

Comments on "In Defense of an Explanatoriness Criterion for Moral Philosophy"

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[content warning: uses rape as an example]

Much thanks to Professor Da Silva for this thought-provoking paper. I appreciate how the paper takes up a perspective that is both theoretical and practical, weaving together epistemological concerns and pragmatic ones. I also share what I take to be Professor Da Silva's perspective that the way we analyze our concepts must relate to the way we actually use our concepts, and that the task of philosophy is partly to forge these relations; for this reason it is better to improve our understanding of, and then use, pre-theoretical terms rather than introducing new terminology where our existing language might be ambiguous, confusing, or admitting of multiple meanings. These are important points; it is to the credit of this paper that it centers them rather than placing them in service of some other project. The paper does a great job contextualizing the importance of these issues with respect to moral theories being useful and action-guiding for us. I am on board with the general outlook being presented, but I'll use this space to raise some questions, some more like objections and others more like questions for further thought.

Professor Da Silva proposes that we adopt a norm, Explanatoriness: "if a moral term admits of multiple meanings and/or admits of multiple definitions, a theory of the term that can account for insights in competing conceptions is, all-else-being-equal, preferable to alternatives"; he goes on to argue on behalf of explanatoriness a norm we should adopt, and one that with further the ends mentioned above, of ensuring that our philosophical inquiry is appropriately

linked to the things we are theorizing about. Explanatoriness will be particularly significant when it comes to contested and widely-used concepts like "nation," "dignity" or "rights."

My first question has to do with better understanding the proposal. For me, as a reader perhaps not quite steeped in the literature to which this paper is responding, it would be helpful to have a simple example of a concept and a definition that should be adopted over another because it has more explanatoriness. There are several kinds of examples that come to mind.

Rights: Some people think of rights as objective and transcendent; others see them as essentially grounded in social structures and political institutions. Possibly the one definition does not rule out others, so we might be able to adopt a very general definition that fits with both of these. Is this what explanatoriness requires? What would that definition look like? A specific example would help us see how the connections would work in practice.

Other concepts seem to me less straightforward. With concepts like "race," and "gender," there is lively philosophical debate about how these concepts should be defined, and part of that debate includes the idea that certain definitions are wrong. How will we conduct this as a debate if we have a definition of the word that fits with all the conflicting definitions? Consider a trans person assigned a sex of "male" at birth, who transitions and identifies as a woman. In some definitions of "woman," this person is a woman and in others, this person is not. I think the first kind of definition is correct, and the second one is not. Does explanatoriness mean I should prefer definitions that explain the second kind of use? Or perhaps this misrepresents Prof Da Silva's proposal, on grounds that it is only "insights" we must explain, not all uses? If I regard the second definition as inapt incorrect, does that mean any implications from it are not "insights"

and this use does not need to be accommodated? If that is right, a lot of work must go into determining what's an "insight" and what's a use that has gone wrong.

A different kind of example might involve cross-cultural differences in use -- as may be the case with consent. As various commentators have argued, consent can mean different things in different contexts; in Western liberal contexts it often refers to individuality, autonomy, knowing the truth, and freedom from coercion; in other communities it may have to do with relationships and group decision-making. A single elucidation of consent that aims to include cross-cultural understandings strikes me as possibly confusing matters more than elucidating them. Isn't part of what we want to discuss and analyze the difference between the conceptions so we can use them differently in different contexts? Here, "insight" seems less helpful, since what counts as an insight from one point of view might not from another.

Another kind of example might have to do with variation within communities. For a long time the concept of rape was conceptualized in common law and in Anglophone culture so that marital rape was an oxymoron -- marriage was heterosexual only and gave men the right to have sex with their wives, so once a woman was married her consent or lack of consent was irrelevant. As Rebecca Ryan describes in an illuminating history, the process of change unfolded over a long time and it was not until the mid to late 20th century that most jurisdictions in North America understood a married woman's missing consent as rape, and still today, there are religious communities that adhere to the old formulation ("The Sex Right"). This is an example where a concept has divergent understandings not only among scholars and not only because of cross-cultural issues but also within a community. With the concept of rape, writing as someone who obviously believes that marital rape is rape, I feel there would be something lost by trying to

find a definition of rape that would explain both the use in which marital rape is an oxymoron and the use in which it is not. Perhaps some of these issues are covered by the all-things-being-equal clause, in which case this is an invitation to reflect on how those other factors may come into play.

Related to these questions, I also wasn't sure why the alternative or foil for explanatoriness was eliminativism. I would have thought that the foil for explanatoriness would be either forcing a choice -- that a definition should support one use rather than others -- or disambiguation -- that concept with multiple uses should be named with different concepts -- something like rights-in-the-sense-of-X and rights-in-the-sense-of-Y. More context for the problem the paper is addressing would be helpful for understanding how to evaluate its proposed solution.

Professor Da Silva argues that "Explanatoriness is then particularly useful and important in cases where theoretical posits are largely defined by their use or practice. In cases where the concept is socially constructed, the only way to identify the topic is by looking to use and practices." He says also that explanatoriness is necessary for tie-breaking: "In cases where all else is equal between two theories, there should be some way of deciding between them." For me this raises a question of why would more explanations would be better. In philosophical work on concepts like gender or race, and in understanding how to define concepts like "rape," sometimes the point of introducing one definition is to say that it is the right one, a better fit with the uses of the term we endorse (or what Haslanger might call "what do we want it to do for us), and yields an explanation of what is wrong with other definitions. On what grounds would we then adopt a broader definition that was consistent with more uses?

Perhaps the idea is something like the following: to debate the nature of race, gender, rights, consent, rape, etc. we must have something we are disagreeing about. So we should adopt the broadest definition of the term, the one that fits with our competing beliefs, so that we can then use the concept in the same way to refer to the same thing, then debate the nature of that thing. But then I am unsure why this is an improvement over debating how to define something in the first place. If person A believes that race is embedded in a history of white supremacy and can only be understood in a socio-political concept, and person B believes that race has some relevant biological component, then why should A adopt a definition compatible with B's views and vice-versa? And likewise for "woman," or "rape."

Let me close with a reflection on explanation, epistemology, and tie-breaking. It is sometimes suggested that more explanations are better because richer sets of explanations have beliefs that support and explain one another better. Such a justification is sometimes used to support more unified ethical theories like utilitarianism over pluralist theories. There, as well, the point is made that unity can function as a tie-breaker: if there are two equally intuitive sets of moral beliefs, then the more unified one is epistemologically better supported. But as I've argued, for something to function as an explanation, it's not enough for it to have the form of an explanation -- we should have reason to believe it is a good explanation. If we try to explain why the economy is failing by appeal to the fact that the American Football Conference won the Super Bowl, we have what looks like an "explanation" -- the correlation is real -- but we know this is not a good explanation (*Moral Reasoning in a Pluralistic World*; "Moral Coherence and Value Pluralism"). To say that a definition is better because it explains more, we need not only to see that the result has the form of an explanation, we need reason to believe it is a good

explanation. That would require reasons for thinking a particular definition is the right one, which would suggest more a strategy of settling on a disambiguation than a strategy of choosing the broadest possible.

Again, thanks to Professor Da Silva for raising these complex and important issues. I look forward to hearing more about these ideas and how they can help us move forward with difficult problems in ethics and social philosophy.