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## Testing Schwarz's Framework for Abolitionist Politicians: Politics Equals Normative Ethics

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# **Testing Schwarz's Framework for Abolitionist Politicians**

## **Politics Equals Normative Ethics**

Timo Oei s1503693, August 2021

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## ABSTRACT

In this thesis I start with the assumption that politics equals normative ethics and argue to what extent politicians that do not use moral concepts (and thus endorse the abolitionist answer to the "Now what?" question within the Moral Error Theory) are able to communicate with people that do use moral concepts. As such, it focuses on whether abolitionists can engage in normative ethics without using moral concepts.

Schwarz's theory is posed which provides a framework for doing so and I argue that this theory comes with flaws as seen in problematic scenarios. I also argue that some of these problematic scenarios are solvable by adding to her theory and that her theory comes with two problematic scenarios that are theoretically unsolvable. The proposed solutions are meant to show how these can enhance the relevance of the theory.

It is also argued that a possible solution to the theoretically unsolvable problematic scenarios is that abolitionist politicians, when adhering to Schwarz's theory, can temporarily divert from her theory by conceding to using moral concepts just to be able to communicate with people that do use moral concepts. This thesis uses the case of the COVID-19 pandemic to demonstrate how these problematic scenarios can occur in practice.

This thesis concludes that, while Schwarz's theory provides a framework that allows abolitionist politicians that do not use moral concepts to effectively communicate with people that do use moral concepts, Schwarz's theory comes with problematic scenarios for which I show how her theory can be improved. Furthermore, it is also concluded that her theory sometimes fails to provide these abolitionist politicians the full ability to effectively communicate within the practice of normative ethics without using moral concepts. Additionally, I propose further research is needed to improve the shortcomings of Schwarz's theory that arise whenever her criteria C1 is comes into play, which is often inevitable.

# INTRODUCTION

Modern day politics often concern morally loaded issues such as ‘How should wealth and power be distributed?’ and modern politicians often use moral concepts and reasoning when they argue for their standpoints such as ‘This course of action is good (or bad) as it creates certain benefits (or disadvantages) for this group of people (or nature).’. Currently it is common for politicians to use moral concepts and reasoning in order to appeal to people, but what if politicians would decide that it is of no use to employ moral concepts within their arguments and also decide to abolish these moral concepts completely? These decisions coincide with the Moral Error Theory (hereafter MET) and the abolitionist answer to the “Now what?” question that comes after it. So, when politicians believe in MET and abolitionism, and thus become abolitionist politicians, would they still be able to engage in normative ethics with people who do believe in morality and who still use moral concepts? In this thesis I evaluate how and to what extent this may be possible using Schwarz’s theory while also pointing out both solvable and unsolvable problematic scenarios that come with this theory.

The following table serves as a roadmap for this thesis, a form of representation that is used several times in this thesis to summarize important points for convenience.

<b>Part 1 Theory</b> - Politics equals normative ethics - MET - The “Now What?” question	<b>Part 2 Schwarz</b> - Schwarz’s argument and criteria - Critique on Schwarz - Proposed Solution	<b>Part 3 In Practice</b> - COVID-19 - Applying Schwarz - Problematic scenarios
<b>Main points</b> - How the practice of politics can be understood as the application of normative ethics - Explaining MET and what comes after believing it	<b>Main points</b> - Framework of Schwarz’s Features F and Continuation Criteria C - Arguing that abolitionist politicians can apply normative ethics in practice if they use Schwarz’s framework - Schwarz’s theory comes with problematic scenarios that can or cannot be fixed	<b>Main points</b> - The COVID-19 pandemic gives rise to morally loaded issues and behaviours along with morally loaded government legislation and policies - Showing the problematic scenarios of Schwarz’s theory in practice

## PART 1. THEORY

### Chapter 1 Politics Equals Normative Ethics

This thesis examines whether the practice of political philosophy understood as the practice of normative ethics is still possible without using moral concepts. I define the practice (of politicians) to use reasoning from moral philosophy in an attempt to obtain results in politics, as the practice of normative ethics. This practice consists of politicians employing moral concepts or conclusions from moral reasoning in their debates about whether or not some courses of actions or points of view should be endorsed.

Though, before beginning this examination, let's first argue how we can assume that the practice of politics or political theory can indeed be understood as the application of normative ethics using List's and Valenti's argument.<sup>1</sup> According to them, political theory addresses conceptual, normative, and evaluative questions concerning politics and society, broadly construed. Examples are: 'When is a society just?' or 'How should we make collective decisions?'. They argue that political theory can be viewed as a subfield of moral philosophy when the concepts and principles of moral philosophy are applied to political and social problems.<sup>2</sup> So, political philosophy can be understood as the application of normative ethics when politicians, for example, employ consequentialist principles to political and social problems. In practice, this would entail that politicians utter 'My course of action is the better one because it will produce a greater balance of good consequences over bad consequences.'

Nevertheless, List and Valenti note it is important that, although political philosophy can be understood as the practice of normative ethics when the concepts and principles of moral philosophy are applied to political and social problems, the practice of political philosophy needs to be clearly demarcated from that of moral philosophy to prevent it from actually becoming equal to moral philosophy. Hence, I will summarize List and Valenti's qualification of what counts as 'political'. So, let's look at this qualification in order to exactly demarcate how the practice of political philosophy is to be differentiated from moral philosophy in order to still be regarded as the application of normative ethics.

This qualification is not evident as it would be too restrictive to say that something is political if it involves the local state or government, because some issues outside the local state or government could still be regarded as political. For example, issues such as geopolitical conflicts and interactions between other states and governments. Furthermore, it would be too inclusive to say that something is political when it involves multiple people because many problems within personal ethics such as how to treat one's family would thus wrongfully qualify as political. Additionally, gender relations in civic (or private) life or in the workplace, which many regard as a political issue, show that it is difficult to distinguish between the private or personal domain and between the political or social domain. Thus, they conclude that distinguishing political theory from moral philosophy by solely referring to the substantive domain of problems addressed does not lead to a conclusive answer other than, at best, some heuristic criterion to capture a conventional distinction which does not generate a principal line.<sup>3</sup>

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<sup>1</sup> List, C., & Valentini, L. (2016). The Methodology of Political Theory. *The Oxford Handbook of Philosophical Methodology Online*, 1–33. <https://doi.org/10.1093/oxfordhb/9780199668779.013.10> p. 1

<sup>2</sup> Ibid., p. 3

<sup>3</sup> Ibid., p. 3

Therefore, they state that the solution to demarcating political theory (understood as the application of normative ethics) from moral philosophy is to use a methodological rather than a substantive way. This methodological way is to invoke the conditions of theorizing in both fields. As such, the aim of political philosophy is to solve problems under a specific constraint, which entails the presence of multiple viewpoints regarding (political) issues and that there can be disagreement about how to solve these issues. Furthermore, any convincing solution to the problems within political theory must appeal to people within a pluralistic society that have a variety of viewpoints. The aim of moral theorizing, on the other hand, is to formulate a solution to a moral problem which is correct according to the theorist's moral view.<sup>4</sup>

To further nuance the claim that political philosophy is distinct from moral philosophy in that the conditions of theorizing are different, they describe how political theory and moral philosophy differ.<sup>5</sup> They conclude that political philosophy is restricted to a smaller domain and is less morally loaded than moral philosophy as it does not take a stand on issues that are too controversial.

In order to better understand the views of abolitionist politicians, let's first continue with describing the metaethics debate and relevant theories that stem from it.

## Chapter 2 Metaethics Debate, Moral Error Theory and the “Now what?” Question

This chapter describes the metaethics debate and the Moral Error Theory (MET) position herein, and the “Now what?” question that stems from this theory along with the relevant answers to this question. Firstly, let's clarify the basic terminology in metaethics. Metaethics concerns the attempt to understand the metaphysical, epistemological, semantic, and psychological presuppositions and commitments of moral thought, talk, and practice. As such, it concerns questions about the meaning of moral claims as well as about moral truth and the justification of our moral commitments, the connection between values, reasons for action, human motivation, how morality provides us with reasons to act (or not act) in accordance with its demands, and issues that come with the nature of freedom and its (in)significance for moral responsibility.<sup>6</sup> Metaethics implies an abstract standpoint and is a second order discipline as it is not concerned with what is right and wrong or how one ought to behave (which would be in line with normative ethics). Metaethics relates to what exactly is going on in someone's mind when they speak about morality, and to the question whether moral properties and morality itself exist. This entire debate can be divided into three facets which each consist of opposing standpoints<sup>7</sup>:

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<sup>4</sup> Ibid., p. 3

<sup>5</sup> Ibid., p. 22-23

<sup>6</sup> Sayre-McCord, G., Metaethics (Stanford Encyclopedia of Philosophy). (2012, January 26). Retrieved January 18, 2021, from <https://plato.stanford.edu/entries/metaethics/>

<sup>7</sup> Fisher, A., (2011), Metaethics: An Introduction, Slough: Acumen, Ch. 1

## Facet 1

*Moral semantics: What do our moral judgements mean? Cognitivism vs non-cognitivism vs subjectivism.*

## Facet 2

*Moral metaphysics: Ontology, can these moral facts be real or not? Realism vs anti-realism.*

## Facet 3

*Moral epistemology: How do we obtain knowledge about moral facts? Rationalism vs empiricism, naturalism vs non-naturalism and motivation internalism vs motivation externalism.*

In what follows, I will solely describe Facet 1&2, which are the classifications of metaethics that are of importance for MET and which will thus be relevant for my thesis. Firstly, regarding the moral semantics, cognitivism argues two claims: moral judgements express beliefs (not emotions) and these beliefs are truth apt. Non-cognitivism argues that moral judgements or utterances (expressed in ethical sentences) cannot be (objectively) true as they lack truth-value. And therefore, that obtaining knowledge about morality is impossible. Secondly, regarding the moral metaphysics, realism argues that moral facts are real and objective as they can exist independently from all human moral judgements. Anti-realism argues that moral facts are not real. These classifications of metaethics form the basis for MET.

## Moral Error Theory

This section explains MET and its most important arguments against realism and against the claim that moral judgements always motivate. Within the metaethics debate, MET claims non-realism and cognitivism, which entails that there are no (objective) moral facts and our moral judgements are truth apt. Error theorists claim that when we utter moral judgements, which are beliefs about objective and normative facts, in an attempt to describe moral facts as if these exist, this fails because these moral facts do not exist. Subsequently, any of our moral judgements are always false because moral facts do not exist and therefore there is no evidence which could validate our moral judgements. So, when someone utters moral judgements they are always in error because these judgements can never be proven right or wrong. Thus, this implies that the everyday thinking and talking about morality is committing people to this error and to conclusions about morality which can never be proven. Nevertheless, as error theorists claim that moral judgements are false, this commits them to also claim that moral judgements are truth apt.

Now, in what follows, I will solely pose arguments for the semantics and metaphysics of MET by the error theorists Joyce and Mackie in order to further explain MET. I will not go into further detail than posing the translation test along with the arguments from disagreement and queerness in this section as my thesis focuses on what happens after we accept MET. For further defence of MET, see Joyce<sup>8</sup>, Mackie<sup>9</sup>, Olson<sup>10</sup> and Kalf<sup>11</sup>.

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<sup>8</sup> Joyce, R. (2001). *The Myth of Morality*. *Cambridge Studies In Philosophy*. Published. <https://doi.org/10.1017/cbo9780511487101>

<sup>9</sup> Mackie, J. L. (1991). *Ethics: Inventing Right and Wrong* (49307th ed.). Penguin Books.

<sup>10</sup> Olson, J. (2014). *Moral Error Theory*. Oxford University Press.

<sup>11</sup> Kalf, W., (2018). *Moral Error Theory*. Cham: Springer International Publishing AG, 2018.



In favour of the semantics of MET, Joyce uses his translation test to argue for cognitivism<sup>12</sup>, which focuses on the meaning of moral concepts. The translation test is used to determine what people mean when they utter moral claims and goes as follows. Suppose a random person on the street claims 'Stealing is wrong!', but then we ask this person if he would agree when we propose to translate his statement into 'Stealing is wrong, but some people do not agree with this and are also right when they say that stealing is not wrong sometimes.'. Joyce claims that the person on the street would not agree with this translation and will utter 'No! Stealing is always wrong!'. And therefore, as this person rejects the proposed translation and finds that his claim should be universalized, Joyce concludes that the ordinary person on the street tries to refer to objective moral facts when claiming things such as 'Stealing is wrong!'.

For the metaphysics of MET, Mackie states his arguments from disagreement and queerness against moral realism. Firstly, Mackie's argument from disagreement<sup>13</sup>, which is an inference to the best explanation of why people disagree about morality, implies that moral facts most likely do not exist simply because it is an undeniable phenomenon that people can and will continue to disagree about morality. This disagreement shows that moral facts do not exist even though people act as if they do exist. Subsequently, Mackie states that moral facts are nothing more than intuitions that can be explained by nurture through evolution. Secondly, Mackie's argument from queerness<sup>14</sup> states that humans should be able to use their senses to perceive moral facts if they do exist. But this is not possible as humans would need a special intuition in order to perceive moral facts which cannot be based on anything. Consequently, moral facts seem too queer to exist as they cannot be perceived by the human senses.

## The "Now what?" Question

This section explains the "Now what?" question that comes after believing in MET and all answers that error theorists give to it. The "Now what?" question concerns the practical challenge of what we ought to do with our moral thought and moral language after we believe in MET. So, if we believe that MET is true, we believe that someone's justification for his morally loaded behaviours (which are behaviours that follow from moral judgements, give rise to moral judgements or are subject to moral judgements) cannot be explained by moral facts, and thus morality as people know and use it cannot provide us with any (objective) norms to live by because our moral judgements and all things we say about morality are always in error. In trying to answer the "Now what?" question, some error theorists argue that, even without the existence of true moral reasoning, people still have prudential and epistemic reasons that follow from rationality<sup>15</sup>.

Although I recognize that there are multiple theories of prudential well-being and epistemic reasons to act, I choose to embrace one of each without extensively arguing for them because my thesis focuses on whether abolitionists can engage in normative ethics without using moral concepts rather than defending a specific prudential theory.

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<sup>12</sup> Joyce, R., *The Myth of Morality*, 2001, p. 3

<sup>13</sup> Mackie, J.L., (1977), *Ethics: Inventing Right and Wrong*, Harmondsworth: Penguin. p. 36

<sup>14</sup> *Ibid.*, p. 38

<sup>15</sup> Kalf, W., *Moral Error Theory*, 2018, p. 163

Firstly, the prudential theory I embrace is that of informed desires, which entails that the best life is the one someone would desire if that person would be fully informed about all the (non-evaluative) facts.<sup>16</sup> Secondly, the epistemic theory I embrace states that we act through facts which constitute a case for believing it is the best action. So, we should have epistemic reasons to believe in things when we have convincing evidence that proves these things to be valid.<sup>17</sup> I will now pose all relevant answers to the “Now what?” question to provide a more clear picture of it.

Firstly, Conservatism as formulated by Olson<sup>18</sup>, argues that we should keep using our moral thought, language and judgements as usual because this is prudentially good for us. However, while believing this answer, we should continue to regard our moral judgements as expressing beliefs that are always false and we should also compartmentalize our metaethical thoughts from our normative thoughts. And such compartmentalization comes down to attempting to ignore our belief in MET to be able to act (morally) consistent. When we apply this compartmentalization, our moral judgements can motivate us because we simply deny MET (while still believing it) and act as if these judgements can be true. Thus, we act morally consistent while we still believe in MET, but we are blocking that belief because it allows for people to behave in immoral ways.

Secondly, abolitionism as stated by Garner<sup>19</sup>, argues that all moral thoughts and moral judgements should be fully abolished as (objective) morality does not exist. According to Garner, morality can have bad consequences because it enforces moral obligations that prevent people's well-being. For example, for some young women morality can be bad when its moral obligations prevent them from having an abortion. These women could want an abortion simply because they cannot support their children financially, and because they do not want their children to suffer from that situation. And moral obligations can prevent them from getting an abortion in countries where this is regarded as morally refutable. Thus, abolitionists want to disregard all of our moral thinking and solely focus on how individual desires can be fulfilled as morality (often) cannot achieve this.

Thirdly, substitutionism as stated by Kalf<sup>20</sup>, argues that moral judgements should be substituted by prudential reasons as they are always false beliefs. Therefore, we should replace the meaning of our moral judgements by replacing moral reasons with prudential reasons. Prudential reasons are facts about desire satisfaction (similar to abolitionism) which allow for the fulfilment of any desire. Consequently, we should refer to which specific desires must be satisfied instead of referring to moral facts. Moral language is only used as a means to fulfil our prudential reasons. Now, when they correctly describe prudential facts these new moral judgements are true. These new judgements will motivate because people are motivated to do things that are prudentially good for them. And throughout human evolution, people have always done things that are prudentially good for them. An example of this theory in practice would be: I make a moral judgement but I know this is a false belief. The substitutionist view will tell us that this moral judgement refers to a prudential fact which could be something like ‘I run every day because it is healthy/good for me.’.

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<sup>16</sup> Crisp, R., Well-Being (Stanford Encyclopedia of Philosophy). (2017, September 6). Retrieved January 18, 2021, from <https://plato.stanford.edu/entries/well-being/>

<sup>17</sup> Steup, M., Epistemology (Stanford Encyclopedia of Philosophy). (2020, April 11). Retrieved January 18, 2021, from <https://plato.stanford.edu/entries/epistemology/>

<sup>18</sup> Olson, J., *Moral Error Theory*, 2014

<sup>19</sup> Garner, R. 2010. Abolishing Morality. In *A World Without Values*, ed. R. Joyce and S. Kirchin, 217– 234. Dordrecht: Springer.

<sup>20</sup> Kalf, W., *Moral Error Theory*, 2018, p. 206

Furthermore, the substitutionist theory states that all of us have a fundamental desire to cooperate, and this desire stems from people knowing that cooperating is prudentially good for them. This implies that our moral thought motivates us because we want to maintain cooperative relationships with(in) our group or society in order to survive and successfully pass on our genes.

Fourthly, revolutionary expressivism as stated by Köhler and Ridge<sup>21</sup>, argues that, contrary to MET, all moral judgements express emotions instead of beliefs. When adhering to this theory, moral judgements are not truth apt, not false and can also motivate us (to act rationally and morally correct) as they solely become the expression of emotions. Examples of such emotions are jealousy or happiness, which are neither true nor false and can also motivate us. Thus, revolutionary expressivists state that we should train ourselves to start expressing emotions whenever we utter moral judgements.

Fifthly, fictionalism as stated by Joyce<sup>22</sup>, argues that we should pretend that moral facts exist, while still believing that these facts do not exist, to avoid having beliefs that are always false. In that way we are 'make believing' that moral facts do exist, and this make believing is different from a belief as it equals a mental state because one can also 'hope' or 'despair' that moral facts exist. Thus, fictionalists replace cognitive moral judgements with non-cognitive moral judgements while pretending that moral facts exist. Additionally, pretending that moral facts exist can also motivate someone and does not imply that people utter false beliefs because pretending is not equal to believing. Therefore, the mental state of pretending is not truth apt, which is similar to how emotions are used in revolutionary expressivism.

Lastly, propagandism as described by Kalf<sup>23</sup>, argues that we should hide the truth of MET and the "Now what?" question for others in order to prevent these others from acting in immoral ways. So, everyone who does not know about MET should be kept in ignorance and should also be allowed to use the contemporary moral thought and language that error theorists know to be erroneous. Additionally, propagandism implies that those who know (and believe in) MET should accept an answer to the "Now what?" question which suits them best.

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<sup>21</sup> Köhler, S., and M. Ridge. 2013. Revolutionary Expressivism. *Ratio* 26: 428– 449.

<sup>22</sup> Joyce, R., 2005, "Moral Fictionalism", in Kalderon (ed.) 2005a, p. 287–313.

<sup>23</sup> Kalf, W., *Moral Error Theory*, 2018, p. 220

### Chapter 3 Concluding Part 1 Theory

Now we have seen that the practice of politics can be understood as the application of normative ethics if politicians employ the concepts and principles of moral philosophy to political and social problems and if it is concluded that this practice of politics does not become the same practice as moral philosophy, along with other existing metaethical theories that will be applied in this thesis together with MET, the “Now What?” question and all relevant answers to it. Thus, we can now continue with evaluating how abolitionist politicians could perform normative ethics.

<p><b>Part 1 Theory</b></p> <ul style="list-style-type: none"> <li>- Politics equals normative ethics</li> <li>- MET</li> <li>- The “Now What?” question</li> </ul>	<p><b>Part 2 Schwarz</b></p> <ul style="list-style-type: none"> <li>- Schwarz’s argument and criteria</li> <li>- Critique on Schwarz</li> <li>- Proposed Solution</li> </ul>	<p><b>Part 3 In Practice</b></p> <ul style="list-style-type: none"> <li>- COVID-19</li> <li>- Applying Schwarz</li> <li>- Problematic scenarios</li> </ul>
<p><b>Main points</b></p> <ul style="list-style-type: none"> <li>- How the practice of politics can be understood as the application of normative ethics</li> <li>- Explaining MET and what comes after believing it</li> </ul>	<p><b>Main points</b></p> <ul style="list-style-type: none"> <li>- Framework of Schwarz’s Features F and Continuation Criteria C</li> <li>- Arguing that abolitionist politicians can apply normative ethics in practice if they use Schwarz’s framework</li> <li>- Schwarz’s theory comes with problematic scenarios that can or cannot be fixed</li> </ul>	<p><b>Main points</b></p> <ul style="list-style-type: none"> <li>- The COVID-19 pandemic gives rise to morally loaded issues and behaviours along with morally loaded government legislation and policies</li> <li>- Showing the problematic scenarios of Schwarz’s theory in practice</li> </ul>

Nevertheless, as abolitionist politicians would insist that we cannot employ moral concepts in political reasoning whenever normative ethics are discussed within the practice of politics, the following part will use Schwarz’s theory to lay a preliminary framework for these abolitionist politicians to still communicate with people that do employ moral concepts within their (political) reasoning concerning (the application of) normative ethics.

## PART 2. SCHWARZ

### Chapter 4 Schwarz's Argument and Criteria

This chapter poses Schwarz's argument which, in short, entails that even if we completely abandon moral discourse, and thus believe in the 'abolitionist' answer to the "Now what?" question, there is still room for the practice of normative ethics. Schwarz states this practice entails that, even without using moral concepts to build moral theories, we can steer each other's behaviours concerning subjects which are important within our current practice of normative ethics.<sup>24</sup>

She poses that error theorists do not need the moral terms and concepts that normative ethicists normally employ in order to engage in a kind of theorizing that is strongly continuous with normative ethics and can thus constitute a continuation of the discipline of normative ethics. According to her, abolitionists can use utterances and attitudes that differ from moral claims which express moral beliefs, but that share salient characteristics with moral claims and beliefs as starting points for normative ethics.<sup>25</sup>

In order to argue for her claim, she first poses her five features (F), which she takes to be paradigmatic of normative ethics. She states that these features allow us to classify scholarly works as falling within normative ethics without implying anything about whether these works are good or what features the correct moral theory would have. Subsequently, the features represent a classificatory definition that solely identifies which principles, judgements or codes of conduct qualify as moral without implying anything about their correctness. Additionally, Schwarz states that she will not argue why normative ethics has these features as her goal is to establish that the discipline of normative ethics survives the acceptance of abolitionism.<sup>26</sup>

Secondly, based on these five features, she states five continuation criteria (C) which make an approach to practical theorizing that is continuous with normative ethics and which provide us with a test for whether and to what extent abolitionist ethics can be continuous with normative ethics. So, these are criteria for determining whether any approach to practical theorizing can be identified as falling within (the subject matter of) the practice of normative ethics. Additionally, Schwarz poses a sixth continuation criterion C6, which is not based on any of her features but does make a lot of sense according to her. After that, she argues why concept abolitionists can use, instead of moral claims, utterances that express different kinds of attitudes, where the resulting theoretical framework (always) meets continuation criteria C2 through C6.<sup>27</sup>

Now, in what follows, I will solely explain Schwarz's continuation criteria (C) for determining what falls within (the subject matter of) the practice of normative ethics in detail because only these are the focus of my critique on her theory and because they are largely equal to her features (F) and they also stem from them. Firstly, her features (F) are posed in the table below, which I will not further discuss. Then I will describe her criteria (C) along with her motivation for implementing these criteria in her theory. Lastly, I will present the rest of Schwarz's argument for which she uses her criteria.

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<sup>24</sup> Schwarz, L. (2020). Error Theory and Abolitionist Ethics. *The Southern Journal of Philosophy*, 58(3), 431–455. <https://doi.org/10.1111/sjp.12385> p. 451

<sup>25</sup> *Ibid.*, p. 432

<sup>26</sup> *Ibid.*, p. 442

<sup>27</sup> *Ibid.*, p. 443

Schwarz's Features F	
F1 Theoretical aim	<i>The aim to establish significant conclusions that are formulated in terms of moral concepts</i>
F2 Practical aim	<i>The practical aim is to provide guidance for deciding what to do</i>
F3 Impartiality	<i>Normative ethics is impartial</i>
F4 Subject matter	<i>The subject matter of normative ethics consists of issues that (a) are considered important and (b) have to do with a limited number of basic concerns, namely, concern about harm/care, fairness/reciprocity, ingroup/loyalty, authority/respect, and purity/sanctity</i>
F5 Methods	<i>The most common methods employed in normative ethics are: (1) the application of principles to cases, (2) the critique of principles through cases, (3) the extrapolation from cases to principles and (4) casuistry</i>

Now that her features F have been presented, let's continue with her criteria C.

## Schwarz's Criteria C

The criteria C consist of the following:

*C1: The approach has the theoretical aim of establishing significant conclusions that are formulated in terms of moral concepts.*

This criterion “includes conclusions implying certain actions are morally wrong, that certain entities have moral standing, and that certain things are intrinsically valuable. Additionally, it includes explanations for why things are wrong, bad, or good —what *makes* them so—as well as the defence of corresponding moral principles”.<sup>28</sup>

Schwarz notes that concept abolitionists cannot establish this kind of conclusions as their theorizing does not include moral concepts. However, Schwarz states that this view overlooks the criteria C2, C3, C4, C5 and C6. Additionally, it is important to note that she disagrees with the thought ‘There is no need to bother posing the remaining continuation criteria because any approach to practical theorizing is not continuous with normative ethics when it does not satisfy criterion C1 to begin with.’ as, according to her, ethical theory does not collapse without the theoretical aim and can have other goals (such as the practical aim). Lastly, Schwarz wants us to see abolitionist ethics as a continuation of ethical theory rather than a completely new discipline, wherein the practical aim gets elevated and we accept that the theoretical aim rests on a metaphysical mistake. And while this means a major overhaul within the discipline of ethical theory, she believes that the discipline would still survive.<sup>29</sup>

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<sup>28</sup> Ibid.,

<sup>29</sup> Ibid., p. 441

*C2: The approach has the practical aim of providing guidance for (deciding) what to do.*

This criterion follows from Schwarz's consideration of what morality is: it is a code of conduct or a system of action-guiding principles of a certain kind.<sup>30</sup> So, in order for a society to have a morality it needs to have at least a code of conduct which can be institutionalized or formalized. She describes a code of conduct as something that prescribes and prohibits certain behaviours and that may also include character ideals. Normative ethics is practically oriented when we conceive of it as a sophisticated public form of moral reasoning or as the enterprise of identifying or explaining the 'correct' morality which is a system of action-guiding principles. Additionally, moral reasoning is practically oriented as it is "directed towards what deciding what to do and, when successful, (issues) in an intention".<sup>31</sup>

*C3: The approach is impartial.*

This criterion entails that any approach which can be considered as falling within the practice of normative ethics has to treat or affect all in an equal manner. Schwarz motivates this criterion by reflecting on the nature of morality. Because it is widely agreed upon that morality is impartial between individuals, she concludes that a moral code is incorrect and not recognizable at all unless the code of conduct exhibits some kind of impartiality. Furthermore, she argues that normative ethics is impartial because it relies on and defends various moral principles and moral judgements which are impartial themselves.<sup>32</sup> And therefore the inputs and outputs of normative ethics are impartial. Additionally, she notes that it is controversial how substantive this impartiality needs to be as some argue that it requires people to always take into account everyone's interests equally while others allow for 'first order' partiality and believe that this impartiality should be justifiable by reference to a higher order principle which is truly impartial.<sup>33</sup> Lastly, she notes that the weakest sense in which morality has been deemed to be impartial is that of universalizability, which implies that moral rules apply to everyone equally and do not allow for arbitrary exceptions.

*C4: The subject matter of the approach in question consists of issues that (a) are considered important and (b) have to do with a limited number of basic concerns, namely, concern about setbacks of interests/care, reciprocity/equality/proportionality, ingroup/loyalty, hierarchy/respect, and contamination/taboo.*

This criterion implies that the subject matter of any approach which can be considered as falling within the practice of normative ethics has to consist of issues that concern (a) and/or (b). So, whenever the subject of an approach is considered to be important and has to do with basic concerns, then this approach falls within C4 and can be considered to be in line with the practice of normative ethics according to Schwarz.

Schwarz includes this criterion because it clarifies how normative ethics deals with a limited range of subject matters because only a limited range of issues seem to be moral issues.<sup>34</sup> For example, she explains that it is difficult to conceive of rules such as 'Always wear a green tie.' and 'Never use a ball-point pen.' as moral rules as these do not have the correct kind of subject matter.

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<sup>30</sup> Ibid., p. 437

<sup>31</sup> Ibid.,

<sup>32</sup> Ibid.,

<sup>33</sup> Ibid.,

<sup>34</sup> Ibid., p. 438

Thus, in order to make an issue morally relevant, she suggests that the issue has to be of considerable importance. Furthermore, Schwarz includes Haidt's five psychological foundations that people use to identify whether (important) issues can be classified as moral.<sup>35</sup> These foundations are (1) harm/care, (2) fairness/reciprocity, (3) ingroup/loyalty, (4) authority/respect, and (5) purity/sanctity. She states that it does not matter much for her argument how exactly we define the subject matter of morality as long as the account in question results in a considerable limitation on the subject matter of normative ethics. This limitation is important to her as not all practical issues are moral issues and thus, we need some way of delineating the moral domain from other domains. Lastly, she notes that her version of abolitionist ethics can accommodate different ways of delineating the moral domain. It is important to note that criterion C4 does not exactly match feature F4 (but is very similar to it) because Schwarz has altered C4 slightly to avoid a problem for the abolitionists. This is the original F4:

*F4: The subject matter of normative ethics consists of issues that (a) are considered important and (b) have to do with a limited number of basic concerns, namely, concern about harm/care, fairness/reciprocity, ingroup/loyalty, authority/respect, and purity/sanctity.*

Schwarz has altered C4 because F4 uses the exact terms of Haidt that can be morally loaded. Therefore, Haidt's terms pose a problem for abolitionists because they would not be able to use such terms as these could imply moral claims. For example, the term 'harm' could imply a (moral) wrongfulness which abolitionists cannot utter because they do not make claims about things being wrong (or right) since they think that nothing can ever be wrong (or right).<sup>36</sup> Thus, Schwarz has reformulated these terms in C4 in order to prevent this. Schwarz claims that we should replace morally loaded terms such as 'harm' and 'fairness' with terms such as 'setbacks of interests' or 'equality' and 'proportionality' to avoid any ambiguity as the latter terms lend themselves better to a purely descriptive reading. Now, Schwarz's alteration of F4 does ensure the use of terms that can be less morally loaded and that lend themselves better to a purely descriptive reading, but I think this still does not completely eliminate all forms of moral load that this new terms can possibly still carry with them in practice. I will further elaborate on this critique in chapter 5.

*C5: Some of the most common methods employed by the approach in question are: (1) the application of principles to cases, (2) the critique of principles through cases, (3) the extrapolation from cases to principles, and (4) casuistry.*

Schwarz counts methodology as another characterizing feature of the discipline of normative ethics as certain methods of (moral) reasoning are prevalent in normative ethics whereas other methods are (almost) entirely absent. Method (1) entails that moral principles or theories are applied to particular cases (after establishing the facts about these cases) in order to arrive at a verdict about these cases. Method (2) critiques or tests more general principles or theories by appealing to our held judgements about particular cases. With this method, we can qualify that something about a general principle or theory is problematic when it conflicts with our held judgements about certain cases. Method (3) aims to find a unifying principle that explains all of our specific verdicts about the cases at hand, using our verdicts about specific cases as starting points. So, we can then arrive at a more systematic moral outlook by using our intuitions or considered judgements about specific cases.

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<sup>35</sup> Ibid.,

<sup>36</sup> Ibid., p. 442



Method (4) is included because the application of principles does not always generate conclusive judgements and entails the comparison of existing cases (where we already have an opinion about) to novel cases that are analogous in order to learn about these novel cases. Schwarz notes that thought experiments can also be part of the method of casuistry because that which qualifies as an analogous case within this method can also be purely hypothetical. Similar to method (3), this method also takes our judgements about specific cases as its starting points. Additionally, she explains that less common methods of reasoning in normative ethics include appeals to authority, arguments by cause and storytelling. Schwarz notes that these four prominent methods of reasoning along with the less common methods are not an exhaustive list of all the methods which are employed in normative ethics, but that they do suffice to identify some paradigmatic methods in normative ethics and to show that abolitionist ethics can employ the same methods. To her, this suffices to establish methodological continuity.<sup>37</sup>

*C6: The approach in question allows engagement with many past theories and arguments by ethical theorists.*

Schwarz states that another crucial way in which an approach can be continuous with normative ethics is when it can engage with already developed theories and arguments within the current paradigm of normative ethics. For example, by criticizing, praising or building on such arguments.<sup>38</sup> Here, building on such arguments implies that one adds to the already existing arguments of a theory. For example, answers to the "Now what?" question are an addition to the arguments of MET.

## Schwarz's Argument

Now, after having formulated her features F and criteria C, I will continue with describing the rest of Schwarz's argumentation. After stating her criteria, she continues with arguing that concept abolitionists can use, instead of moral claims, utterances that express different kinds of attitudes. She starts by arguing that, in order to develop an abolitionist approach to ethics, the basic (and morally loaded) assumptions which are used as starting points in normative ethics must be replaced with something other than moral claims and beliefs.

She finds that almost all works in normative ethics that aim to establish a moral conclusion rely on some of these basic assumptions that the authors presume the audience to share.<sup>39</sup> These assumptions are sometimes made explicit or left implicit and consist in general ethical principles or moral judgements about specific cases or thought experiments.<sup>40</sup> She states that examples of such assumptions are that 'Suffering is bad.' or that 'Killing is worse than letting die.'. And based on such examples, philosophers can employ the methods from F5 and C5 to establish their conclusions. Schwarz describes that the defining features of attitudes that abolitionists can use must first be practical or action guiding to meet C2 as we cannot gain practical outputs without having practical inputs. Consequently, this rules out purely descriptive beliefs but does leave a wide variety of other attitudes eligible. Secondly, the attitudes must exhibit impartiality in order to meet C3 as we cannot gain impartial outputs without having partial inputs.

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<sup>37</sup> Ibid., p. 440

<sup>38</sup> Ibid.,

<sup>39</sup> Ibid., p. 443

<sup>40</sup> Ibid.,

Thirdly, the attitudes must concern issues that we consider to be important and that fit the five categories within C4 as this ensures that the approach to ethical theory concerns itself with the correct subject matter.<sup>41</sup> She poses that the literature of metaethical expressivism, which argues that moral claims express attitudes instead of descriptive moral beliefs, is a good place to search for attitudes that fit these criteria as expressivists have already thought about what kind of attitudes have a 'moral feel' to them. So, whilst abolitionists must adhere to the claim that moral claims express descriptive beliefs that come with ontological commitments about moral properties, they can still draw from the expressivist attitudes in order to create their own approach to ethical theory.

### SMUP

Schwarz highlights that many attitudes that expressivists focus on are not impartial, but that Hare's prescriptivism does focus on expressly impartial attitudes. His idea is that moral judgements are universalizable prescriptions. For example, when we judge that it is wrong for person A to perform action x, we commit ourselves to addressing the imperative 'Do not x.' towards anyone that considers performing x in similar circumstances to A's because of the prescriptive and universal nature of moral judgements. And in order to be consistent, the imperative also needs to be addressed to other agents in similar circumstances.<sup>42</sup> Hare's universalizable prescriptions are not inherently impartial in a substantive sense, which entails that they do not treat or affect all in an equal manner with regard to matters that are important to everyone. Nevertheless, Schwarz emphasizes that they are formally impartial in the sense of universalizability (meaning that they apply to everyone equally without exception) and that they are practical attitudes. However, she also states that the subject matter of universalizable prescriptions is not limited and can thus include "issues that we would usually consider to belong to the realm of aesthetics, epistemology, or etiquette, and can also include issues that no one considers important"<sup>43</sup>, which she acknowledges can be problematic for her theory. Schwarz fixes this by limiting her abolitionist ethics to the universalizable prescriptions that pertain to the subject matter of C4 instead of allowing any universalizable prescription as a starting point for ethical theorizing. She calls such attitudes "subject matter universalizable prescriptions" (hereafter SMUP) and states that she limits herself to these attitudes as starting points.<sup>44</sup>

Now, after having identified an attitude that concept abolitionists can use in their ethical theorizing (SMUP), Schwarz continues to describe how such an attitude could be expressed in practice. As abolitionists are committed to disagreeing with Hare on the point that the paradigmatic way to express universalizable prescriptions is through moral statements, Schwarz describes two other ways in which they can apply universalizable prescriptions. Firstly, abolitionists can express SMUP through imperatives such as 'Don't cause suffering!', but this approach is difficult because uttering a single imperative to a single agent may leave it unclear whether the prescription expressed is indeed universalizable or not. She states that, without further explanation, this difficulty can be avoided if the context clarifies that the imperative is meant to be universalized. Secondly, abolitionists can express SMUP by using the term 'shall' to describe normative (must or have) or imperative things or to question something along the lines of suggesting the engagement in joint planning ('Shall we head out?').

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<sup>41</sup> Ibid., p. 444

<sup>42</sup> Hare, R. M. (1963). *The Language of Morals*. Oxford University Press. p. 15-16

<sup>43</sup> Schwarz L., *Error Theory and Abolitionist Ethics*, 2020, p. 445

<sup>44</sup> Ibid.,

Thus, the term ‘shall’ can be used to express universalizable prescriptions as abolitionists could write things such as ‘We shall protect the life and bodily integrity of all humans.’<sup>45</sup>

Now that Schwarz has identified at least one type of starting point that abolitionists can use instead of moral claims, she examines what an argument would look like in abolitionist ethics. She poses a possible abolitionist argument about abortion which is inspired by Don Marquis’ argument<sup>46</sup>: “(1) let us oppose the killing of beings whenever doing so would deprive them of the kinds of future experiences, activities, projects, and enjoyments that are characteristic of adult human beings (let us call this kind of future “a future like ours”); (2) abortion deprives foetuses of a future like ours; (3) conclusion: let us oppose abortion.” Schwarz now observes two things about this argument. Firstly, it is not logically valid following from arguments that involve only declarative statements, but Schwarz states that such an argument is clearly valid in some sense as it would be inconsistent to accept the premises while still rejecting the conclusion. And philosophers within the field of normative ethics have made efforts to show that beliefs or declarative statements are not the only things that can have logical relations between one another. Therefore, arguments used by abolitionist ethicists can be valid or invalid similar to arguments within normative ethics. Secondly, the abolitionist anti-abortion argument can effectively convince others of its conclusion similar to traditional moral arguments because someone will be convinced to oppose abortion when this person accepts both premises (1) and (2).

*Meeting Continuation Criteria*

Before continuing with the next part of Schwarz’s argumentation, a quick summary of her criteria and the definition of her SMUP is provided in the table below.

<b>Summary of Schwarz’s Criteria C and SMUP</b>	
C1	<i>The approach has the theoretical aim of establishing significant conclusions that are formulated in terms of moral concepts</i>
C2	<i>The approach has the practical aim of providing guidance for (deciding) what to do</i>
C3	<i>The approach is impartial</i>
C4	<i>The subject matter of the approach in question consists of issues that (a) are considered important and (b) have to do with a limited number of basic concerns, namely, concern about setbacks of interests/care, reciprocity/equality/proportionality, ingroup/loyalty, hierarchy/respect, and contamination/taboo</i>
C5	<i>Some of the most common methods employed by the approach in question are: (1) the application of principles to cases, (2) the critique of principles through cases, (3) the extrapolation from cases to principles, and (4) casuistry</i>
C6	<i>The approach in question allows engagement with many past theories and arguments by ethical theorists</i>
SMUP	<i>Universalizable prescriptions that pertain to the subject matter of C4 instead of allowing any universalizable prescription as a starting point for ethical theorizing</i>

Now that Schwarz has identified what an argument in abolitionist ethics would look like, she explains how abolitionist ethics live up to the continuation criteria when it relies on SMUP.<sup>47</sup>

<sup>45</sup> Ibid., p. 446

<sup>46</sup> Marquis, D. (1989). Why Abortion is Immoral. *The Journal of Philosophy*, 86(4), 183. <https://doi.org/10.2307/2026961>

<sup>47</sup> Schwarz L., *Error Theory and Abolitionist Ethics*, 2020, p. 448

Firstly, the criterion C2 is met because “arguments in abolitionist ethics that replace moral beliefs and claims with SMUPs always conclude with a universalizable prescription, and prescriptions are action-guiding.”

Secondly, C3 is met because “abolitionist ethics that replaces moral beliefs with SMUPs uses as its only nondescriptive inputs impartial attitudes (impartial in the sense of universalizable). Thus, partiality and favouritism cannot find their way into the abolitionist ethicist's reasoning.”

Thirdly, C4 is met because “the content of a SMUP is by definition limited to the subject matters specified in C4.”

Fourthly, C5 is met because an argument such as the abolitionist anti-abortion argument involves the method of applying a general principle as expressed in premise (1) of Marquis' argument, which yields a verdict about abortion. Furthermore, abolitionists can also use the other three methods of C5: the method of using verdicts about individual cases to critique more general principles can be applied when the anti-abortion argument is turned around, which starts with a rejection of opposing abortion followed by stating that abortion deprives foetuses of a future like ours and then conclude with the general opposition to this deprivation. The method of extrapolating from cases to principles can be applied when we imagine abolitionists that extrapolate a more general universalizable prescription about specific cases. For example, extrapolating ‘If killing a being deprives it of a future like ours, don't kill it!’ from ‘Don't kill adult humans.’, ‘Don't kill new-borns.’, ‘Don't kill highly intelligent aliens.’ etc. The method of casuistry can be applied when, for example, abolitionists argue that killing a foetus has certain commonalities with killing adult humans and shall therefore be evaluated similarly. Thus, Schwarz concludes that abolitionist ethics meets C5.

Lastly, C6 is met because abolitionist ethics can often meaningfully engage with traditional arguments in normative ethics since abolitionists and conventional moral philosophers can agree and disagree with each other (while the former make moral claims and the latter express universalizable prescriptions or other suitable nondescriptive attitudes). Schwarz argues for this by implying that both abolitionists and conventional moral philosophers share the goal of providing action-guidance, and can thus agree and disagree with one another. For example, the abolitionist anti-abortion and Marquis's anti-abortion arguments can be agreed on because they provide people with similar action-guidance regarding abortion. Contrary, an abolitionist could also disagree with Marquis's anti-abortion argument by arguing for the conclusion ‘Don't oppose abortion!’, when they provide incompatible action-guidance regarding abortion.

Schwarz continues to argue that conventional moral philosophers and abolitionist ethicists can also agree or disagree with each other's premises, which is evident with regard to purely descriptive premises and also true for other premises as long as these constitute or imply a directive for how to act or make decisions. For example, abolitionists could disagree with Marquis's premise (1) because of its action guidance implication, which tells people to oppose killing a being if doing so deprives it of a future like ours, by arguing that this implication is too general and insufficiently sensitive to context. The abolitionist could suggest that specific cases need to be examined and evaluated on their own terms whilst not necessarily denying the truth of this premise. Additionally, Schwarz provides two clarifications regarding her treatment of C6:

### *Clarifications of C6*

Schwarz's first clarification explains that when abolitionists engage with arguments of conventional moral philosophers, this should not be seen as the abolitionists translating the conventional moral arguments into the terms of their own moral framework before responding to it. There are many moral concepts and potential attitudes that abolitionists can appeal to and it is therefore not clear how moral concepts can be mapped onto these attitudes. Schwarz poses that another reason why we should not think of translating conventional moral arguments into arguments in abolitionist ethics has to do with the Frege-Geach problem.<sup>48</sup> The Frege-Geach problem entails that it is difficult (or impossible) for non-cognitivists to find a way to answer how the meanings of simple (moral) sentences give rise to the meanings of complex (moral) sentences. For example, if expressivism is true, then moral judgements solely express emotions. So when I say 'Give money to charity.', this means 'Hooray! I approve of giving money to charity!'. However, when expressivists say 'If giving money to charity is right, then working for a charity organisation is also right.', which is a conditional (if-then) sentence, then the part 'If giving money to charity is right,' does not express approval of anything. The sentence solely entails 'if X then Y', and the moral judgement 'Give money to charity.' does not express an emotion in this conditional sentence. So now the problem becomes: how can moral judgements not express emotions in conditional sentences when expressivists argue that moral judgements always express emotions? Expressivists cannot explain how moral judgements function in conditionals and cannot account for the meaning of moral language in this kind of (conditional) context. Now, the Frege-Geach problem entails that the standard way of understanding the meaning of and logical relationships between complex sentences depends on what makes these sentences true or what they are about, and that expressivists (and other non-cognitivists) thus need a different nonstandard way of understanding how simple sentences give rise to the meanings of complex sentences.<sup>49</sup> Consequently, if the problem cannot be solved, conventional moral arguments which involve embedded moral claims cannot be translated (using the standard way) into a language of nondescriptive attitudes and can therefore also not be translated into arguments in abolitionist ethics. However, Schwarz argues that it is not necessary for normative and abolitionist ethicists to translate each other's arguments into their respective language in order to engage with one another as they only need to comprehend the action-guiding implications of the other's arguments and wonder whether they can endorse such implications. For example, when a conventional moral philosopher argues 'If doing a thing is bad, getting your little brother to do it is bad, and therefore getting your little brother to lie is bad.', an abolitionist can engage with the action-guiding implications of this argument without first having to produce a one-to-one translation as abolitionists can agree by saying 'There will be no lying, and not also no letting my little brother to lie.' or disagree by saying 'Let's oppose lying ourselves, but let's not oppose making little kids lie.'

Schwarz's second clarification entails that she does not claim that abolitionists will be able to engage with every argument within conventional moral philosophy. She states that they cannot engage with regard to arguments that essentially concern the relationships between moral concepts. For example, when a normative ethicist defends that we ought to do anything that prevents something bad from happening without thereby sacrificing anything of equal moral value, abolitionists cannot engage with this claim as they first need to assign an extension to 'Things are bad.' and create an ordering of things in accordance with their moral value in order to

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<sup>48</sup> Ibid., p. 450-451

<sup>49</sup> McPherson, T., & Plunkett, D. (2017). *The Routledge Handbook of Metaethics (Routledge Handbooks in Philosophy)* (1st ed.). Oxford, United Kingdom: Routledge.

figure out what the practical implications of this claim are. And since abolitionists do not think that bad things or things with moral value exist, they cannot engage with this claim.

Finally, after having argued that her abolitionist ethics meets the criteria C2-6, Schwarz concludes that it is strongly continuous with the practice of normative ethics and can thus constitute a continuation of the discipline.

## Chapter 5 My Critique on Schwarz's Argument

Now that we have described Schwarz's argument and criteria, let's examine whether it holds in theory. My aim in this chapter is to argue that Schwarz's criteria come with flaws as seen in problematic scenarios that need to be fixed and that it is better to use moral language in some cases where her theory fails. My critique of Schwarz's theory starts with her criteria (C) that test whether and to what extent abolitionist ethics can be continuous with normative ethics. Afterwards, I will pose two problems that come with Schwarz's theory that cannot be fixed.

This chapter consists of two parts. The first argues that Schwarz's theory leaves for problematic scenarios where we miss certain things regarding what classifies as normative ethics and for problematic scenarios where her theory allows for too much to fall under the definition of normative ethics. The second part examines whether and how the problematic scenarios that Schwarz's theory leaves for can or cannot be fixed.

### Problematic Scenarios

In questioning if Schwarz is right about whether abolitionists can perform normative ethics without using moral terms, I will first argue that, while Schwarz has cleverly found a way for abolitionists to perform normative ethics in accordance with her criteria, these criteria also leave for problematic scenarios wherein abolitionists cannot perform normative ethics according to Schwarz's criteria but that we do want to label as normative ethics in practice. Therefore, if abolitionists would adhere to Schwarz's criteria to practice normative ethics without the use of moral concepts, they lose the (potential) ability to engage in debates about normative ethics in cases wherein communication with normal moralizers (people that do use the moral terms and concepts that normative ethicists normally employ in order to engage in a kind of theorizing) fails due to these problematic scenarios. Nevertheless, it is important to note that I do not aim to refute Schwarz's theory and agree with her that abolitionists can, in practice, employ language which is extremely continuous with normative ethics. Contrary to refuting her entire theory I rather aim to argue how the problematic scenarios can be fixed in order to enhance the relevance of her theory. Additionally, I argue that only the cases wherein problematic scenarios remain that cannot not be fixed show that Schwarz's theory does not provide a universal solution for abolitionist politicians to successfully communicate with normal moralizers in all cases and that further research is thus needed to improve her theory.

I pose my critique by arguing for problematic scenarios wherein Schwarz's criteria show that they fail to encompass things that should also be classified as being part of morality or normative ethics. The initial criteria that I will criticise in this part are C3, C5 and C6, after which I will further criticize Schwarz by posing two unsolvable ways of failing communication between abolitionist politicians and normal moralizers that pertain to C1.

It is important to note that, in addition to the single instances of problematic scenarios and failing communication, it is possible for multiple combinations of problematic scenarios to occur.

### *C3: The approach is impartial.*

Firstly, her criterion C3 leaves for scenarios wherein morality is not always impartial. For example, "The Moral Machine Experiment"<sup>50</sup> shows that it could be possible to find moral claims which are universally believed by everyone only in certain regions. The Moral Machine Experiment is the most thoroughly conducted scientific research about moral claims performed to date in 223 countries and uses thousands of questions in order capture some of mankind's (shared) moral values. It proposes dilemmas which have been digitally generated and the answers to these are used to measure the moral values of the participants. The Moral Machine Experiment was construed because of concerns about how self-driving cars should make moral decisions (which the researchers deemed inevitable in the future) and what ethical principles should guide the behaviours of these machines. The researchers have planned on presenting all collected data using The Moral Machine Experiment to the companies that create and test moral algorithms, such as Amazon or Google, in order to enable the people to contribute to the morally loaded decisions of these companies. The Moral Machine Experiment shows that there can be some agreement about which ethical norms the self-driving cars should follow. For example, it has found that the majority of respondents (regardless of their age, nationality, culture or political beliefs) judge that the cars should prioritize the lives of humans over other creatures and also the lives of groups over individuals. Nevertheless, The Moral Machine Experiment also found that ethical principles differ across regional and cultural divisions as 'Southern' regions prefer to spare younger over older people more than 'Eastern' regions do. Another example is that The Moral Machine Experiment found that the economic situation within countries affects the moral judgements of its citizens as countries with strong governmental institutions favour hitting jaywalkers more than countries with weaker institutions. Additionally, citizens of countries with higher economic inequality favour hitting the lower status individuals over the high status ones. Now, as The Moral Machine Experiment proves that there can be shared views which are universally believed by everyone only in certain regions. This allows for a scenario where an approach which we do want to label as part of normative ethics can be partial when it has to accommodate different beliefs in different (answers to) moral claims across multiple groups of people. For example, such an approach would entail 'We ought to save the elderly over the younger ones only when we are in region A and we ought to save the younger ones over the elderly when we are in country B.'

Thus, the Moral Machine Experiment shows that different people can believe in different answers to moral dilemmas, which means that it is difficult to universalize morality across the entire human population (which is contrary to what Schwarz's criteria C3 suggests). The Moral Machine Experiment demonstrates that there are certain topics for which we can have a partial approach and which we do still want to label as morality, but that cannot be adopted within Schwarz's criterion C3. Therefore, any approach that incorporates exceptions regarding conflicting views about particular morally loaded issues falls outside of her theory while it should be adopted by it. Regarding this critique, it is important to note that I do not mean to promote the existence of objective or subjective moral values but solely that there are certain opinions about moral issues that can be shared across at least a certain group of people and that this proves that Schwarz's criterion C3 leaves out small windows where morality is partial and that her theory is therefore

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<sup>50</sup> Awad, E., Dsouza, S., Kim, R., Schulz, J., Henrich, J., Shariff, A., Bonnefon, J.-F., & Rahwan, I. (2018). The Moral Machine experiment. *Nature*, 563(7729), 59–64. <https://doi.org/10.1038/s41586-018-0637-6>

incomplete. Furthermore, I also do not mean to endorse that certain opinions about moral issues are correct only because a large number of people agree on them.

*C5: Some of the most common methods employed by the approach in question are: (1) the application of principles to cases, (2) the critique of principles through cases, (3) the extrapolation from cases to principles, and (4) casuistry.*

Regarding C5, Schwarz states that it is sufficient to identify some paradigmatic methods in normative ethics and to show that abolitionist ethics can employ the same methods as this will be enough to establish methodological continuity. However, it is unclear whether or not some methods fall within this criterion and if we can use them if we abide by Schwarz's theory. Therefore, it is important to add clear guidelines about which methods do and do not fall within this criterion instead of only describing some paradigmatic and common methods in order to avoid any ambiguity regarding which methods to use in practice. So, it is unclear whether we can label something as falling within abolitionist ethics when someone uses a method that is not included within C5. This becomes problematic when someone claims something which is in line with all other criteria, but uses a method of reasoning which is not included into C5, and therefore it remains unclear whether this claim should ever be accepted by abolitionist ethicists. Two examples of such methods of reasoning are particularism and the ethic of care. Particularism entails that we should always look at the relevant factors and their context in a given situation to formulate our moral judgements without referring to moral principles as these principles are not defensible.<sup>51</sup> The ethic of care entails a feminine or gendered approach to morality. This approach aims to improve ethical theorizing and to offer better approaches to issues including those that involve gender by proposing a perspective of justice that values intimacy, responsibility, relationships and caring for others.<sup>52</sup> It is important to note that this critique of C5 is strict as I acknowledge that the paradigmatic methods within this criterion can still establish methodological continuity and provide abolitionist politicians with enough means to interact with normal moralizers in most cases. Consequently, this critique is meant to indicate a minor point of improvement for Schwarz's theory and does not pose a severe threat to it.

*C6: The approach in question allows engagement with many past theories and arguments by ethical theorists.*

Schwarz's criterion C6 seems intuitively plausible, but this criterion is not formulated clearly enough as it is uncertain whether or not different kinds of engagements with past theories and arguments should be included within this criterion. And as C6 does not provide a way of telling whether or not certain engagements should be eligible for incorporation within her theory, this creates problematic scenarios when one uses an approach which has nothing to do with the subject matter of normative ethics while this approach can still engage with many past theories and arguments by ethical theories. So, a claim that engages with past theories (and that has been developed under the current paradigm of normative ethics) through the use of ridiculous things which are nothing alike normative ethics could count as falling within the practice of normative ethics according to criterion C6 only because it simply interacts with a certain past argument, but not because the rebuttal itself claims anything which is consistent with (the subject matter of) normative ethics.

<sup>51</sup> Dancy, J., Moral Particularism (Stanford Encyclopedia of Philosophy). (2017, 22 september) <https://plato.stanford.edu/>. <https://plato.stanford.edu/entries/moral-particularism/>

<sup>52</sup> Norlock, K., Feminist Ethics (Stanford Encyclopedia of Philosophy). (2019, May 27). Retrieved July 11, 2021, from <https://plato.stanford.edu/entries/feminism-ethics/#EthiCareFemiGendApprMora>



For example, it is unclear whether or not C6 has to include it into the subject matter of normative ethics when someone interacts with an already developed theory by noting 'The experience of walking through a forest at night has given me a trauma which has now led me to believe that this theory cannot be true.'

Furthermore, another example can be that a person's perception has been altered due to medicine or drugs and says 'I observe facts which cannot normally be observed and therefore have found evidence for this theory to be true.' The problem here is that C6 could count their claims as falling within the practice of normative ethics even if both persons later acknowledge that their claims have nothing to do with normative ethics and that they should be disregarded. Thus, due to unclear formulation, Schwarz's criterion C6 can include too much within the practice of normative ethics as we would normally not want to qualify these claims as falling within this practice. Similar to my critique of C5, it is important to note that this critique is also strict as I do acknowledge that (most) people will be able to tell that we should not be concerned with claims that engage with past theories through the use of unusual or elusive reasoning which do not fall into generally accepted normative ethics. And it is obvious that Schwarz did not intend for these kind of engagements to be included within C6. Therefore, this critique is also meant to indicate another minor point of improvement for Schwarz's theory that does not pose a severe threat to it.

### *Failing Communication*

Now that we have seen the solvable problematic scenarios that Schwarz's criteria give rise to, let's look at two more problems that come with her theory and that people adhering to her theory cannot solve. As both problems pertain to Schwarz's criterion C1, I will repeat this criterion below for clarity:

#### *Schwarz's C1*

*The approach has the theoretical aim of establishing significant conclusions that are formulated in terms of moral concepts.*

It is important to note that, while Schwarz has argued that it is not necessary for normative and abolitionist ethicists to translate each other's arguments into their respective language in order to engage with one another as they only need to comprehend each other's action-guiding implications and that she does not claim that abolitionists will be able to engage with every argument within conventional moral philosophy, the following problems are meant to illustrate that the need for this translation or the need for comprehending things beyond action-guiding implications can still occur easily when the debate between abolitionist politicians and normal moralizers goes beyond the practical implications and pertains to C1. Thus, the following problems show that failing communication between abolitionist politicians and normal moralizers can easily occur when normal moralizers will (inevitably) use approaches from C1 that go beyond the comprehension of action guiding principles. Henceforth, further critiques about Schwarz's C1 refer to the problematic scenarios that follow from the normal moralizer's inevitable use of C1.

Both problems show ways in which the communication between abolitionist politicians and normal moralizers fails. I will classify both these problems as being unsolvable because they revolve around the normal moralizer's establishments of significant conclusions that are formulated in terms of moral concepts (which is in line with the approach in criterion C1), while abolitionist politicians cannot establish such conclusions.

Therefore, it is inevitable that the communication between normal moralizers and abolitionist politicians becomes problematic whenever normal moralizers will use (approaches from) C1 and abolitionist politicians cannot use (approaches from) C1. As such, these two ways of failing communication both show that Schwarz's theory cannot be successfully applied in certain situations.

Firstly, I will criticise Schwarz's claim that both abolitionist politicians and conventional moral philosophers (normal moralizers) can agree and disagree with one another solely because they share the goal of providing action-guidance. Secondly, I argue that a problem akin to the Frege-Geach problem, which I will call the 'translation problem', occurs when abolitionist politicians and normal moralizers engage in moral debates.

### The problem of insufficient (dis)agreement

With this first critique, I will argue that, while I recognize that abolitionist politicians who endorse Schwarz's theory and normal moralizers can agree or disagree on the action guiding implications of the other's arguments, solely being able to agree or disagree on action guiding implications is not sufficient and creates problems. These problems stem from the fact that normal moralizers also use the theoretical aim as an approach to practicing normative ethics, and this aim is to establish significant conclusions that are formulated in terms of moral concepts (C1). So, as abolitionist politicians can never employ C1, they cannot sufficiently agree or disagree on facets of certain arguments or debates that only pertain to C1 as an approach to the practice of normative ethics. Thus, this means that they are sometimes unable to sufficiently (dis)agree with each other.

It is important to note that this problem differs from Schwarz's claim that abolitionist politicians and normal moralizers would not be able to engage with regard to arguments that concern the relationships between moral concepts (as described in the clarifications of C6 above). In what follows, I will demonstrate two scenarios wherein abolitionist politicians and normal moralizers can sufficiently agree or disagree, but after that I will alter these scenarios to show when both parties become unable to agree or disagree. Both of these examples show that, while abolitionist politicians and normal moralizers can agree on the action-guiding principles of certain claims, they cannot sufficiently agree or disagree when claims are added that employ the theoretical aim (in line with C1) as an approach to normative ethics, because abolitionist politicians cannot establish conclusions that are formulated in terms of moral concepts. Thus, they then cannot continue their debate as their modes of communication regarding moral implications become incompatible.

The first example is when normal moralizers argue part X: 'We can lie to someone if the truth hurts them more.', then the abolitionist politician can agree or disagree with the action-guiding principle of this statement which entails 'You can lie to someone to prevent them hurt.' because this qualifies as a practical aim to provide guidance for deciding what to do. Therefore, part X falls within criterion C2 of Schwarz's theory. But, it becomes difficult for abolitionist politicians to fully agree or disagree when normal moralizers add part Y: 'We can always lie to someone to prevent them hurt because it is morally better to do so.'. In this second case, while the abolitionist politician would understand and could agree or disagree on the action-guiding principle that follows from part X, the implications from part Y constitute an approach which is solely consistent with criterion C1 as concluding that something is 'morally preferred' qualifies as a theoretical aim.

Therefore, abolitionist politicians would not be able to agree or disagree on part Y as they cannot acknowledge (the reasoning within) it as being part of their abolitionist practice of normative ethics. Thus, their modes of communication become incompatible as soon as the normal moralizers employ this approach from C1.

The second example is when abolitionist politicians argue for claim A 'We must refrain from driving our car after a night of bad sleep because this could prevent car crashes and thus save human lives.', normal moralizers can agree or disagree on the action-guiding principle of this statement which entails 'Do not drive your car if you do not feel well.' because this qualifies as a practical aim to provide guidance for deciding what to do. Therefore, claim A falls within criterion C2 of Schwarz's theory. But, it again becomes difficult for them to sufficiently agree or disagree when normal moralizers react with statement B 'We must not forbid people from driving their cars when they have not slept well because autonomously choosing whether you can drive or not after a night of bad sleep is an intrinsically valuable decision and therefore it should not already be decided for anyone.' Now, both parties could first agree or disagree on the action-guiding principles of claim A, but they cannot agree or disagree on statement B as it constitutes an approach from C1 that employs the theoretical aim because it concludes that 'Autonomously choosing whether or not you can drive after a night of bad sleep.' is an intrinsically valuable decision. Therefore, the abolitionist politician would not be able to agree or disagree on statement B as they cannot acknowledge (the reasoning within) it as being a part of their version of the practice of normative ethics. Thus, once more their modes of communication become incompatible. Finally, the abolitionist politicians could try to work around the problem of not being able to include part Y and B in their version of the practice of normative ethics by asking the normal moralizers about their reasons for believing in their claims. And when these reasons fall within the criteria C2-C6, then the abolitionist politicians would be able to engage in conversation with the normal moralizers. Nevertheless, this solution will not apply when the normal moralizers answer that their claims are based on things such as 'intuition' or anything else that falls outside of criteria C2-C6.

### The translation problem

Now that we have seen how abolitionist politicians and normal moralizers cannot sufficiently agree nor disagree, let's look at another instance where their communication becomes incompatible when they enter in (moral) debates. This 'translation problem' also arises when normal moralizers employ approaches from C1. It is akin to the Frege-Geach problem as it displays situations wherein abolitionist politicians will have difficulty with answering how the meanings of their language (as formulated in line with Schwarz's theory) give rise to the meanings of complex moral implications (as formulated in line with approaches from C1) and that they would need a different (nonstandard) way of answering this.

So, the translation problem arises when normal moralizers have difficulty understanding the exact meaning of any moral implications that could (or could not) result from the conclusions that follow from what the abolitionist politicians say when they do not communicate with approaches from C1, but only with language in line with Schwarz's framework of C2-C6 (that solely has the practical aim of providing guidance for deciding what to do). In the case of the translation problem, the normal moralizers have to guess how the abolitionist politician's claim would translate into their own language that does employ (establishing conclusions formulated in terms of) moral concepts. But, the normal moralizer has no idea how to perform this translation and thus cannot completely understand how the abolitionist politicians have come to their conclusions.

And the other way around, whenever an abolitionist politician makes claims that carry moral implications in a debate with normal moralizers, abolitionist politicians would have to translate how these claims can establish such conclusions that are formulated in terms of moral concepts in order for normal moralizers to understand them. But, this becomes problematic as abolitionist politicians do not use moral concepts within their (framework of) reasoning. Thus, again they cannot enter in debate as their modes of communication regarding moral implications become incompatible.

In what follows, I will demonstrate two scenarios wherein the translation problem arises in a debate between abolitionist politicians and normal moralizers. These examples show how normal moralizers are not able to understand the exact moral implications of what the abolitionist politicians say as they would have to translate the abolitionist politician's implications into approaches that employ the theoretical aim as described in C1 (which is to formulate conclusions in terms of moral concepts). And the abolitionist politicians are not able to explain these conclusions with the use of the moral concepts that normal moralizers require in order to fully understand (the moral implications that follow from the conclusions of) their claims since abolitionist politicians simply do not use such concepts.

Firstly, when abolitionist politicians utter a claim such as 'We shall decrease the speed limit in large cities because this will reduce the amount of traffic-related deaths.', the normal moralizers would understand the action-guiding principle to decrease the speed limit in large cities because it will reduce deaths. But, as soon as normal moralizers ask 'Why do you want to reduce traffic-related deaths? Do you mean it is morally good to reduce traffic-related deaths? Or is it morally good to decrease speed limits in big cities?', it becomes apparent that the normal moralizers do not understand how exactly the abolitionist politicians have established the moral implications of their conclusions in terms of moral concepts and would have to translate these (into conclusions as formulated in line with C1) to understand them. And the abolitionist politicians cannot provide this translation as they do not employ moral concepts within their reasoning.

Secondly, when abolitionist politicians claim 'Governments shall not collect personal data of citizens because that would breach their individual freedom.', normal moralizers could ask 'Why do you not want to breach individual freedom? Do you mean that it is morally bad to breach individual freedom? And is it morally bad for governments to collect personal data of citizens?'. Then, the normal moralizers again cannot understand how to translate (into conclusions as formulated in line with C1) how the abolitionist politicians have come to establish the moral implications of their conclusions and the abolitionist politicians themselves also cannot give this translation as they do not employ moral concepts within their reasoning.

### Fixing Schwarz's Criteria

Now, after having explained my critique of Schwarz's criteria, I will continue with the second part of this chapter, which considers whether and how the problematic scenarios can be fixed and to what extent it matters for Schwarz's theory when some of them cannot be fixed. Before proposing possible solutions to fix the problematic scenarios, I will first pose Schwarz's original criteria along with my critique on them.

### Schwarz's C3

*The approach is impartial.*

#### Critique on C3

*Morality is not always impartial as it is difficult to always universalize morality across the entire human population. Consequently, C3 lacks partial approaches that we do want to label as part of normative ethics.*

#### Fixing C3

The problematic scenarios that C3 allows could be solved by either including some partiality into this criterion or by creating specific guidelines about when morality should be considered as impartial and when it should not be. C3 could be altered to contain approaches which include some partiality and that also simultaneously fulfil the other criteria. For example, it could be possible to include approaches into Schwarz's theory that do not treat everyone or everything as equal, but that we would still want to include within the practice of normative ethics. This could be included within C3 by acknowledging that, while the approach still needs to be impartial in most cases, we can include partial approaches in cases where we know from The Moral Machine Experiment that we cannot universalize the moral claims within them because people believe in different answers to the moral dilemmas that stem from these cases. And therefore, the approach does not always have to be impartial. Additionally, guidelines regarding when morality should be regarded as being sufficiently impartial can entail that any partiality is only allowed when it is reasonable and fact based. For example, such partiality could be the situation to help poor people first in times of crisis because they have less (financial) means to take care of themselves.

### Schwarz's C5

*Some of the most common methods employed by the approach in question are: (1) the application of principles to cases, (2) the critique of principles through cases, (3) the extrapolation from cases to principles, and (4) casuistry.*

#### Critique on C5

*C5 is formulated unclearly as it does not provide certainty about whether or not some methods of reasoning should be included within this criterion.*

#### Fixing C5

Schwarz could solve the problematic scenarios that C5 allows by adding clear guidelines about which methods do and do not fall within this criterion. For example, she could add to C5 that, while the most common methods of reasoning are already included, other methods can be used as long as these do not employ the use of imaginary facts or fallacious knowledge. Furthermore, Schwarz could employ the law regarding which methods of (moral) reasoning should be regarded as valid. Although this would solve most cases wherein the methods of reasoning are questioned, some cases that fall outside of the law would have to be disputed by judges and lawyers, and this remains a process concluded by subjective human opinion.

### Schwarz's C6

*The approach in question allows engagement with many past theories and arguments by ethical theorists.*

*Critique on C6*

*This criterion is not formulated clearly enough as it is uncertain whether or not different kinds of engagements with past theories and arguments should be included within this criterion.*

*Fixing C6*

Solving the problems with C6 can be achieved through finding ways to qualify when the interactions with past theories and arguments should be seen as legitimately falling within the subject matter of normative ethics. For example, in order to exclude a portion of irrelevant matters that still engage with past theories or arguments, Schwarz could add that the approaches that do qualify as falling within C6 cannot be based on imaginary facts or knowledge. Nevertheless, similar to C5, Schwarz would have to construe a broad list of what does and does not qualify as a legitimate approach that allows engagement between past theories and arguments of ethical theorists. Additionally, she could employ the law to help identify what kinds of engagements are legitimate, but this comes with the same problem as described in C5.

*Failing Communication**The problem of insufficient (dis)agreement*

*As abolitionist politicians can never employ C1, they cannot sufficiently agree or disagree on facets of certain arguments or debates that only pertain to C1 as an approach to the practice of normative ethics.*

*The translation problem*

*Whenever an abolitionist politician makes claims that have conclusions with moral implications in a debate with normal moralizers, these abolitionist politicians either have to explain how these claims can establish conclusions with moral implications formulated in terms of moral concepts (which they do not employ), or the normal moralizers would have to guess how to translate the meaning of these conclusions into conclusions that include moral concepts.*

*Fixing failing communication*

We have already seen that the two problems of insufficient (dis)agreement and translation that come with Schwarz's theory cannot be solved by abolitionist politicians adhering to it. However, instead of accepting that they cannot sufficiently communicate with normal moralizers whenever these problems arise, I argue that a practical solution for abolitionist politicians would be to temporarily abandon their metaethical beliefs for the sake of being able to communicate with normal moralizers. This means that abolitionist politicians could temporarily adopt a different modus operandi of communication, which does employ moral concepts, only in cases wherein the two problems of (dis)agreement and translation arise. So, while maintaining their beliefs in abolitionism and MET, abolitionist politicians could concede to temporarily replace Schwarz's framework of communication for a different style of communication that does use moral concepts, even though this is incongruent with their metaethical beliefs, only to be able to communicate with normal moralizers when this is needed. In practice, this could be similar to Olson's Conservationism (as described in the "Now what?" question above) wherein abolitionist politicians keep using 'normal' moral language while compartmentalizing their abolitionist beliefs in order to be able to communicate with normal moralizers.

## Chapter 6 Concluding Part 2

In the first part of my thesis, I have explained that the practice of political philosophy can be understood as the practice of normative ethics, the metaethics debate along with the Moral Error Theory and the “Now what?” question herein. In this second part, I have presented how the practice of normative ethics can still be possible without the use of moral concepts according to Schwarz’s argument and criteria. Furthermore, I have critiqued Schwarz’s abolitionist ethics by challenging whether it is possible for abolitionists to successfully reformulate morally loaded terms or arguments in accordance with her criteria so that these can be qualified as usable by abolitionists.

<b>Solvable Problematic scenarios</b>	
<p>Schwarz’s C3 <i>The approach is impartial</i></p>	<p>Critique on C3 <i>Morality is not always impartial as it is difficult to always universalize morality across the entire human population. Consequently, C3 lacks partial approaches that we do want to label as part of normative ethics</i></p> <p>Fixing C3 <i>Include partial approaches or guidelines that ensure reasonable and fact based partiality for cases where we know from The Moral Machine Experiment that we cannot universalize the moral claims within them</i></p>
<p>Schwarz’s C5 <i>Some of the most common methods employed by the approach in question are: (1) the application of principles to cases, (2) the critique of principles through cases, (3) the extrapolation from cases to principles, and (4) casuistry</i></p>	<p>Critique on C5 <i>C5 is formulated unclearly as it does not provide certainty about whether or not some methods of reasoning should be included within her theory</i></p> <p>Fixing C5 <i>Formulate the criterion more clearly by adding clear guidelines about which methods do and do not fall within this criterion and/or by employing the law regarding which methods of (moral) reasoning should be regarded as valid</i></p>
<p>Schwarz’s C6 <i>The approach in question allows engagement with many past theories and arguments by ethical theorists</i></p>	<p>Critique on C6 <i>This criterion is not formulated clearly enough as it is uncertain whether or not different kinds of engagements with past theories and arguments should be included within this criterion</i></p> <p>Fixing C6 <i>Formulate the criterion more clearly by adding that the approaches which do qualify as falling within C6 cannot be based on imaginary facts or knowledge and/or by employing the law to help identify what kinds of engagements are legitimate</i></p>
<b>Two unsolvable ways of failing communication</b>	
<p>Critique 1 <i>The problem of insufficient (dis)agreement</i></p>	<p>Solution <i>Concede to temporarily using moral concepts in practice</i></p>
<p>Critique 2 <i>The translation problem</i></p>	<p>Solution <i>Concede to temporarily using moral concepts in practice</i></p>

All of the proposed theoretical problems can be solved in line with Schwarz’s theory other than the two ways of failing communication between abolitionist politicians and normal moralizers. I have shown that it is unavoidable in some cases that abolitionist politicians fail to communicate with normal moralizers, or that they would have to concede to temporarily substituting (or compartmentalizing) their abolitionist beliefs and Schwarz’s framework of communication for a style of communication in which they do not believe in a way that can be viewed as similar to Olson’s conservatism. Consequently, these two ways of failing communication show that Schwarz’s criteria are not enough and that we do miss moral terms in qualifying and discussing (the subject matter of and approaches to) normative ethics within certain scenarios. Therefore, this chapter has shown that it is better to improve Schwarz’s criteria in order to fix the problematic scenarios and that it is better to keep using moral language in some cases where her theory fails even though using moral language is theoretically not an option for abolitionist politicians.

Perhaps one can argue that, since it is inevitable that normal moralizers will use reasoning and language which is only in line with C1, Schwarz’s framework can fail already when the discussion between normal moralizers is taken beyond the practical implications towards a debate that only pertains to C1. Hence, the framework for abolitionist politicians could only be useful for a limited amount of scenarios wherein it is needed to solely assert (dis)agreement on practical implications before it fails to provide a mode of communication to these abolitionist politicians whenever the debate inevitably gets taken beyond these implications (into C1). I do not want to assert such conclusions myself, but rather want to note that my critique signifies that further research is needed to solve the flaws that come with Schwarz’s framework when C1 comes into play.

Part 1 Theory - Politics equals normative ethics - MET - The “Now What?” question	Part 2 Schwarz - Schwarz’s argument and criteria - Critique on Schwarz - Proposed Solution	Part 3 In Practice - COVID-19 - Applying Schwarz - Problematic scenarios
Main points - How the practice of politics can be understood as the application of normative ethics - Explaining MET and what comes after believing it	Main points - Framework of Schwarz’s Features F and Continuation Criteria C - Arguing that abolitionist politicians can apply normative ethics in practice if they use Schwarz’s framework - Schwarz’s theory comes with problematic scenarios that can or cannot be fixed	Main points - The COVID-19 pandemic gives rise to morally loaded issues and behaviours along with morally loaded government legislation and policies - Showing the problematic scenarios of Schwarz’s theory in practice

Let’s now look at how the COVID-19 pandemic can be used as a test case to show how the flaws of Schwarz’s theory can occur when it is applied in practice. Before continuing with showing my critique in practice in the third part of this thesis, I will first pose a summary of all my critique on Schwarz’s theory in the table below.



## PART 3. IN PRACTICE

Now that we have seen why the practice of politics can be understood as the application of normative ethics along with the relevant theories for my thesis and also Schwarz's argumentation as well as my critique of her criteria, let's continue with the last part of this thesis. This part does not generate new critiques or insights regarding Schwarz's theory and is meant to further illustrate and clarify my theoretical critique on her theory. It uses the ongoing COVID-19 pandemic as a test case to show how my critiques can also appear in practice and consists of four chapters. Firstly, it explains the COVID-19 pandemic itself and how it gives rise to morally loaded behaviours and issues. Secondly, how abolitionist politicians could apply Schwarz's theory in practice regarding these morally loaded issues and behaviours. Thirdly, using my critiques of her theory, I will show how the problematic scenarios and two ways of failing communication which Schwarz's theory leaves for can occur during the COVID-19 pandemic. Lastly, I will conclude this thesis by stating how I have pointed out that Schwarz's criteria can be improved and that her theory comes with two unsolvable problems.

### Chapter 7 COVID-19

The COVID-19 pandemic is today's most concerning health crisis and the greatest challenge we face since World War Two. The virus emerged in Asia and has now spread to every continent except Antarctica. Although it remains unclear exactly how the virus first spread to humans, many health experts are convinced that the virus originated in bats or pangolins and that the first transmission to humans happened in Wuhan, China. At the time of writing this sentence, over two million registered deaths because of COVID-19 and twenty four million active COVID-19 infections are recorded and every 16 seconds someone dies at the hands of COVID-19<sup>53</sup>. But the pandemic is not solely a health crisis; it has created social, economic and political effects that reach almost all parts of the world. It is a fact that COVID-19 has changed our relationships to each other and the places we live, and has redefined what we thought of as 'normal' within our lives.<sup>54</sup>

#### Morally Loaded Behaviours and Issues

Now, let's first look at some of these changes and examine how these give rise to morally loaded behaviours and issues. The first and most obvious change is that wearing facemasks is obligatory in over 120 countries as of today.<sup>55</sup> This obligation causes all sorts of morally loaded behaviours because it affects the (further) spread of COVID-19 and human lives as such. Examples of these morally loaded behaviours or issues are, for example, not wearing the mask properly or not wearing it at all, purposefully not wearing a mask on certain occasions and taking the mask off for

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<sup>53</sup> R. (2020, December 3). Coronavirus disease COVID-19 pandemic. Retrieved January 16, 2021, from <https://www.undp.org/content/undp/en/home/coronavirus.html>

<sup>54</sup> Kandola, A. (2020, June 30). Coronavirus cause: Origin and how it spreads. Retrieved January 18, 2021, from <https://www.medicalnewstoday.com/articles/coronavirus-causes>

<sup>55</sup> McKie, R., & Tapper, J. (2020, July 12). With 120 countries making masks compulsory in public, shouldn't England? Retrieved January 18, 2021, from <https://www.theguardian.com/world/2020/jul/11/with-120-countries-making-masks-compulsory-in-public-shouldnt-england>

a short amount of time for whatever reasons. Furthermore, country wide 'lockdowns' have been enforced to prevent the spread of COVID-19 in which people are not allowed to leave their homes for unimportant matters or past certain times, and are not allowed to travel freely and in which many stores along with public spaces have been closed for a certain period of time.<sup>56</sup> Lockdowns are morally loaded issues as they breach individual freedom (mostly) without individual consent.

In what follows, I will use the legislation of the Dutch government to demonstrate examples of the morally loaded decisions that governments (and thus politicians) have to make during the COVID-19 pandemic. I will define this legislation as changing by decree in line with COVID-19 developments which affects the lives of Dutch citizens. For example, the Dutch legislation enforced a country wide 'intelligent lockdown' at first, but ended this measure when COVID-19 infections started to decline.<sup>57</sup> Additionally, rules and legislation have been changed and adapted on a regular basis and were enforced even though these were perceived to be arbitrary and unpredictable. For example, rules which allow for (crowded) shopping in supermarkets and travel by air<sup>58</sup>, but do not allow to sit in a catering facility even at 1.5 meters apart (including open air facilities).

## Moral Decisions by Government

Now, let's look at several moral decisions that the Dutch government has made regarding its legislation. It is important to note that I solely pose these decisions to show the evident morality that is involved in them and do not aim to judge about whether or not they should be endorsed. Firstly, the most obvious decision is the choice to protect the vulnerable citizens whose lives are threatened by COVID-19, which is a small group compared to the group that will suffer mild to no symptoms when infected with the virus. And by endorsing this, the Dutch legislation severely hurts the Dutch economy and breaches individual freedom by closing public and social spaces and by implementing lockdowns. So, whilst prioritizing the protection of a small vulnerable group over the larger part of the Dutch population, the Dutch government has effectively made the moral decision to prioritize the well-being of this small group over the larger part of the Dutch population. Secondly, the Dutch government has decided to breach individual freedom by decree with the implementation of rules that enforce imperatives such as 'wear a facemask' or 'refrain from participating in sports' or 'groups must not be larger than 2 households' during the lockdown. Additionally, it is important to note that any decisions made by the Dutch government (whether or not by decree) appear to be difficult to counteract as the government is a slow moving entity and is also not easily replaceable since this would inevitably be a long and tedious process if done democratically correct. And the same goes for virtually any government across the world. Additionally, it can be observed that the Dutch government rules in an unpredictable and arbitrary manner as its legislation is determined by the unpredictable effect of COVID-19 on Dutch citizens. Lastly, the government ordering an intelligent lockdown is an autonomous act of decree that ignores individual freedom as this order is not enforced through laws which have been enacted by democratic processes.

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<sup>56</sup> Wikipedia contributors. (2021, January 17). COVID-19 lockdowns. Retrieved January 18, 2021, from [https://en.wikipedia.org/wiki/COVID-19\\_lockdowns](https://en.wikipedia.org/wiki/COVID-19_lockdowns)

<sup>57</sup> ad.nl. (2020, June 24). an intelligente lockdown naar 'ruimte met regels.' Retrieved November 1, 2020, from <https://www.ad.nl/binnenland/live-van-intelligente-lockdown-naar-ruimte-met-regels-amazone-treurt-om-omabernaldina~a8124009/?referrer=https%3A%2F%2Fuk.search.yahoo.com%2F>

<sup>58</sup> Ministerie van Algemene Zaken. (2020, October 14). Nederlandse aanpak en maatregelen tegen het coronavirus. Retrieved November 1, 2020, from <https://www.rijksoverheid.nl/onderwerpen/coronavirus-covid-19/nederlandse-maatregelen-tegen-het-coronavirus>

## Chapter 8 Applying Schwarz's Abolitionist Ethics

We have now argued how the COVID-19 pandemic gives rise to morally loaded issues and behaviours along with morally loaded government legislation and policies. Before going into the limitations of Schwarz's argument, I will first examine what it would look like when abolitionist politicians adhere to Schwarz's abolitionist ethics in practice during the COVID-19 pandemic.

### SMUP

In order to successfully apply Schwarz's abolitionist ethics, abolitionist politicians must replace the basic (and morally loaded) assumptions which are used as starting points in normative ethics with utterances that express attitudes, where the resulting theoretical framework meets C2-C6. In line with Schwarz's theory, abolitionist politicians could express SMUP regarding things which are related to the COVID-19 pandemic in two ways. Firstly, through imperatives such as 'Wear a facemask.', but this approach is more difficult as the context would have to clarify that this imperative is meant to be universalized. Therefore, the second way is more viable as it uses the term 'shall' to utter imperatives such as 'We shall wear a facemask during the lockdown.', or to propose the engagement in joint planning such as 'Shall we refrain from sports activities in order to prevent COVID-19 from spreading?'.

### Arguments in Line with Schwarz's Theory

Now that we have posed examples of SMUP that abolitionist politicians could use during COVID-19, let's look at examples of arguments that they could pose in line with Schwarz's theory. These examples show that abolitionist politicians can, in many cases, employ a kind of ethical reasoning that meets the criteria C2-C6 and that can therefore constitute a continuation of the discipline of normative ethics as it is strongly continuous with it:

(1) 'We shall oppose taking risks which could lead to human deaths.'; (2) 'Not wearing a facemask in public spaces during the COVID-19 pandemic increases the risk of infecting the weaker group of humans that will most likely die from the virus.'; (3) conclusion: 'Let us oppose not wearing a facemask in public spaces during the COVID-19 pandemic.'

(1) 'We shall save human lives whenever we can.'; (2) 'Imposing a lockdown during the COVID-19 pandemic will save human lives.'; (3) conclusion: 'Let us impose a lockdown.'

(1) 'We shall oppose measures against COVID-19 infections that are not very effective.'; (2) 'Wearing a facemask does little to prevent COVID-19 infections as people's breath will go around it when exhaling and it would lead to people easing up on social distancing.'; (3) conclusion: 'We shall oppose the imperative to wear a facemask.'

## Chapter 9 Problematic Scenarios for Schwarz's Abolitionist Ethics

Now that we have argued for the kind of SMUP and argumentations that abolitionist politicians can use regarding the COVID-19 pandemic when they use Schwarz's theory, let's look at how the problematic scenarios regarding her theory can occur during the COVID-19 pandemic.

These problematic scenarios pertain to C3, C5, C6 and C1, which I have argued for in chapter 5. Before posing examples of them per criterion, I will repeat each criterion and my critique. Furthermore, I will pose examples of how the criteria allow for failing communication between abolitionist politicians who use Schwarz's abolitionist ethics and normal moralizers.

### Schwarz's C3

*The approach is impartial.*

#### *Critique on C3*

*Morality is not always impartial as it is difficult to always universalize morality across the entire human population. Consequently, C3 lacks partial approaches that we do want to label as part of normative ethics.*

#### *Problematic scenarios*

When normal moralizers utter (moral) arguments or judgements which entail a partial approach, abolitionist politicians would not be able to engage in (meaningful) conversation about these arguments or claims as this approach of normal moralizers does not fall within the definition of normative ethics that abolitionist politicians use.

#### *Examples*

For C3, the first example is when normal moralizers argue for the decision to treat some differently than others by allowing the old and weak to get vaccinated earlier than the young and strong, along with handing medical personnel facemasks first over others when their supply is limited. The second example is when normal moralizers argue for the decision to enforce a rule that only allows a maximum of four people in public spaces, but that also makes an exception for religious and wedding events. Both of the decisions in the examples have moral impact and should thus be qualified as falling within the practice of normal ethics. But, as these examples entail a partial approach, which is to treat some (situations) differently than others, they cannot be incorporated into C3 as this criterion only allows for impartial approaches.

### Schwarz's C5

*Some of the most common methods employed by the approach in question are: (1) the application of principles to cases, (2) the critique of principles through cases, (3) the extrapolation from cases to principles, and (4) casuistry.*

#### *Critique on C5*

*C5 is formulated unclearly as it does not provide certainty about whether or not some methods of reasoning should be included within this criterion.*

#### *Problematic scenarios*

When normal moralizers claim something with the use of methods of reasoning that fall outside of C5, abolitionist politicians would simply deny that this normal moralizer is claiming something which is in line with normative ethics and thus would also not be able to debate on (the morality regarding) that particular claim. Furthermore, if abolitionist politicians want to argue with the use of a method of reasoning that falls outside of C5 while the rest of the argument is in line with Schwarz's framework, it is not clearly defined whether or not they can use this method.

### *Examples*

The first example is when normal moralizers use a method outside of C5 for a statement such as particularism, and therefore the abolitionist politician cannot know whether to acknowledge this statement as falling within the practice of normative ethics as C5 is unclear about whether or not this should be included within the abolitionist politician's methods of reasoning. The second example is when an abolitionist politician thinks 'I have come up with an argument pertaining to a possible solution to reduce the spread of COVID-19, but my method of moral reasoning falls outside of criterion C5 while my statement is in line with all other criteria of Schwarz's theory. So now it is not clearly defined whether I can use it in practice.'

### Schwarz's C6

*The approach in question allows engagement with many past theories and arguments by ethical theorists.*

### *Critique on C6*

*This criterion is not formulated clearly enough as it is uncertain whether or not different kinds of engagements with past theories and arguments should be included within this criterion.*

### *Problematic scenarios*

When abolitionist politicians must qualify (moral) claims as falling within the practice of ethics even when these are based on odd and fallacious premises (such as the existence of non-existent entities) solely because these claims can engage with past theories and arguments by ethical theorists, then (many) normal moralizers would not acknowledge such claims as falling within the practice of normative ethics.

### *Examples*

The first example is when someone has had a near death experience due to a COVID-19 infection and claims 'Previous arguments which endorse moral claims not to wear facemasks in public spaces are invalid because, whilst floating between earth and the hereafter, I was told that this is not allowed.'. In this case the abolitionist has to qualify this argument as falling within the practice of normative ethics solely because it engages with past theories and arguments by ethical theorists. But, (many) normal moralizers would disagree and likely respond with 'That is ridiculous and has nothing to do with normative ethics!'. The second example is when someone under the influence of drugs claims 'The moral claim which implies that we need to save everyone who can be saved from death by COVID-19 sounds good to me because I think more clearly when I am high.'

### Failing Communication

Now that we have seen examples of how the problematic scenarios that Schwarz's criteria give rise to can occur in the case of the COVID-19 pandemic, let's look at examples of how the problem of insufficient (dis)agreement and the translation problem can occur within the case of this pandemic. Both these problems pertain to the problematic scenarios that follow from the normal moralizer's inevitable use of Schwarz's C1:

*The approach has the theoretical aim of establishing significant conclusions that are formulated in terms of moral concepts.*

*The problem of insufficient (dis)agreement*

*My Critique*

*As abolitionist politicians can never employ C1, they cannot sufficiently agree or disagree on facets of certain arguments or debates that only pertain to C1 as an approach to the practice of normative ethics.*

*Problematic scenarios*

Abolitionist politicians and normal moralizers can agree or disagree on the action guiding implications of the other's arguments, but solely being able to agree or disagree on action guiding implications is not sufficient in practice and creates problems.

*Examples*

In what follows, I will demonstrate two scenarios wherein abolitionist politicians and normal moralizers can sufficiently agree or disagree, but after that I will alter these scenarios to show when both parties become unable to agree or disagree on morally loaded COVID-19 topics.

Firstly, when normal moralizers argue claim X: 'We must abide by the governmental decision to obligate citizens to wear facemasks and enter lockdowns because this will reduce the amount of deaths by the COVID-19 virus.', then the abolitionist politicians can agree or disagree with the action-guiding principle of this statement which entails 'Abide by governmental decisions to reduce the spread of COVID-19.' because this qualifies as a practical aim to provide guidance for deciding what to do. Therefore, part X falls within criterion C2 of Schwarz's theory. But, it becomes difficult for abolitionist politicians to fully agree or disagree when normal moralizers add part Y: 'We must always save human lives whenever this is possible because it is morally better to do so, and therefore it is justified to breach the freedom of many people in order to save human lives; thus, we must follow governmental decisions to wear facemasks and enter lockdowns.'. In this latter case, while the abolitionist politician would understand and could agree or disagree on the action-guiding principle that follows from part X, the implications from part Y constitute an approach which is solely consistent with criterion C1 as concluding that something is 'morally better' qualifies as a theoretical aim. Therefore, abolitionist politicians would not be able to agree or disagree on part Y as they cannot acknowledge (the reasoning within) it as being in line with their version of the practice of normative ethics.

Secondly, when abolitionist politicians argue for claim A: 'We must refrain from seeing all of our loved ones during Christmas times because this will reduce the spread of the virus and thus save human lives.', normal moralizers can agree or disagree on the action-guiding principle of this statement which entails 'Refrain from seeing our loved ones to reduce the spread of COVID-19.' because this qualifies as a practical aim to provide guidance for deciding what to do. Therefore, claim A falls within criterion C2 of Schwarz's theory. But, it again becomes difficult for them to agree or disagree when normal moralizers add part B: 'We must not forbid citizens from seeing their loved ones during Christmas times because this is intrinsically valuable and therefore should not be taken away from anyone.'. Now, both parties could first agree or disagree on the action-guiding principles of claim A, but they cannot agree or disagree on part B as it constitutes an approach from C1 that employs the theoretical aim because it concludes that seeing our loved ones during Christmas times is intrinsically valuable. Thus, the abolitionist politician would not be able to agree or disagree on part B as they cannot acknowledge (the reasoning within) it as being in line with their version of the practice of normative ethics.

### *The translation problem*

#### *My Critique*

*Whenever an abolitionist politician makes claims that have conclusions with moral implications in a debate with normal moralizers, these abolitionist politicians either have to explain how these claims can establish conclusions with moral implications formulated in terms of moral concepts (which they do not employ), or the normal moralizers would have to guess how to translate the meaning of these conclusions into conclusions that include moral concepts.*

#### *Problematic scenarios*

When normal moralizers debate with abolitionist politicians, the abolitionist politicians employ an approach to normative ethics that only has the practical aim of providing guidance for deciding what to do (C2). And the abolitionist politicians do not use the approach which has the theoretical aim (C1). So, it becomes difficult for abolitionist politicians to answer how the meaning of their 'abolitionist ethics arguments' can explain the meaning of the 'normal moralizer's conclusions in terms of moral concepts' that would be needed for the normal moralizers to understand the claims of the abolitionist politicians.

#### *Examples*

Firstly, when abolitionist politicians defend claims such as 'We shall wear a facemask during the COVID-19 pandemic because this will reduce the amount of human deaths by this virus.', the normal moralizers would understand the action-guiding principle to wear a facemask because it will reduce deaths. But, as soon as normal moralizers ask 'Why do you want to reduce deaths by the virus? Do you mean that it is (morally) good to save human lives? We do not understand the full meaning of your claim.', the abolitionist politicians cannot explain why or how they have established (the moral implications of) their conclusion with the use of moral concepts. And thus, the normal moralizers have to guess how the claim would translate into their own language that does employ (establishing conclusions formulated in terms of) moral concepts. Secondly, when abolitionist politicians claim 'We shall not impose a lockdown during the COVID-19 pandemic because a lockdown would breach individual freedom.', normal moralizers could ask 'Why do you not want to breach individual freedom? So you think it is (morally) bad to breach individual freedom?'. Again the abolitionist politicians cannot explain why or how they have established (the moral implications of) their conclusion with the use of moral concepts.

## Chapter 10 Concluding Part 3

Now that we have argued how abolitionist politicians could communicate with normal moralizers and argued for the theoretical problems that follow from the method of communication that Schwarz proposed for them, this last part has shown how these problems can occur in practice using examples of morally loaded topics that arise when abolitionist politicians adhere to Schwarz’s theory during the COVID-19 pandemic.

<p>Part 1 Theory</p> <ul style="list-style-type: none"> <li>- Politics equals normative ethics</li> <li>- MET</li> <li>- The “Now What?” question</li> </ul>	<p>Part 2 Schwarz</p> <ul style="list-style-type: none"> <li>- Schwarz’s argument and criteria</li> <li>- Critique on Schwarz</li> <li>- Proposed Solution</li> </ul>	<p>Part 3 In Practice</p> <ul style="list-style-type: none"> <li>- COVID-19</li> <li>- Applying Schwarz</li> <li>- Problematic scenarios</li> </ul>
<p>Main points</p> <ul style="list-style-type: none"> <li>- How the practice of politics can be understood as the application of normative ethics</li> <li>- Explaining MET and what comes after believing it</li> </ul>	<p>Main points</p> <ul style="list-style-type: none"> <li>- Framework of Schwarz’s Features F and Continuation Criteria C</li> <li>- Arguing that abolitionist politicians can apply normative ethics in practice if they use Schwarz’s framework</li> <li>- Schwarz’s theory comes with problematic scenarios that can or cannot be fixed</li> </ul>	<p>Main points</p> <ul style="list-style-type: none"> <li>- The COVID-19 pandemic gives rise to morally loaded issues and behaviours along with morally loaded government legislation and policies</li> <li>- Showing the problematic scenarios of Schwarz’s theory in practice</li> </ul>



## CONCLUSION

We have looked for a method for abolitionist politicians to perform the practice of politics, understood as the practice of normative ethics, with the use of Schwarz's framework for abolitionists to engage in normative ethics. Although Schwarz's theory does provide these abolitionist politicians with a way to perform something which is strongly continuous with the practice of normative ethics with respect to the practical (action-guiding) implications of certain things, this thesis has shown that Schwarz's framework of what constitutes as the practice of normative ethics leaves for problematic scenarios when it is used in practice. These problems show that the communication between normal moralizers fails in multiple ways when, for example, abolitionist politicians include too much or too little within their definition of (approaches to) the practice of normative ethics or when normal moralizers are unable to understand the moral implications that pertain to the conclusions of abolitionist politicians and when, at the same time, these abolitionist politicians cannot translate how they have established these conclusions in terms of moral concepts. Given these problems, I have demonstrated that Schwarz's theory has to be altered to enhance its relevance and that further research is needed to improve its shortcomings that arise whenever C1 comes into play in order for abolitionist politicians to be able to effectively use Schwarz's abolitionist ethics in a wider range of situations and debates with normal moralizers wherein Schwarz's abolitionist ethics leads to failing communication. Therefore, abolitionist politicians, in order to be able to communicate, are currently sometimes forced to replace Schwarz's theory by temporarily conceding to using moral concepts in a way that can be viewed as similar to Olson's conservatism. Lastly, I have shown how the problematic scenarios that come with Schwarz's theory can occur in practice using examples of morally loaded topics that arise when abolitionist politicians adhere to Schwarz's theory during the COVID-19 pandemic.

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