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Addressing the Problem of Fundamental Authority

To fully earn the right to realist thought and talk, quasi-realists must show that their expressivism can account for moral objectivity. When we say that "X is morally permissible," we are not just expressing our own acceptance of norms that permit X: we are also exerting pressure on our audience to accept those norms as well. In his account of *normative authority*, Gibbard explains this phenomenon by arguing that normative claims act as *conversational demands* on others. But demands alone are not enough; we need them to be grounded in some sort of authority. Gibbard gives three notions of authority that can justify the acceptance of these demands: *contextual authority*, *Socratic authority*, and *fundamental authority*. Contextual authority stems from a foundation of shared fundamental norms, which Gibbard defines as norms are that one accepts without justification.[1] If the listener shares these fundamental norms with the speaker, she can accept the speaker's reasoning as proxy for her own.[2] Socratic authority does not rely on shared norms: the speaker uses the listener's own norms to derive the desired result.[3] Finally, fundamental authority does not require *any* justification: the listener may accept the speaker's norm on fundamental authority even if they disagree on fundamental norms.[4] Due to its lack of justification, fundamental authority is the most puzzling of the three. Gibbard argues that

[1] Gibbard 177.
[2] Ibid. 174.
[3] Ibid.
[4] Ibid. 175.

fundamental authority can be legitimate under "good conditions," but he does not specify the conditions he has in mind.[5] In this essay, I will examine when it makes sense to accord fundamental authority through the lens of the agent's knowledge. **I will argue that it is rational to accept a norm on fundamental authority iff one cannot consider any alternatives, which implies that one's ability to accept fundamental authority changes based on one's perceived normative possibilities.**

Gibbard gives a transcendental argument for the *existence* of fundamental authority. He first asserts that we accord fundamental authority to our past, future, and hypothetical judgments.[6] He then argues that if we didn't give ourselves fundamental authority, we would descend into hyperskepticism.[7] Then, he extends this account of self-trust in terms of fundamental authority to trusting others in terms of fundamental authority.[8] The argument proceeds as follows: we have undeniably accepted norms on fundamental authority in the past. Attempting to rid ourselves of this influence would come at a "prohibitive cost."[9] Since we accept this fundamental authority in the past, to avoid privileging our present viewpoint, we must also accept some form of fundamental authority in the future.[10] Thus, Gibbard concludes that we must accept the fundamental authority of others under certain conditions in both the past and the future.

Gibbard's argument is flawed because it relies on the false symmetry of one's past and future selves. Because our ability to understand different norms develops as we age, our acceptance of norms as children is relevantly different from our acceptance of norms as adults.

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[5] Ibid. 180-81.
[6] Ibid. 179.
[7] Ibid. 178.
[8] Ibid. 179.
[9] Ibid.
[10] Ibid.

Children are born without knowledge of most norms or ability to evaluate them, so they must accept some norms without justification. However, adults have a more developed understanding of norms. If an adult accepts a new norm without justification, her decision would not have authority. To accept something on "authority" is to have justification for accepting it. If you have multiple viable options and no justification for accepting one over the others, you cannot argue that any option has "authority" over the other. Thus, the problem with fundamental authority is that it hardly seems authoritative at all. Granted, Gibbard says that it only makes sense to accord fundamental authority in "certain conditions," but he does not elaborate on these conditions. I will propose epistemic conditions under which an agent can accept a norm on fundamental authority and argue that these conditions allow fundamental authority to avoid the problem of false justification.

The proposal goes as follows: an agent can only accept a norm on fundamental authority if she is not in a position to understand alternatives to that norm. The purpose of justification is to provide a basis for accepting one verdict over another. If you are only aware of one possible verdict, you can rationally accept that verdict without appealing to a higher-order norm. What matters is not the number of possible options, but the number of options that the agent has considered. A naïve person may be able to accept a norm on fundamental authority, but a more knowledgeable person may not. Thus, the need for justification depends on the agent's epistemic position.

We define an agent's epistemic position as the set of all norms that she has considered. The norms that the agent accepts is a subset of these "normative possibilities." If the agent is aware of only one norm but not any of its alternatives, she can accept that norm without

justification. For example, if a parent tells a child that "X is morally permissible," if the child has not considered the possibility of X being impermissible, the child can accord fundamental authority to norms that permit X. However, if the child's "normative possibilities" expands to include norms that do not permit X, she can no longer accept norms that permit X on fundamental authority. She may understand that people have exerted this "fundamental authority" on her in the sense that they only presented one norm, but that was reasonable for her to accept at the time because she could not have seen the alternatives. Now, she cannot claim that one of those options has authority without giving a justification in terms of other norms.

To use this notion of fundamental authority, we must be open to changing our minds. We may only recognize one normative possibility at any given point, but we must be able to reconsider our acceptance if we become aware of more possibilities. Thus, when we accept something on fundamental authority, we implicitly understand that we can only conceive of our current stance as being true, but we are still open to accepting other options if they are properly justified. A person with exposure to more ideas will need to justify her beliefs more rigorously. Thus, we can make the distinction between what some people accept on fundamental authority and what others must justify to accept.

Indeed, what one person can accept on fundamental authority changes with respect to her epistemic position. Our set of normative possibilities expand over the course of a lifetime, which explains why we tend to accept norms at face value as children but begin to question them as adults. Children can "reasonably accept" someone's higher-order norms because they cannot see the alternatives. However, when they realize that there are alternatives to these norms, they must re-evaluate the new options. If they maintain their original verdict, they must justify their

reasoning instead of relying on fundamental authority. Moreover, they cannot claim that one of those options has authority without giving good reasons for why it might be better than the others. These normative possibilities may expand rapidly over the course of an argument. In ideological disputes, two parties may expose each other to normative alternatives that the other had previously never considered. Both parties must find new justifications for their positions, and in the process, they may discover that one of their viewpoints is contradictory. Because our normative possibilities change over time, we can build foundational norms without justification and test their integrity when other options present themselves.

Our new definition of fundamental authority gives us a more nuanced account of self-trust. In fact, it aligns with our intuition that we *can* privilege our present self over our past self if we realize that our set of normative possibilities has been expanded. We can trust ourselves because we know we are open to being corrected if exposed to other norms or explanations. We can interpret self-trust in terms of contextual authority: if we hold the same higher-order norms as our past selves, we can use past reasoning as proxy for present reasoning. In fact, we may doubt our past judgments if we suspect that they were subject to misguided fundamental authority. Consider a person who was indoctrinated as a child by an evil regime. After he escapes the evil regime, he might understand that there are alternatives to his original way of thinking and alternatives to the norms that he accepts. Upon reflection, he might renounce his past way of thinking, because he does not give it contextual authority. Thus, trust in your past self can be accorded based on whether you still hold the same higher-order norms as your past self, which often depends on changes to your perception of your "normative possibilities."

Our modified definition of fundamental authority is more plausible but less powerful. We can no longer accord fundamental authority to one of two known options without requiring justification, which solves the problem of legitimacy. By framing fundamental authority in terms of knowledge, we have allowed different people to hold the same norms with different levels of justification depending on their current set of normative possibilities. Thus, we can begin to give an account of normative progress.

Bibliography

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