A Tension in Some Non-Naturalistic Explanations of Moral Truths

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Recently, there has been some excitement about the potential explanatory payoffs the newish metaphysical notion of grounding seems to have for metaethical non-naturalism. There has also been a recent upsurge in the debate about whether non-naturalism is implausibly committed to some acts being wrong because of some sui generis piece of ontology. It has, in response, been claimed that once we have a clear enough picture of the grounding role of moral laws on non-naturalism, this is not (objectionably) so. This move, I argue, is inconsistent with certain constraints on what non-naturalist-friendly moral laws must be for them to do the explanatory work non-naturalism requires of them elsewhere. In other words, there is tension between the grounding reply to the supervenience objection and the grounding structure implied by some responses to the normative objection.

1. *Introduction*

According to metaethical non-naturalism, there are moral properties and facts that are objective (mind-independent) and metaphysically robust (the non-naturalist's notion of moral properties and facts carries ontological commitment).[1] The nature of these robust properties (including relations) is aptly characterized in terms of inherent, authoritative guidance. That makes them *sui generis*, non-natural and (in

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[1] Hence the difference with so-called 'quietist' or 'non-realist' versions of moral non-naturalism: these views (seek to) avoid this ontological commitment (Parfit 2011, 2017).

some sense) isolated from the causally efficacious properties that shape the content of our beliefs about the empirical world.

Put like this, the claim that normative properties are non-natural, serves as a theoretical claim about the metaethical status they have to possess if—as non-naturalism sees things—our theories are to capture a robust sort of ethical objectivity and normativity. They will have to be non-natural facts and properties because they must be *irreducibly evaluative* (cf. Fitzpatrick 2018: 554).

Stephany Leary (2016: 8), for instance, writes that "[Non-naturalism] takes the very nature of these properties to involve something like *to be promoted-ness* or *to be considered-ness* (or *to be doneness*, as Mackie (1977) says), so that they objectively 'call out' for certain responses in us." For example, the non-naturalist may take *being right* to be a *sui generis* normative property and stipulate that the essence of *being a happiness-maximizing act* involves *being right*. In that case, since the essence of *being a happiness-maximizing act* involves a *sui generis* property, it is itself a normative property.

Generalizing, the view is that some acts and states of affairs have a primitive feature of normativity; and it is this primitive feature that privileges them from the point of view of reality.

Now, the worry goes that this, as David Enoch (2021: 1691) writes, commits non-naturalism to conditionals like "if human pain and dog pain have no non-natural property in common (seeing that human pain is intrinsically bad, and that intrinsic badness is on my view a non-natural property), dog pain is not intrinsically bad."

Among others, Melis Erdur (2016), Matt Bedke (2020), Max Hayward (2019) and Shamik Dasgupta (2017) have recently emphasized that the reasons explaining, say, the wrongness of genocide have to do with pain and suffering and not non-natural properties. So, they argue, if non-naturalism is committed to the thought that the wrongness of genocide is ultimately the distribution of some causally inefficacious non-natural properties, that does not seem good for non-naturalism.

Proponents of the view recognize this, and have developed various responses. Those often revolve around various roles *grounding laws* play in the non-naturalist's framework. At this juncture, there is, I believe, an interesting and unnoticed connection between this newer complaint about non-naturalisms first-order moral implications on the one hand and metaphysical worries that have traditionally surrounded the view on the other. For it has also been tried, recently, to meet that second set of concerns by marshalling grounding laws to do certain work. There is reason to think however, as I argue in this paper, that the grounding reply to supervenience is inconsistent with some replies to the normative objection.

I proceed as follows. In section 2, I present the normative objection in more detail. Here I'll also introduce the family of responses to it that I think are incompatible with the grounding reply to the su-

pervenience objection. I take up that traditional metaphysical quibble about supervenience in section 3, where I also outline the grounding response and why it seems very natural one for the non-naturalist to give. But, I show in section 4, because it requires that moral laws play an explanatory role *vis-à-vis* the distribution of moral properties, it imposes constraints on what they can be. In section 5, I argue that these constraints are inconsistent with non-natural ontology playing no role in moral justification on non-naturalism, and thus with some responses to the normative objection.

2. *The normative objection and No Partial Grounds*

Non-naturalists are typically reluctant to accept the metaphorical charge that their *sui generis* properties float around in the ether. This is strongly suggested by their denial that these properties are supernatural properties, though the line between non-natural properties and supernatural properties is notoriously difficult to draw (Väyrynen 2018). Nevertheless, facts about these non-natural properties are the truthmakers of normative beliefs, like astronomical facts are the truthmakers of beliefs about celestial objects. So understood, then, the non-naturalist's claim is that there are correct answers to ethical questions insofar as there are ways of living that are objectively favored by the patterning of these non-natural properties. Indeed, many non-naturalists have recently adopted metaphysicians' talk of being *joint-carving*, or *elite*, and interpret the question of which normative concepts are the *right* ones to use as one of which normative concepts are *joint-carving* (Eklund 2019: 3).

This is thought to give the view certain advantages in accounting for strong moral objectivity in cases of (hypothetical) normative disagreement. Consider how Enoch and McPherson (Enoch and McPherson 2017: §6; Enoch 2011: §5.3; McPherson 2011) put it in terms of reasons and 'schmeasons'. They ask us to consider two linguistic communities: the 'reasoners' and the 'schmeasoners,' both of which have a certain term ('reason' and 'schmeason', respectively) that they take to be central to their normative practices. And in each community, the thought experiment continues, there are sophisticated practices of criticism and evaluation that use the relevant term. The reasoners and schmeasoners, however, have reached quite deviating substantive views in their respective best overall accounts of their common-sense judgments and intuitions. And if we suppose that these practices are coherent, and constitute their own domains, then both communities might be functioning quite well relative to their respective domains. Unfortunately for the schmeasoners, it is bad that they are sensitive to schmeasons rather than reasons. This, unfortunately for the reasoners, seems to be an objection that can be raised perfectly symmetrically from within each of the two domains. For the schmeasoners can urge it is 'schbad' that we respond to reasons rather than schmeasons.

Here non-naturalists suggest that their metaphysically committed realism is the only way to capture what we intuitively want to say, for only the non-naturalist can say that only the reasoners track the normative structure of reality. After all, if there are no mind-independent moral facts, it's not possible to be wrong about these facts either. And then there might be nothing we could tell the schmeasoners about why their ideas about what reasons she has are mistaken. This means that the disagreement has a worrying symmetry. However, this violates the way we normally think about moral disagreement as being asymmetrical. When two people make conflicting normative judgements, at most one of these judgements is correct.

Because of such considerations, on the flip side, it has seemed to many that a very natural reading of non-naturalism is that non-natural facts and properties are higher-level reasons why (cf. Väyrynen 2021) and as such figure in moral justification. Along these lines, for example, Erdur (2016) has argued that metaethical views terminate chains of substantive moral why-questions, and as such must be substantively moral themselves. Once a question is asked about an abstract normative theory, the appropriate next step, according to Erdur, is to ascend to the level of metaethics. Metaethical theories, therefore, may naturally be heard as very general substantive moral claims about why (in the end) right things are right and wrong things are wrong.

Like Erdur, many have interpreted the way non-naturalism locates the source of normativity in a realm of non-natural facts as a commitment to the thought that what ultimately accounts for the wrongness of, say, genocide is some non-natural part of the universe. Because according to that line of thinking, conformity to the facts about the distribution of certain inherently normative non-natural properties constitutes the moral bottom line. So the wrongness of anything is conditional on the distribution of these properties (Erdur 2016: 597).

Hayward (2019) has relatedly argued that non-naturalism in his version of the normative objection makes us counterfactually conditionalize our world-directed moral beliefs on the existence and pattern of non-natural facts. But, says Hayward, it seems misguided to accept this conditional—to accept the moral judgment that you ought to change your moral judgments to match how certain non-natural properties pattern (rather than to match what causes happiness, avoids suffering, etc.). One should not, for instance, change one's mind that pleasure is good and pain bad simply because there is no non-natural property that one has and the other lacks (and vice versa). Indeed, this engenders a strange skepticism on which for all we know, our moral system does everything we want of it—it promotes happiness and minimizes suffering, and so forth—but actually was really false. If a failure to correspond with non-natural moral reality falsifies the moral views of alien ethical cultures, every positive moral view, however central to our culture, would be falsified by the complete and total absence of non-

natural facts. The consequential Parfitian claim that pain, happiness, suffering, and the like, lack value if naturalism is true seems wrong-headed. Our norms of moral evidence legislate that such metaphysical considerations about a non-natural realm could not in principle be relevant to the question of whether I ought to comfort my suffering partner, or whether anything matters.

This objection will seem incoherent to some non-naturalists. They might say: "The non-naturalist's view is that non-natural property NN_1 *is* the property goodness, and that information about non-natural properties $NN_1...NN_n$ *is* information about morality. It's *obvious* that we should promote goodness and be moral. Hence it's *obvious* that we should promote NN_1 and act according to $NN_1...NN_n$." Indeed, the non-naturalist will object I'm begging the question—it's only by treating non-naturalist claim as false that the outlined objection is coherent. NN_1, NN_2, and so forth, are *ex hypothesi* normative properties and facts. So, information about their patterning cannot be non-normative information. Rather, NN_1 is, for example, information about an act's to-be-doneness. And it's incoherent to claim that having the non-natural property of, e.g., to-be-doneness settles nothing about an act's to-be-doneness. The non-naturalist's view is that one can't disentangle reasons and non-natural properties like that. When we get information about the latter, we get information about reasons and requirements—not about some kind of *stuff*.

I won't disagree that it's obvious that we should promote goodness. But as Dasgupta (2017: 301) has pointed out, this puts a constraint on what goodness is. Whatever it is, it had better be something we should promote. Consider, by way of analogy, the following toy theory of oxygen: that oxygen is a colorless, odorless, and tasteless gas of which an adult human at rest inhales about two grams per minute. This then puts a constraint on a chemical theory of oxygen: whatever chemical substructure constitutes oxygen, it had better behave as the thingy that living organisms breathe. If someone claimed that oxygen is the element zinc (Zn), we can object that bodies of zinc are, most pressingly, not the thingy that organisms breathe (nor are they colorless gasses). Posit any chemical substructure you like, but don't call any of them 'oxygen' unless you've already shown it's the thing that living organisms breathe. That would not, Dasgupta claims, be playing fair.

Similarly, to play fair, the non-naturalist must *first* establish that we *should promote* any *sui generis* non-natural property before it's fair to call this property 'goodness'. She should not call any alleged feature of reality 'goodness' until she has already shown that she has something you should promote or upon which we should conditionalize moral commitment. She should not simply *assume* that the non-natural properties she claims exist are the ones that we are talking about when we ask the relevant normative questions. It must first be shown that certain non-natural properties are obedience-worthy before they them-

selves are worthy of the name 'morality'. It must first be shown that any non-natural properties bear on what we have reason to do before proposing that truths about the patterning of these properties deserve the title 'normative truths'.

This gives the normative objection its bite: non-naturalism posits natural facts and laws about the distribution of certain non-natural properties as joint grounds of particular moral facts. But there's a strong intuition that moral facts should not be grounded in thus dependent on the patterning of causally inefficacious non-natural properties. We should not leave our "first-order views hostage to a non-natural realm", as Bedke (2022: 13) puts it. There have been many responses to this normative argument against non-naturalism (Blanchard 2020; Horn 2020; Enoch 2021). In this paper, I focus on one of them. I call it: No Partial Grounds.

According to this response, we should *not* see non-natural properties and laws about their patterning as doing any morally justificatory work (see e.g., Chappell 2019). Non-natural properties, it is claimed, are not the entities that *make* acts wrong, nor are they the ultimate explanation of, e.g., the wrongness of genocide.[2] So *ipso facto* general facts about their patterning do not enter into a grounding relationship with particular moral facts. Rather, the view is that facts like 'pain and suffering make genocide wrong' *constitute* the moral reality realists accept: "If there are facts about which actions are right and wrong, and facts about what *makes* those actions right or wrong, and these facts do not constitutively depend on the endorsement of any actual or hypothetical agent, it is *plausibly these facts themselves* which (at least partially) constitute moral reality" (Horn 2020: 347). But these facts about what makes acts wrong don't depend on principles about the patterning of a non-natural realm, as the normative objection has it.

Consider, for illustration, the contrast with a Divine Command Theory. Suppose someone offers a theory according to which the expressions of some creature are obedience worthy. Suppose she further says there's no explanation for why this creature and those utterances of her have that normative role. We would say her account is crucially incomplete, and insist on an explanation. According to No Partial Grounds, the air of incompleteness that surrounds this toy DCT derives from how it makes facts about action-guidingness not metaphysically fundamental, but grounds them in non-normative facts about some creature's will. If that's the structure of your normative theory, you owe people an explanation of why they ought to listen to that particular creature. Non-naturalism, by contrast, has a different structure because it conceives of facts about action-guidingness as metaphysically

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[2] Even though, as Horn (2020: 349) admits while defending non-naturalism, "In fairness … [non-naturalists] have sometimes characterized their own views in ways that sound like they are making substantive commitments about what *makes* actions wrong." See, for example, Erdur's (2016: 600) discussion of Shafer-Landau and Enoch.

fundamental, not grounded in anything. Hence there's no explanatory gap to be filled.

The normative objection, the idea is, only takes off because we incorrectly assume that non-natural properties and principles about their distribution are Partial Grounds of moral facts. But this is not so, since the normativity of something like pain *is itself* a non-natural fact but is *fully grounded* in the natural pain-facts. So there's no implausible dependence on the patterning of properties in a non-natural realm.

However, Partial Grounds is exactly what the grounding reply to the supervenience objection presupposes. This makes denying it costly for the non-naturalist.

3. *The grounding role of moral laws*

Assume we ought to give more to combat drought. Why is this so? Well, because of (the natural facts about) the suffering of all those starving to death and their loved ones, and the (natural) fact that giving more will alleviate it, presumably by increasing reliable access to food. Are these natural facts enough for grounding the duty? Well, if natural facts are moral facts' *full* ground, then it seems counterintuitive to say that moral facts are, at the same time, *sui generis*, very different from natural facts. How can they both be fully grounded in natural facts and also be discontinuous with them?

Indeed, it is standard that non-naturalism seems committed to the claim that at least one moral fact is not fully grounded in non-normative, natural facts. Where, intuitively a full ground is enough on its own to ground what it grounds, and a mere partial ground isn't enough on its own to ground what it grounds. Non-naturalists of course agree that atomic normative facts are always somehow grounded in the natural facts, but insist that this connection does not amount to a full metaphysical ground. The challenge for the non-naturalist is to give some positive account of this connection.

A natural idea is that *general laws* play a role in metaphysically grounding particular moral facts. On this view, particular normative facts are metaphysically grounded in the relevant natural facts together with general normative principles connecting the two. What makes it the case that we ought to give humanitarian aid, it is very natural to say, is suffering, *and* that we *ought* to alleviate suffering when we can.

Nothing blocks non-naturalists from holding that particular things' non-normative properties partially explain their normative properties. But for the non-naturalist, such cases must, on this proposal, involve some further moral law that is part of the ultimate explanation in these cases. For example, if Donald is bad because he's a liar, it seems Donald's being a liar explains (in the immediate sense) his being bad. But this is true, for the non-naturalist, only because (say) it is an independent normative fact that being a liar makes one bad. Ultimately, Donald's badness depends not just on his being a liar, but also on that

normative fact.

Gideon Rosen (2017b: 138; cf. Maguire 2015: 194) calls the resulting view *Bridge-Law Non-Naturalism*: "Whenever a particular action *A* possesses a normative property *F*, this fact is grounded in the fact that *A* satisfies some non-normative condition *φ*, together with a general law to the effect that whatever *φ*s is *F*." Particular ethical facts obtain in virtue of more general ethical facts together with pertinent non-ethical facts. For example, the full explanation of why an action was wrong involves two kinds of facts: (i) a particular natural fact—you lied—and (ii) a general connecting grounding fact—for all act acts, if it was a lie, it was wrong in virtue of being a lie. Fundamental normative principles are metaphysically prior to particular normative facts and help ground them.

In this way, grounding explanations have been said to resemble covering-law explanations (Rosen 2017a: 285). This gives us a tripartite, law-based view of grounding explanations as model for moral explanations:

Grounds: particular natural fact(s).
Law: general explanatory grounding law about what grounds what.
Explanandum: particular normative fact.

Several reasons have been noted why non-naturalists should accept a picture like this. Indeed, David Enoch acknowledges there are "theoretical reasons to think that Robust, non-naturalist, Realism needs moral principles to do serious grounding work." And Selim Berker (2019: 913) even contends that "the very tenability of [the non-naturalist's] metanormative view depends on something like [Partial Grounds] being true."

In particular, one important motivation for non-naturalist's ascending to this picture has been that it offers a swift reply to traditional supervenience worries. Moral facts, according to this response to the supervenience challenge, supervene on non-moral facts because moral facts are *made the case* by non-moral facts. The supervenience of the moral on the natural is explained by an 'underlying' grounding relationship in which the natural properties non-causally make some entity have some normative property. Grounding is supposed to deliver exactly the deeper metaphysical explanation that the supervenience challenge asked for.[3] The supervenience of the moral properties on the base properties is explained by the fact that the base properties ground the moral properties. As Ralf Bader (2017: 116) puts it:

> [Positing a grounding relation ensures] that there is dependent-variation of the grounded properties on their grounds. A grounding relation explains

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[3] Wielenberg (2014: 33) is one example of a non-naturalist giving this reply. In replying to Railton (2017: §7), Parfit (2017: 106) does it too, although he seems to deliberately avoid the word 'grounding'. See also Bader (2017: §4), Berker (2018: §2), Enoch (2019: 4), Leary (2016), Roberts (2018: §4), and Rosen (2017b, 2020) on the role of grounding in replying to the supervenience objection.

why that which is dependent, namely the normative, varies with that on which it depends, namely the non-normative. The grounding of normative in non-normative properties implies the supervenience of the former on the latter, thereby allowing us to discharge the explanatory burden that is incurred when positing the supervenience of the normative positing a grounding relation ensures that there is dependent-variation of the grounded properties on their grounds.

One might now ask what, in turn, grounds the laws. Typically, grounding explanations are mediated by essences. That is, in the paradigm cases, whenever *A* grounds *B*, there exists an item (or items) whose nature ensures that every *A*-like fact grounds a corresponding *B*-like fact (cf. Litland 2015).

However, the non-naturalist's key thought is that the essences of the normative properties do not in general fix the true general principles on which they figure, some of which are thus genuine synthetic laws about which metaphysicians who know the essences of moral properties can disagree (Rosen 2017b: 146). In other words, non-naturalism holds that the essences of normative properties do not in general fix non-normative necessary and sufficient conditions for their instantiation. That would entail that the natures of the normative properties and relations, collectively or taken one at a time determine naturalistic necessary and sufficient conditions for their application. But that would make them natural properties (Rosen 2017a: 291). To claim it is in the nature of the normative that some non-normative facts ground some normative facts is a distinctly naturalistic claim (Rosen 2017b: 291). Ethical non-naturalism, by contrast, is the view that in at least one case, the essences of the normative properties fail to determine naturalistic necessary and sufficient conditions for their application. This is why, as Rosen (Forthcoming: 12, my emphasis) writes, non-naturalism needs its principles:

> The naturalist's key thought, it seems to me, is not that each normative property is separately definable in non-normative terms. It is rather that the normative facts are fixed by the wholly non-normative facts (e.g., facts of physics and psychology) together with the natures of the normative properties and relations. On this sort of view, anyone who knows the non-normative facts is in a position to derive the ethical facts provided she also knows what it is for an act to be right, good, rational, etc. The non-naturalist's distinctive commitment is that someone who knew the natural facts and the essences might still be in the dark about the *synthetic principles* that connect the normative facts to their non-normative grounds.

In other words, non-naturalism holds that the essences of normative properties *do not* in general fix non-normative necessary and sufficient conditions for their instantiation.

On this picture, particular ethical facts obtain in virtue of more general ethical facts together with pertinent non-ethical facts. And as we ask what grounds those 'synthetic principles', general normative laws will figure at every step. The regress could conceivably be infinite. But

more likely is that it will terminate in fundamental laws: the supreme principles of normativity. On the non-naturalist picture, there is thus an elite set of metaphysically necessary true moral laws that are the ungrounded normative facts upon which all the other normative facts rest.

Appealing to grounding in order to explain the distribution of moral properties, then, is incomplete without an account of the "synthetic principles" that conspire with the underlying natural facts to ground the particular moral facts and explain moral supervenience.

Specifically, the non-naturalist needs to *show* that laws are able to play the metaphysical grounding role given to them. On her account, moral principles are themselves part of what explains why individual actions have the moral properties that they do. But, as I will explain shortly, not everything that they could be like would be able to do this. This means that the viability of the grounding response to explanatory worries surrounding non-naturalism depends on an account in which moral laws *can* and *do* play a determining role *vis-à-vis* the distribution of moral properties. Which is inconsistent with the No Partial Grounds reply to the normative objection.

4. *What non-natural moral laws must be like to ground*

How can Principles as Partial Grounds have the far-reaching consequences Berker talks about? As we saw, a central commitment of non-naturalism is that there are "synthetic principles" connecting the natural to the moral: there are true normative principles as ungrounded normative facts, upon which all other normative facts rest. Such (fundamental) normative principles are metaphysically prior to particular normative facts, which they help to ground. Yielding a picture on which these (non-natural) laws don't play a role in making moral facts the case, but on which moral facts are fully grounded in natural facts instead, seems at odds with non-naturalism. This is because if the full ground of moral facts includes only natural facts, moral facts no longer seem to have their own radically different, *sui generis*, non-natural metaphysical category. So if moral laws are not partial grounds, there seems to be no reason to believe that moral facts are not natural facts.

To support my claim that not everything they can be like allows them to play this role, I start by giving two examples to show why not everything that moral laws could be like would allow them to play the role the non-naturalist needs them to play.

Since this required role is *explanatory*, the principles cannot, firstly, be mere regularities. The mere fact that all *A*s are *B*s cannot *explain* the fact that a given *A* is *B*. Rather, they have to be proper *laws*: general facts that account for their instances and are not explained by them. For a general connecting principle—between, e.g., suffering-facts and duty-facts—to figure in the grounds is for it to *govern its instances*. And for a principle to govern its instances is to be part of what *makes*

any instance obtain. And the only ones that can on pain of circularity govern their instances are ones that are not plausibly grounded in their instances.

To see the point about circularity, suppose the general fact that if something A-like obtains, so too does something B-like is made true, at least in part, by its instances—by that A-like thing and B-like thing, and that one, and so forth. But then if the general principle is included in the grounds of ordinary grounded facts, each instance is also partly grounded in the generalization. Each instance is partly grounded in the generalization, *and* the generalization is partly grounded in each instance. This violates the asymmetry of grounding.

So, moral laws cannot be mere regularities because they have to be prior to their instances in the metaphysical grounding order. A second thing they cannot be is mere, as it were, epistemic scaffoldings. On this view, it is not moral truth itself, but our epistemic capacities and limitations that necessitate postulating moral laws. Sean McKeever and Michael Ridge, for example, can be understood as having a view along these lines. They defend moral generalism as a prescriptive thesis, arguing that principles are guides in moral thought and discourse, and that the prominent role these guides play in our practices is what necessitates our commitment to them (McKeever and Ridge 2006: 177–8). This point about the epistemic or practical *need* for general principles, however, is not enough for the non-naturalist purposes. She must also show that the principles *actually determine* the moral facts. What is required is an account of how laws manage to *have* this explanatory power. Arguing that moral laws are required for an *epistemically satisfying* story about why, for example, suffering-facts ground duty-facts, does not suffice for defending their role in a *metaphysically complete* story about this grounding relationship.[4]

Why not? The problem is that, for Principles as Partial Grounds to be true, moral laws can't be mere descriptions of metaphysical dependence relations. On such a view, true moral principles track the natural-moral metaphysical dependence relations obtaining 'out there'. For example, the statement "I promised to F" explains the statement "I am obligated to F" in virtue of a metaphysical dependence relation that exist between obligations and promises. This view of moral laws, however, would have laws be describers of metaphysical explanation, rath-

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[4] A possible reply is that, maybe particular ethical facts can be fundamental in the metaphysical grounding order. For example, 'the pain and suffering of *this* genocide makes it wrong' would be an example of a fundamental non-natural fact that constitutes moral reality. An argument against that view is that it's at odds with a central feature of ethical practice: we normally think that moral explanation presuppose general principles. We can refute a moral explanation of the form 'it's wrong to push the fat man because doing so is φ,' by citing a merely possible counterexample to the implied general law: whatever φs is wrong. This shows that the moral law implicit in the explanation is not a mere regularity, but rather a modalized generalization of some sort.

er than themselves explanatory (in the right kind of way, as I outline below). This is to play an epistemic role only, namely to direct towards the underlying metaphysics, without being part of the metaphysics—without helping to make the connection between promises and obligations obtain (Kim 1994: 67–8). Each instance of, e.g., wrongness is then fully explained by a particular natural fact. This amounts to saying that the full ground of moral facts are natural facts. This amounts to saying that the full ground of moral facts are natural facts—which is not non-naturalism.

On that view, the law needs to be an additional, more fundamental entity in the explanation that explains—is responsible for—any emergent regularity between, e.g., promises and obligations. This corresponds to the non-naturalist thought that there exists a metaphysically robust moral realm, conformity to which is the ultimate standard for right and wrong (cf. Erdur 2016: 598).

To recapitulate, moral laws can't be grounded in the particular moral facts they subsume, since to the contrary, those particular facts are partly grounded in the laws. Moreover, we aren't after *epistemic justification* for a belief that a particular moral fact obtains given that a particular natural fact obtains. On that role, moral generalizations only license certain natural-moral inferences, but their explanatory power is derivative from the metaphysical dependence relations they *depict* rather than *make the case*.

Instead, we want to know what *underwrites* such inferences licensed by the generalizations. For this, we need the sort of explanation that gives an account for why things are the way they are.

Now, what must moral principles be like for them to do this work? What must moral laws be like such that the grounding role it assigns to moral principles as an additional entity in the explanation of particular moral facts can be vindicated?

First desideratum: in order for these laws to play a role that's metaphysically explanatory, they must *play a* (non-causal) *determining role* regarding the distribution of moral properties (the analogy would be non-Humeanism about the laws of nature where they play a determining role in making events come about). If moral laws are to do grounding *work*, they need to be partly *responsible for* the moral facts they help to ground. That's just *what it is* to have a metaphysically explanatory role. Principles must not only "explain what is true in particular cases without determining it," they must "determine what is true and explain it" (Dancy 1983: 533).

So, one thing the non-naturalist's account of moral laws must accommodate is that they must be responsible for particular moral facts. They must make the facts obtain. Before unpacking other desiderata of the non-naturalist account of moral laws, I want to point out an interesting implication of this.

As a rule, that which is grounded is ontologically dependent on

its grounds. On the view we're considering, moral laws are needed to ground particular moral facts. It follows these facts are ontologically dependent on moral laws, and would not obtain without the law obtaining. For example, without a general fact according to which suffering is bad, the relation between particular facts about suffering and particular facts about badness would not obtain. The facts about suffering *and* the moral law are *both* required to fully account for the facts about badness. Now, without *any* moral law, no moral fact would obtain. There being wrongness at all, thus depends (in part) on there being moral laws. For all its apparent boldness, it's hard to see how there could be an account on which moral laws do metaphysical grounding work that does not have this implication (on the laws of nature analogy, two objects attract each other with the force they do in part because of the masses they have and the distance between them, and in part *because* of the law of universal gravitation).

What other positive desiderata does the non-naturalist account of moral laws need to meet? Well, since they enter intro grounding relations, they must be facts. And since they have moral content, they are *moral* facts. Now, according to the non-naturalist, moral facts are mind-independent. That is, they are facts about the world. Thus, the claim that giving to charity is good represents the world as being a certain way, and if that claim is true, that is in virtue of a certain kind of worldly fact: that giving to charity is good. Similarly, if it is true that giving to charity alleviates suffering, this is so in virtue of some other worldly fact. Now consider a moral principle: giving to charity is good *because* it alleviates suffering. This seems to be true as well. But if we accept that giving to charity alleviates suffering and giving to charity is good are both worldly facts, to say that giving to charity is good because it alleviates suffering is to say that one worldly fact obtains because another worldly fact obtains. Because this 'because' relation holds between two worldly facts, this 'because' relation seems like it must, itself, be worldly (yet non-natural). And the same for other moral laws. For the non-naturalist, moral laws are mind-independent aspects of the world, the truthmakers of claims where a moral property is supposed to obtain *because* some natural property obtains.

The final desideratum is that moral laws need to supply a necessary connection between distinct existences. Since that is how the non-naturalist conceives of the natural and the moral. To meet this, the non-naturalist simply asserts there *can* be necessary relations between distinct existences, at least when the distinct existences are normative on one side, and natural on the other (Enoch 2011: 147). The moral laws, to be understood as extra, *sui generis* facts about the world, 'hook them up'. The non-naturalist does not have an answer to how this could be, but denies she has to give one. The non-naturalist is indeed committed to something brute, but the bruteness, she claims, is exactly where it's supposed to be. So it's not (really) costly. After all, one might think,

something has to be fundamental, and necessary laws seem like good candidates. They are metaphysically basic, where reality starts out, by definition having no full metaphysical explanation. Fundamental laws governing the natural-normative grounding relation are a metaphysical fundamental explainer, on a par with, e.g., the constitution relation. Simply not the sorts of things that can, in principle, have a metaphysical explanation. Rock-bottom grounding relations are explainers, not things that need to be explained.

This ends our search for an answer to the question what moral laws must be like for Principles as Partial Grounds to be vindicated. They must be *sui generis* worldly facts about what grounds what, the most fundamental of which are ontologically basic. Next to being facts about what grounds what, they must be *responsible* for the particular moral fact they help to ground.[5]

5. *Why this picture of moral laws is inconsistent with denying that* sui generis *ontology plays a role in moral justification*

With all this in place, it's not hard to see why Partial Grounds entails that non-naturalism has *sui generis* ontology play a role in moral justification. It follows from that picture that moral laws not just describe particular moral facts, but *make* them the case. And on non-naturalism, moral laws *just are sui generis* items that occur in one's ontology. So it falls straight out of Principles as Partial Grounds and the definition of non-naturalism that non-natural ontology plays such a role in moral justification.

One might object that grounding, an explanatory notion, might not obviously be related to justification. But as Wedgwood (2017: 91) writes, "explanatory characterizations" of normative reasons "associate reasons with a justificatory story—that is, with a story that explains the truth about which action or attitude one has, all things considered, most reason to do". Elstein (ms) similarly suggests that normative explanation "coincides" with justification. Normative explanations are (perhaps among other things) justifications: at least some explanatory reasons why a normative fact holds must provide normative reasons for certain responses, or be features in the light of which those responses are apt or fitting or the like.[6] Normative explanations are explanations of why things have the normative features they to do: they aim to explain why things have properties such as rightness and wrongness. Most of us are inclined to think that such facts in a way involve reasons: considerations that justify actions. If so, then we would want normative explanations, too, to cite such considerations, and to be in-

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[5] See Berker (2019) for an argument that this is an incoherent combination. See Enoch (2019) and Fogal and Risberg (2020) for replies.

[6] See Väyrynen (2019) for an argument for this claim.

complete otherwise (Väyrynen 2015: 173).

The argument of this paper has proceeded in two relatively simple steps: non-naturalism needs moral laws to play a role in grounding making moral facts the case. And on non-naturalism, moral laws are *sui generis* pieces of ontology. Therefore, non-naturalism is committed to *sui generis* pieces of ontology playing a role in justification. I hope to have said enough about why the first premise is true, and why 'making the case' (grounding) is linked to justification. In closing, I want to respond to an objection to the second premise. Can the non-naturalist deny that her notion of moral facts, of which moral laws are a subset, comes with ontological commitment?

On pain of becoming a version of quietist normative realism, it seems not. The Robust Realist claims moral facts exist in the same sense as chemical facts, physical facts, and all the rest. She explains what moral judgments are about, and explains their truth conditions, by postulating non-natural moral properties. But if one claims that moral facts exist in the same sense as physical facts and are as 'ontologically respectable' as them, this reply is not an option. For then what could it mean when they claim that "in whatever sense there are physical facts, there are normative ones; in whatever sense there are truths in biology, there are in normative discourse" (Enoch 2011: 5)?

In support of this interpretation, consider how FitzPatrick (2018: 555) explains his motivations for adopting non-naturalism: "We are skeptical about capturing everything we want without relying on some irreducibly evaluative or normative facts about standards or good-or right-makingness; so we posit such apparently 'non-natural' facts and properties at the bottom of all this." What could "at the bottom of all this" mean, if not the bottom of a *chain of justifications*? On such a view, non-natural properties are the truthmakers for the normative truths about which natural properties are normatively significant in which ways (Chappell 2019: 131). So when two natural properties differ in normative valence, this is ultimately reflected in them having different non-natural properties. But if non-natural properties are where moral justifications hit bottom, it seems misplaced to say deny that non-natural laws are moral grounds.

Similarly, Richard Chappell (2019: 125) clarifies that (according to him), "the role of non-natural properties is not to *be* responded to, but to 'mark' which natural properties it is *correct* for us to respond to in certain ways." This is consistent with the mentioned appeals to eliteness—the thought that differences in alignment with non-natural properties can settle moral disagreements between communities. But if non-natural properties make it morally correct or incorrect to care about certain things and not others, it's very hard not to see them as higher-level reasons why—as a reason why we should care about things like happiness and love (they share a non-natural property) and not about handclapping and blade-counting (they do not).

I conclude that non-naturalism must insist that an act was wrong because it caused suffering, *and* that *not only* because of that, but *also* because there is a non-natural, *sui generis*, extra fact about the world which makes it true that suffering is bad. Common replies that non-naturalism occurs no such commitment are belied by the view's grounding structure. For non-naturalism needs moral laws—which account for the patterns of distribution of non-natural properties—to pull their weight in doing metaphysical grounding work. It won't fly then, to, when responding to the normative objection, claim that actually these laws are explanatory idle and all we need is the natural facts. Perhaps (as David Enoch has suggested) grounding pluralism can be of help, but, in responding to the objection that non-naturalists are "leaving their first-order views hostage to a non-natural realm" (Bedke 2022: 13), they cannot, as some have wished, do with just the natural facts.

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