

# PHL440: Seminar in Law and Values

## Winter 2007

**Class meetings** MW 4:00-5:50, building 9, room 209

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**Office hours, winter 2007:** Tuesday 1-2, Wednesday 1-2 Friday 11:45-12:30, and by appointment

**Recommended prerequisites:** PHL 309, though PHL 204 may also be useful.

**Description:** This course will provide an overview of *metaethics* from the early twentieth century to the present. Whereas normative ethical theory is concerned with *which* moral claims are correct (e.g., whether we are morally required to keep our promises, whether the principle of utility or Kant's categorical imperative is the correct standard to evaluate our actions, etc.), metaethics is concerned with the conceptual, metaphysical, epistemological, and psychological questions raised by such claims. It addresses such questions as:

- What (if anything) makes a moral claim true or justified?
- Is there a single true morality?
- What sort of judgment is a moral judgment? Is it, e.g., an assertion of fact or an expression of an attitude, or both?
- What psychological properties do moral judgments have? E.g., is it possible to sincerely assert a moral claim but not intend to act in accordance with it?
- In what ways (if any) are our moral judgments responsive to reason?

PHL 440 will trace the development of philosophical thinking about these central metaethical questions beginning with Moore's non-naturalism, and proceeding through the most influential texts and positions in this area, including emotivism (Ayer), error theory (Mackie), naturalistic realism (Sturgeon), and explanatory anti-realism (Harman). This survey will take up approximately 2/3 of the course. The remaining 1/3 of the course will be devoted to reading Michael Smith's [The Moral Problem](#), which has rapidly become a seminal text in metaethics. Smith's book considers whether three common assumptions about morality can be reconciled: [1] moral judgments express beliefs about matters of fact; [2] moral judgments necessarily motivate us to act in accordance with them; and [3] intentional action is impossible in the absence of desires.

### Course learning objectives

By the conclusion of this course, students should be able to:

[1] trace and describe the principal debates within English-speaking metaethics since approximately 1900

[2] understand and utilize crucial distinctions in metaethics, including cognitivism/non-cognitivism, realism/anti-realism, and motivational internalism/externalism

[3] identify the chief rationales in favor of, and the chief objections to, these metaethical positions

[4] explain Smith's "moral problem", his attempted resolution of this problem, and some strengths and weaknesses of this resolution

### **Evaluation and requirements**

Your grade in this course will be determined by your success in completing the following requirements:

- A *midterm paper* of approximately 1500 words (about 6-7 pages) on a suitably well-focused topic in this course, due February 7 (30% of course grade)

- *Completion of at least ten meeting preparation forms*. This form, which is posted on Blackboard, is a form designed to organize your thoughts about the assigned reading in preparation for our class meetings. You should download this form and save a copy. In order to complete this form, you must:

- 1] fill it out for the class meeting in question

- 2] post it in the appropriate dated discussion forum bin by 11 a.m. the day of the class meeting

- 3] print out a copy of your completed form

- 4] bring it to the scheduled class meeting

- 5] turn it in to me at the conclusion of class.

You are of course free to complete meeting preparation forms for as many class meetings as you wish. However, you will receive 2% credit toward your grade for each form I receive, up to 20% total. (I reserve the discretion not to award credit for forms that show little indication that the assigned reading was done.)

- *Term paper OR final exam*. You may opt to complete either a 2000 word (about 7-9 pages) term paper or a essay-based final exam. (You may **not** complete both.) The term paper may develop some of the themes or topics covered in your midterm paper, but that is not necessary. The term paper will be due Thursday, March 15, 5 p.m.. The final exam will be held Monday, March 12, 3:50-5:50 p.m.. This task will constitute 35% of your course grade.

- *In-class and online participation*. Guidelines for evaluation are on Blackboard (15% of grade)

In general, late work is not accepted. If you wish to turn in late work, please contact your instructor and a determination will be made whether, and under what conditions, your late work will be accepted.

If *extraordinary* circumstances arise that make it unusually difficult for you to meet the class requirements, please contact me so we can discuss the possibility of alternative arrangements. I encourage students with learning or other disabilities to contact me concerning their needs.

## Texts

The bulk of the readings in this course will be made available in class or via Blackboard. The two required texts are:

- Smith, The Moral Problem (Blackwell, 1994)

In addition, I have ordered the following, which is not required but which you may wish to purchase and use as a supplement to the principal readings:

- Miller, An Introduction to Contemporary Metaethics (Polity, 2003)

A third piece you may wish to scan and digest:

- Darwall, Gibbard, & Railton, "Toward *Fin de siecle* ethics: Some trends," *Philosophical Review* 101 (1992): 115-189. (available as a download through Blackboard)

## Attendance and class participation

Attendance will be taken occasionally. Needless to say, regular attendance is a vital component of your learning: Unlike other academic disciplines, philosophy is largely a skill, and our class meetings will be your principal opportunity to develop and display these skills. Your participation in class discussion is evaluated both quantitatively and qualitatively. You will find a guide to how your in-class attendance and participation will be evaluated on Blackboard.

## Blackboard

We will be using Blackboard (<http://blackboard.csupomona.edu>) in support of the in-class activities in this course. In order to use Blackboard, you will need to know your university Intranet ID and password. You should be checking the Blackboard site several times weekly for updates on course activities, etc. Discussion forums and paper exchange bins can also be found on Blackboard.

## Varia

Plagiarism and other forms of academic dishonesty will be addressed according to Cal Poly policies. The copyright for these course materials is held by the instructor; any attempt to distribute or sell this material without instructor authorization is in violation of that copyright.

## Schedule of readings and meetings

(Please complete the readings for the class meetings listed below *before* the meeting. Material given as in-class handouts or via Blackboard is indicated below. All readings from Miller are of course optional.)

1/3                      Metaethics: The terrain and basic distinctions; Introduction to Moore's non-naturalism

### PART I: SOME MAIN POSITIONS IN METAETHICS

1/8                      Moore's non-naturalism : Naturalism, the naturalistic fallacy, and the open question argument

- Moore, Principia Ethica, chapter 1 (selections)

- Frankena, "The naturalistic fallacy"
  - Miller, pp. 1-15
- 1/10 Critique of Moore's non-naturalist alternative
- Darwall et al., "Toward *Fin de siecle* Ethics," pp. 115-121
  - Miller, pp. 15-24, 31-36
- 1/17 Ayer's emotivism: The verificationist proposal
- Ayer, Language, Truth, and Logic, pp. 33-45, 102-113
  - Miller, pp. 26-31, 36-38
  - MacIntyre, After Virtue (selections)
  - Darwall et al., pp. 126-130
  - Darwall et al. 144-152 [optional]
- 1/22 Etiquette vs. morality, embedding, and verifying verificationism
- Foot, "Moral beliefs"
  - Notes on Frege-Geach embedding objections
  - Darwall et al., pp. 165-68
  - Miller, pp. 38-51
- 1/24 Mackie's error theory
- Mackie, Ethics: Inventing Right and Wrong (selections)
  - Miller, pp. 111-118
- 1/29 Disagreement and queerness
- Brink, Moral Realism and the Foundations of Ethics (selections)
  - Miller, pp. 123-125
- 1/31 Harman's explanatory anti-realism
- Harman, The Nature of Morality (selections)
  - Miller, pp. 138-142
- 2/5 Do moral properties get impaled on Occam's razor?
- Sturgeon, "Moral explanations"
  - Darwall et al., pp. 168-173
  - Miller, pp. 142-149
- PART II: SMITH'S THE MORAL PROBLEM
- 2/7 Smith's trilemma
- Smith, pp. 1-15
- << MIDTERM PAPER DUE >>
- 2/12 Ayer's expressivism revisited
- Smith, pp. 16-39

- 2/14 Internalism, externalism, and the practicality requirement  
• Smith, pp. 56-76
- 2/19 Rationalism defended and the Humean challenge  
• Smith, pp. 77-98
- 2/21 Smith's defense of Humean psychology  
• Smith, pp. 98-129
- 2/26- Valuing, desiring, and reasons  
2/28 • Smith, pp. 130-181
- 3/5 A resolution of the trilemma?  
• Smith, pp. 182-201
- 3/7 Catch-up, review, and summation

FINAL EXAM: Monday, March 12, 3:50-5:50 p.m.