the set of properties {uniquely optimal, optimal, sub-optimal}, or, if you're happy with Boolean closure, take \mathbb{C} to be the smallest superset of those properties that is closed under the Boolean operations.

MC entails that the deontic properties supervene on \mathbb{C} . It also entails that an act is, say, wrong, iff it is sub-optimal. The indirect sufficiency thesis entails, then, that an act which is both wrong and sub-optimal is made wrong by being sub-optimal. So far, all this is congenial to maximising consequentialism.

But consider. Let \mathbb{C}^* be the union of \mathbb{C} and *any necessary property*. For example, \mathbb{C}^* be the smallest superset of \mathbb{C} which also contains the property of *being such that $2 + 2 = 4$* (and, if you like, is closed under the Boolean operations). It follows from the property of expansion that \mathbb{C} supervenes on \mathbb{C}^* — \mathbb{C} is a subset of \mathbb{C}^* and subsets of properties supervene on their supersets. And it follows in turn that the deontic properties supervene on \mathbb{C}^* — the deontic properties supervene on \mathbb{C} , and \mathbb{C} supervenes on \mathbb{C}^* . So now we have a new set of properties which meets all the conditions specified in the indirect supervenience analysis. What this means then is that it is not only being sub-optimal that makes this wrong act wrong. What makes it wrong is also any properties it has from \mathbb{C}^* , including the necessary property of being such that $2 + 2 = 4$. Again, I've chosen MC here only to provide a simple illustration of the problem. In practice, the sufficiency thesis entails that whatever set of properties we take to make wrong acts wrong, we will also have to include the property of being such that $2 + 2 = 4$.

I've given you just one illustration of the formal objection I described above. But, recalling the quotation from McLaughlin that I gave right at the start, you might object against this example of the problem that the property of being such that $2 + 2 = 4$ is a necessary property only in the pleonastic sense, and not in the genuine metaphysical sense of a mode of being. So to counter this reply, I'll offer some better example.

To run the objection from implausible closure we really only need that, given a first set of properties on which the deontic properties supervene, we can find a second set on which the first set supervenes. Here is one general procedure for producing these extra sets. Recall that every set supervenes on its expansions. In my first example of my objection, I chose the necessary property of being such that $2 + 2 = 4$ because I could be sure that any act would have that property. But we can have that guarantee without resorting to properties which are necessarily had by every entity whatsoever. All we need are properties that are necessarily had by acts. One example would be the property of being an act itself. And on the assumption that acts require agents, a second example would be the property of being such that there is at least one agent. The property of being an act certainly seems like a genuine mode of being. We use it, for example, to sort the world into things which are acts, and things which are not acts, like mugs, rusting, and the number 3. Moreover, being an act appears to be an intrinsic property. The property of being such that there is at least one agent also seems like a genuine property. It is, no doubt, an extrinsic property, but there's nothing wrong with that.

We can now object against the sufficiency thesis in the following way. Given any set of properties $\{F_1, \dots, F_i\}$ which meets the conditions in the indirect supervenience analysis, so that you want to say that having $\{F_1, \dots, F_i\}$ makes an act wrong, the sufficiency thesis will always entail that the simple fact of being an act, or of being such that there is at least one agent, will also be part of what makes the act wrong. But intuitively, these properties are of course irrelevant.

Reply: Minimal Supervenience Bases I said before the objection from irrelevant properties is potentially vulnerable to the reply that there are standard ways of eliminating irrelevant properties. So I'll conclude my objections to the sufficiency thesis by showing why that won't work.

The standard definition of "minimal" supervenience comes from Kim, and in contrast to my own policy of neutrality, Kim's explicitly assume that sets of properties are closed under the Boolean operations. However, it is possible to achieve the intended aim of those definitions in a different way, by specifying that we should be concerned, not with the minimal properties within a set, but rather with minimal sets of properties. Let us say, then, that property set \mathbb{A} *minimally strongly supervenes* on property set \mathbb{B} iff:

1. \mathbb{A} strongly supervenes on \mathbb{B} ; and
2. \mathbb{B} has no proper subsets on which \mathbb{A} strongly supervenes.

In effect, condition 2 ensures that \mathbb{B} contains no properties beyond the minimal number that are required to provide a supervenience base for \mathbb{A} .

Consider then an amended indirect analysis which includes the extra condition of minimal supervenience:

(3.1) Necessarily: for all acts a , for all deontic properties $D \in \mathbb{D}$, for all property sets \mathbb{F} and for all property sets \mathbb{G} which are supersets of \mathbb{F} , the set of facts of act a having each of the properties of \mathbb{F} together make act a have deontic property D iff:

1. a has D ; and
2. a has every property in \mathbb{F} ; and
3. every property a has in \mathbb{F} is a property in \mathbb{G} ; and
4. no member of \mathbb{D} is a member, or a Boolean component of a member, of \mathbb{G} ; and
5. \mathbb{D} minimally strongly supervenes on \mathbb{G} ; and
6. \mathbb{G} does not strongly supervene on \mathbb{D} ; and

I think the reason why the move to minimal supervenience bases is not effective is that it is trying to solve the wrong problem. Minimal supervenience is a way of trying to narrow down which properties *within* a set can possibly be deontic makers. But the problem I am highlighting is the different problem of there being more than one set whose properties can possibly be deontic makers. In a way these problems are related, because the move to minimal supervenience bases does indeed rule out the kind of general strategy for producing counterexamples that I mentioned earlier. The move to minimal supervenience is to rule out objections from properties like the properties of being an act.

But it doesn't remove all possible sources of counterexample, and we can illustrate this by considering two examples that are reminiscent of Plato's Euthyphro dilemma. For the sake of a change, for this example, I'll assume the version of Kantianism that I defined earlier. Let's assume, then, that acts are made right, wrong and permissible by the properties of the set \mathbb{K} : {is an act the maxim of whose omission cannot be universalized, has a maxim that can be universalised, has a maxim that cannot be universalized}. And now consider the two further sets of properties:

1. \mathbb{S}_1 : {being an x such that the proposition that $\lceil x$ is obligatory \rceil is true, being an x such that the proposition that $\lceil x$ is permissible \rceil is true, being an x such that the proposition that $\lceil x$ is wrong \rceil is true}
2. \mathbb{S}_2 : {commanded by God, not forbidden by God, forbidden by God}

On the assumption that necessarily, an act has some deontic property iff the proposition that it has it is true, if Kantianism is true then property set \mathbb{K} supervenes on \mathbb{S}_1 . But one doesn't want to say that an act can be made wrong by the truth of the proposition that it is wrong. If anything, you want to say that the act's being wrong make the proposition true. Similarly, on the assumption that there is a benevolent God, you might well think that \mathbb{K} supervenes on \mathbb{S}_2 . But I think our conception of deontic making should at least leave room for the conceptual possibility that there is a divine being who commands all and only obligatory acts and forbids all and only wrong acts, without its being the case that divine command makes acts right or wrong. So the reply from minimal supervenience is not, in the end, effective.

4 Deontic Making and Supervenience

If the arguments I've presented are sound, they provide a strong case against the supervenience analysis of deontic making. Even my indirect supervenience analysis, which I take to be the best analysis available, is subject to Dancy's objections from enablers and reasons, as well as to my own objections from asymmetry and from implausible closure. Given all these objections, you might start to think that there is no necessary connection between the two claims we started with, namely moral dependence and moral supervenience. However, there is a fashionable alternative waiting in the wings, namely that instead of analysing deontic making in terms of supervenience, we instead take deontic making to be basic and use it to try to understand supervenience. I'll conclude my presentation by sketching how I think this might be done.

The argument I have in mind was suggested to me by a couple of passages in Sigwick and Hare. I think Hare puts the point nicely in his discussion of two identical pictures, P and Q:

[...] there is one thing we cannot say; we cannot say 'P is exactly like Q in all respects save this one, that P is a good picture and Q not'. If we were to say this, we should invite the comment, 'But how can one be good and the other not, if they are exactly alike? There must be some *further* difference between them to make one good and other not.' Unless we at least admit the relevance of the question 'What makes one good and the other not?' we are bound to puzzle our hearers [...].²⁸

What I hope is immediately striking in this passage that Hare supports the claim that aesthetic properties supervene on physical properties because to deny the supervenience claim would be to leave oneself open to the challenge "What makes one painting good and the other not?" You might paraphrase this challenge by saying that that the two pictures must either both be good or both not be good because nothing can make a difference between them. I prefer a slightly different paraphrase. The pictures must either both be good or both not be good because there can be no difference in the making.

The kind of argument I have in mind then goes like this:

1. **Moral-Nonmoral Dependence:** Necessarily: for every moral fact m , there is some set of nonmoral facts \mathbb{N} which makes m obtain.
2. **Nomological Moral Making:** Necessarily, if a set of nonmoral facts \mathbb{N} makes a moral fact m obtain, there is a (possibly defeasible) law L connecting facts of the same kind as those in \mathbb{N} with facts of the of the same kind as m .
3. **Nomological Necessity:** Moral-nonmoral laws are metaphysically necessary.
4. **Global Supervenience of Nomological Application** If two worlds are non-morally alike, then they are alike in respect of their instantiations of metaphysically necessary laws.

²⁸Hare, *The language of morals*, p. 81.

Therefore:

4. **Moral Supervenience:** Moral properties strongly supervene on non-moral properties.

Clearly, there are details missing in this argument. I hope you might be able to help me fill them in. But if this argument can be made to work, it would offer an effective reply against Simon Blackburn's objection that realists cannot explain supervenience, as least not without assuming that nonmoral properties can necessitate moral properties. But my argument leaves it open that the only connections between nonmoral properties and moral properties are defeasible, and therefore contingent. So it seems to show that the realist about objective moral properties can explain moral supervenience after all.

In this paper I've discussed two challenges, one from Mackie and one from Blackburn. I hope I've managed to convey how focusing on the deontic making relation might help us to answer both challenges.

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