Topics for discussion from *Explaining Norms* Ch 1 & 2

Chapter 1

EN on the ambiguity of 'norms':

1) *Norms as statistical facts* (common behaviour): e.g., 'In Australia, owning two cars is the norm', 'In Sweden, drinking coffee for breakfast is the norm.'
2) *Norms as objectively valid normative principles*. E.g., the norms of morality.
3) *Norms as social facts*. Norms accepted by societies. A regularity in behaviour or responses in a certain group or society, explained by a cluster of shared attitudes in this group or society (attitudes = beliefs, desires, normative judgements, commitments, intentions…)

- EN is concerned with (3). For norms as social facts, it is always meaningful to ask *where* and *when* and in *which group or society*.

- The distinction between (2) and (3) is similar to Hart's distinction between:
  - Norms of positive morality: morality accepted by a society,
  - Critical morality: norms used in criticism of actual social institutions including positive morality.

Comments/Questions:
[1] Should we really say that (2) and (3) are different senses of 'norm'? Since we can say things like: "the norm that *one should never do A* is a norm in society S, but it is not a valid norm", there seems to be a more fundamental sense of "norm":

4) Norms as normative principles: abstract entities, perhaps normative propositions, linguistic representations, or mental contents.

- We can say that 2 and 3 are concerned with different questions about norms (in this sense):
  (2) Which norms, if any, are correct, true or justified?
  (3) What does it take for a norm to be accepted, or embedded in a social practice, in a certain society? How does such acceptance of norms explain action? Etc

- On some accounts of norms as social facts, the contents of some of the attitudes in the relevant cluster are normative principles (norms in sense 4).
- Normative principles can assign normative significance to norms as social facts: to comply with the normative principle 'you ought to treat people with respect', you have to take off your shoes when entering a home in a society in which this is commanded. (Valentini)

[2] Further question: What are normative principles? Depends on metanormative view? E.g.:
- A NP is a proposition that can be true/false, and is true if it correctly represents normative facts. Fits normative realism/cognitivism
- A NP is something that has a certain role (in our thinking) of structuring our non-cognitive/practical attitudes. NP is something the acceptance of involves having certain non-cognitive attitudes. Would fit non-cognitivism and perhaps some other anti-realists views.
- Or can NPs be characterized neutrally?

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Norms as involving *requirements*

EN: Norms have two elements:

(i) *Normative* element. "They involve and are partly constituted by *normative principles*. Wherever there is a norm, there will be a particular normative principle that the norm instantiates. Normative principles are *general requirements*. They are *requirements* inasmuch as they *require* things of agents"

(ii) *Socio-empirical* element. They are social facts. A normative principle is always a norm *in* or *of* a particular group or community

Comments/Questions
[3] Regarding (i): What is the normative element? That is, what does it mean that normative principles are *requirements*? Two senses of requirements(?):

1. If there are valid/correct norms or normative facts, these require us to do certain things. → X is a requirement for P (in this sense) only if P is actually required to follow X.
2. Not valid norms are not requirements in this sense. In what sense are they requirements?

- One alternative: NP is a requirement for P in this sense iff, the truth NP would imply that P is required – in the sense in (i) – to do something.
- Other alternative. NPs are requirements in the same sense as *a verbal order* ("close the door!") or *an invoice* is a requirement. But what sense is this? *Someone* or *some institution* requires something of someone?

[4] Not all norms are obligations to act. The norms of a society can also involve ideas of what is permitted, acts that are good but not required (supererogatory), better or worse behavior etc. These are not requirements. → If so, we should not define norms as requirements.

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Explaining behavior

EN distinguishes 3 types of norms in a society:

- Formal (e.g., laws).
- (Accepted) moral norms.
- Social norms (conventional/customary).

They argue that they explain behavior in different ways. "Take the moral norm that exists in our own society forbidding rape. This norm is clearly important and explanatorily significant. [..] its importance and explanatory significance do not so much consist in the fact that it is a *norm of our society* as come from the obvious wrongness of engaging in rape. The norms of positive morality are purported approximations of objectively valid principles of morality. In the minds of the members of those communities which subscribe to them, it is clearly from these objectively valid principles of morality that they derive their authority."

Comments: [5] Important to distinguish between two things (i) From where does the apprehended authority of N come? (ii) How does N explain behavior?

(i) Do people see the authority of moral norms as coming from their objective validity? Quite intuitive, though controversial. Some x-phi studies: people are not moral objectivists.

(ii) The role of objective validity in explaining behavior is even less clear.

- Actual objective wrongness explains behavior? Presupposes *realism* about morality.
- Apprehension of objective wrongness explains behavior? Maybe, but even if people think they are motivated by the (apprehended) wrongness of the act, they might be wrong about this.
  - Some argue that many moral judgments are rationalizations of other motivational attitudes. (E.g., Jonathan Haidt)
  - Moral hypocrisy? Some empirical findings indicate that for some moral principles – e.g., against lying and cheating – people are much more inclined to act accordingly if they think (there is a risk) they are observed. (E.g., Batson et al. studies) → Perhaps: Moral behavior is (partly) explained by the apprehension that other people (dis)like certain acts?
  - Hard-wired reactions against e.g., rape and murder that explain behaviour, rather than the moral principles they give rise to?

Chapter 2
Main aim of chapter is to argue:

- Against *reductive* accounts of norms (*Norms as Practices* and *Norms as Desires*), and
- For a *non-reductive* account: 'norms as normative attitudes view', according to which norms are clusters of normative attitudes plus knowledge of those attitudes

EN argues against reductive accounts through counterexamples, aiming to show that these accounts give neither plausible sufficient nor necessary conditions for norms.

[6] General Question. Does the plausibility of the different accounts depend on our metanormative view about what normative judgements/attitudes are? E.g.: if they are desires, does the *Norms as Normative Attitudes view* collapse into the *Norms as Desires view*?

[7] General Question: Suppose that we have an independent grasp of what a normative principle is. Then society S can relate to a certain principle, NP, in different ways. E.g.:

- S can have social practices/conventions/regularities in behaviour that reflect NP.
- Clusters of desires/practical attitudes that are in accordance with the norm, in S
- Widespread explicit acceptance of NP, in S. Etc

→ We could think of each of these as being different ways for NP to be a norm in S. Is there really one correct or privileged view about what the existence of a norm in S requires?

Norms as practices: norms = rules accepted by a group through being reflected by the group's social practices (conventions, traditions, customs = Regularities in behaviour based on pro-attitudes + knowledge about other people having these pro-attitudes explains the regularity in behaviour.

EN objection 1. Social practices are not sufficient for norms.

> *Case: Imelda's inn.* Group of friends meet regularly for lunch each 12.30 Friday. But each wants to come only if there is no normative principle/rule requiring them to show up, and no criticism if they don't.

EN: Here there is a social practice; but not a norm since the friends refuse to have that. "The norms of a group are the rules or normative principles that are accepted by the group"

[8] Doesn't this presuppose what is to be argued for, namely a non-reductivist account? Why not think that there is a norm in the sense of there being a social practice favoring a certain behavior? The friends are presumable cool with there being a norm in this sense.

EN objection 2. Social practices are not necessary for norm.

> *Case: Moldovans* accept rules against urinating in pools, blame those who do it. But they all do it regularly.

EN: Here there is a norm against urinating in pools, but no social practice.

[9] In a wider sense there is a social practice: a practice of organizing one's behavior in a certain manner – e.g., avoiding urinating in pools when one can be discovered and saying that one does not do it; a regularity which is based on knowledge that other people dislike such behaviour. → The case does not rule out that social practices in this wider sense are necessary for norms.

Norms as desires (including Biccieri's account). Will not comment on ENs objections here –Biccieri will be discussed later at the course.

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The function of social norms

EN: It is not to facilitate coordination and/or cooperation, but the creation of accountability.

Arguments for the negative claim – the function is not coordination and/or cooperation:

1. Norms are *not necessary for coordination or cooperation*. Threat of punishment is enough, and social practices such as conventions facilitate coordination/cooperation. "So, normativity seems to be something of an explanatory dangler; it seems to be overreaching what is strictly required."

[10] OK, but the involvement of norms might make the facilitation of coordination more effective. This can still be their function.

2. They are *not sufficient* for coordination: people may not behave in accordance with the norms.

[11] OK, but norms might still make it more likely that people act in coordination/ cooperation-promoting ways. → Can be their function

3. In situations where coordination and cooperation are either impossible or unimportant, norms still have a function: to signal identification with the group and express shared values. "If we are thinking of norms as a tool for facilitating coordination and cooperation, these kinds of norms must strike us as idiosyncratic outliers. But that seems quite mistaken. They seem, on the contrary, to be paradigmatic instances of norms."

[12] Is it not more plausible to think that: (i) Norms often have the function of signaling identification and shared values. The further function of this (which has evolutionary value) is that it (indirectly) helps cooperation and coordination. (ii) Circumstances where the signaling function does not help coordination/cooperation are irrelevant in relation to understanding the core function of the kinds of norms in question: in most/all actual circumstances cooperation is furthered by shared values and identification, so this is what explains why they are evolutionarily important.

Arguments for the positive claim: Function of norms is to make us *accountable* to one another

Accountability = others having a recognized right or entitlement to determine/demand/expect how one is to behave.

EN: Creation of accountability is important partly because it helps facilitate coordination and cooperation. But not only: "the accountability that norms create also plays other roles in social life. Norms can imbue behaviour with social meaning. They thereby enable us to express shared values, meanings, and identities. The accountability-creating nature of norms plays a particular role in this expressive domain. […] Where we have a recognized shared entitlement to demand things of one another, this affords us […] opportunities to pronounce authoritatively on various dimensions of social life. […] We are, in effect, expressing to one another, through our recognition of one another's right to demand this or that, what matters to us, who we take ourselves to be, and how we see ourselves and others."

[13] Is not the further function of having this "common idea of what matters to us and who we are" that it makes us better at cooperating? (In line with 12 above.)

[14] Can false or incorrect norms makes us 'accountable to another'? Seems strange that false or incorrect norms can create 'recognized rights or entitlements".