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Deep Moral Disagreement and Unthinkable Possibilities

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ABSTRACT

Some disagreements seem to find no resolution, despite exchange of arguments and lack of obvious epistemic vices. These ‘deep disagreements’ have puzzled philosophers, who have offered different epistemological explanations for their ‘depth’. Deep disagreements that are moral in nature are more rarely discussed. What explains the ‘depth’ in the moral cases? This paper proposes that most deep moral disagreements can be explained by appealing to mutually unthinkable practical possibilities. Specifically, deep moral disagreements are those where each party demands the actualisation of a possibility that is unthinkable to the other party, and what determines the unthinkability is the structural role of value as ‘hinge commitment’, functioning both as background and as excluder. Using as example the debate on abortion, recently reignited in the US by the overturning of *Roe v. Wade*, the paper aims to offer a model to understand deep moral disagreements, where value functions not (only) as topic but as structure.

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Introduction

We have all encountered disagreements which, despite our best efforts, seem to make no progress. Our strongest and most elegant arguments fail to move the other party. Despite taking ourselves to be open-minded, the other party’s position does not seem any more plausible to us after hearing their reasons. We go on arguing for a while, perhaps we return with fresh arguments the following time we meet, tired after a sleepless night yet satisfied

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with our intellectual resources and hopeful, until it starts to become clear that the matter is not going to be resolved to either party's satisfaction. Yet we cannot just let it go; we cannot be satisfied with leaving the other with their position, and we cannot find anything in the other's position that is convincing, let alone appealing, to us.

Something along these lines is what philosophers call 'deep disagreement'. I say 'along these lines' because there is no single definition of deep disagreement, to the extent that the core of the debate on this topic concerns equally what follows from deep disagreement (notably, whether it supports relativism; see e.g. Lavorerio 2018, 2020; Pritchard 2021) or whether and how it can be resolved, as much as what deep disagreement is (e.g. Lavorerio 2021; Ranalli and Lagewaard 2021, 2022), and even whether it exists (Kiš 2023).

In this paper, I am interested in a specific kind of deep disagreement: deep moral disagreement (henceforth DMD). While the epistemic dimension of deep disagreement has been the object of sustained discussion, deep disagreements that are moral in nature have received less attention. Broadly speaking, we can describe DMD as those cases of deep disagreement which engage practical reason ('What should be done?') and which centrally revolve around value (leaving it open, for now, in what way). I aim to offer a piece of the puzzle that contributes towards reaching an understanding and explanation of DMD, partly building on proposals offered in the tradition of Wittgensteinian hinge epistemology, especially those of Pritchard (2023) and Johnson (2022), and partly distancing myself from them. While both Pritchard and Johnson offer an account that includes value (the former explicitly including value in the explanation of deep disagreement, the other in the example of abortion used), both are also aiming to characterise deep disagreement in general. My aim, instead, is to offer an explanation of specifically *moral* deep disagreement.

My positive proposal is twofold: I will argue, first, that in DMD value plays a role, not only and not primarily as topic, but as *structure* of the disagreement. Secondly, I will argue that, in line with the practical nature of morality, the lack of common ground in DMD does not come from incompatible hinge commitments or fundamental epistemic commitments, but from mutually 'unthinkable' possibilities.

Deep Disagreement and Deep Moral Disagreement

The original label of 'deep disagreement' comes from Robert Fogelin (1985), who in 'The Logic of Deep Disagreement' describes deep disagreement thus: 'We get a deep disagreement when the argument is generated by a clash of framework propositions' and adds that deep disagreements 'persist even when normal criticisms have been answered' – where 'normal criticism' includes asking whether the arguments are 'question begging, biased, slanted, vague, and so on' and

checking that the participants are not ‘dense or pig headed’. He also adds that deep disagreements are ‘immune to appeals to facts’. In other words, they obtain even when there are no clear flaws in argument structure nor in the epistemic character and capacities of the participants. Finally, Fogelin argues that in deep disagreement ‘the conditions for argument do not exist’, where the conditions for argument are ‘a shared background of beliefs and preferences’ (1985, 5). All of this has the consequence that, in deep disagreement, ‘normal argument ... becomes impossible’ (1985, 4).

Commentators after Fogelin have offered a number of further elements that help us identify what a deep disagreement is. The key ones include the following: (i) persistence (cf. most philosophers, including Johnson 2022; Lavorerio 2021; Pritchard 2023; Ranalli and Lagewaard 2021); (ii) felt rational pressure to resolve it (Johnson 2022); (iii) being a genuine disagreement (Lynch 2010; Ranalli and Lagewaard 2021); (iv) both parties are broadly rational (Lavorerio 2021; Pritchard 2023); (v) both parties at least take themselves to be giving reasons (Ranalli and Lagewaard 2021); (vi) systematicity, i.e. the disagreement is connected to other ideas (Lavorerio 2021; Ranalli and Lagewaard 2021); (vii) concerning the most basic commitments of each party (Lavorerio 2021; Pritchard 2021); (viii) involving conflicting epistemic principles (Fogelin 1985; Kiš 2023; Lavorerio 2021; Pritchard 2023); (ix) involving a high level of conviction (Pritchard 2023); (x) unresolvability (Fogelin 1985).

This sketch clarifies that not all philosophers who are interested in deep disagreement hold the same concept.¹ Some endorse only a few of these requirements, others more; some overlap, others do not. Duncan Pritchard calls deep disagreement a ‘term of art’ (2021, 301), suggesting that there is some freedom in how to conceptualise it. Wary of taking too many liberties, I am going to look, instead, for the least demanding yet robust definition of deep disagreement, and narrow it down further to the features that are characteristic of DMD. This will allow us to have a working concept of DMD that is recognisable from experience and at the same time fits with sufficiently large portions of the epistemological theory. Thus, I will take DMD to refer to a disagreement that is:

- (1) Persistent (i), this being the feature of deep disagreements that makes them of practical relevance and at the same time alarming. Persistent means that they continue over time, but also that they persist *despite* two other features:
- (2) They persist despite usually effective attempts at resolution, such as the exchange of reasons and arguments (v), and:
- (3) They persist despite the absence of conditions that typically perpetuate disagreement, such as epistemic vice (‘pig headedness’), factual ignorance, and irrationality (iv).

- (4) We cannot just let them go: we have reasons to want resolution, which are not only rational (ii), but also affective and practical – where each party takes it to be (morally) dangerous for the other party to remain unconvinced.
- (5) They involve moral value.²

The fourth requirement is less common, yet it is important to identify DMDs, which are characterised both by an affective component and by the concern for what follows in the world if a certain view becomes dominant. On an empirical level, we enter in DMD when we take the question to matter practically – not only for intellectual reasons and for love of truth (I will return to this).

The four elements above, then, constitute the description of DMD that I am going to use from now on. The next question is: What corresponds to such a description? The overturning of *Roe v. Wade* in 2022 in the US has brought the debate about abortion back to the foreground of public discussion and deepened the moral divide about it. Instances of the disagreement about abortion satisfy the features of DMD above and provide examples of moral conflict that most readers have probably encountered. Most of the literature of deep disagreement cites abortion as a typical case: Fogelin (1985) offers the disagreement over abortion as ‘paradigmatic’ of deep disagreement, and Rehg (1999), Lavorerio (2020), Rowland (2021), Ranalli and Lagewaard (2022), and Johnson (2022) also have discussed abortion as an example. There are good reasons for this choice. First, the question of abortion, and whether it is permissible, is clearly morally significant for both parties. It is persistent (point 1 above), insofar as the disagreement has been going on for a very long time without resolution. The opening paragraph of Nancy Davis’s article in *Ethics* from 1993 feels very fresh in 2024: ‘As Supreme Court decisions continue to narrow the scope of American women’s abortion rights . . . the heat and noise of the public debate on abortion increase apace’ (1993, 516).³ While the debate over abortion has taken many forms, including plentiful and rigorous philosophical discussions, even the best arguments around it have not resulted in anything like near-universal agreement even among informed, rational agents (2, 3 above). Finally, it is clear that neither party is satisfied with an ‘agree to disagree’ solution, because both see the realisation of the other’s proposal about abortion as morally impermissible (4).

With this, I do not want to suggest that all disagreements about abortion are deep. I agree with Lavorerio (2020) when she criticises Fogelin for writing that ‘the “abortion debate” is a deep disagreement’, because the debate takes many forms, and not all of them are deep. In fact, with Lagewaard (2021), 1575) and Finocchiaro and Godden (2011), I think that deep disagreement and DMD are rare. One in five Americans does not even consider abortion

a moral issue (Pew Research Center 2022). Moreover, many of the discussions about abortion regard not *whether* but *when* and *why* abortion should be permitted. This stance is reflected in laws which range over bans at 6, 12, 18, 22, and 24 weeks of pregnancy. And where restrictions are in place, exceptions can include maternal survival, health, social, family, and economic conditions.

Yet within this legal and political context, the most and least restrictive measures are supported by two *moral* polarities, which hold abortion to be impermissible based on the ‘sanctity of life’ of the foetus in one case, and access to abortion as morally necessary based on the value of a woman’s bodily autonomy against institutionally enforced restrictions. The first polarity holds the value of (typically, only human) life to be non-negotiable and often attributes this full-blown value to the foetus in the very early stages of development; this is possible because the ‘thick’ concept of human life they employ is not, or not fully, biological. Take, for instance, the statement by Kurjak et al. (2023) that ‘It is our deepest conviction that life has an absolute value . . . which may [not be] completely reduced to the material biological equivalent and the genetic substratum’ (2023, 39). On the other hand, (bodily) autonomy is also a core value with a long history in Western thought, and with specific relevance in medical care, as evidenced for instance by the fact that ‘autonomy’ is included as one of four ‘pillars’ of medical ethics in Beauchamp and Childress’s landmark *Principles of Bioethics* (1979). Bodily autonomy takes on a particularly significant role for women, whose bodies have been subject to abuse and control through history, and for whom affirmation of autonomy is an integral and essential part of the process of liberation and equality.

The Epistemic Role of Value

In deep disagreements about abortion, then, discussions quickly arrive at questions concerning something fundamental in ethics: the value of human life and autonomy. Indeed, fundamental commitments typically lie at the heart of deep disagreement: in the literature, these are understood either as fundamental epistemic principles, which govern epistemic practices and cannot be appealed to without circularity (see Lynch 2010, 2016); or as hinge commitments, theorised mostly by readers of Wittgenstein’s *On Certainty* (1969 – hereafter OC), where certain commitments function as ‘hinges’ around which beliefs and reasons revolve. While in some respects these accounts overlap, I shall focus on the latter, for it more easily accommodates for the role of values in DMD, and offers a helpful framework for understanding the special role of these commitments in the structure of thought and discussion.

Hinge commitments are different from other commitments because of their role in thinking. They are not themselves open to questioning and doubt, hence they are not irrational, but a-rational. They are those commitments for which, as Wittgenstein shows, claims to knowledge are misplaced, not because our knowledge is mistaken, but because knowing requires the possibility of doubt, which is absent (OC §341). Knowledge and doubt, in other words, just do not logically apply to these commitments. *On Certainty* opens with remarks to this effect in response to Moore's anti-skeptical claim that he 'knows' he has two hands.⁴ To use Johnson's helpful metaphor, 'in the game of giving and asking for reasons', while reasons are like the moves, hinges are 'like the board on which the game is played' (2022, 367).

Hinge commitments are not always, indeed not primarily, ethical in nature. Examples include: 'that one has hands (OC §125), that one is speaking one's native language (OC §158), that one's name is such-and-such (OC §328), that one has never been to the moon (OC §337)' (Pritchard 2021, 1118); that 'there is an external world, sense perception is reliable, I am not a brain in a vat, my faculty of reasoning is reliable, the Earth is more than three minutes old, testimony is reliable, memory is reliable' (Brueckner 2007, 285 in; Ranalli and Lagewaard 2022, 9). What, then, do the values I am discussing have to do with epistemic commitments such as these? Despite not being, in any obvious sense, epistemic principles, but rather ethical ones, when observed in the light of the requirements for hinges, it seems that the values of human life and autonomy fit the model – at least according to Pritchard's desiderata for hinges, which, importantly, he takes to be specifically relevant for deep disagreement. These are:

- (1) We are optimally certain of them (vs 'knowledge')
- (2) Our commitment to them is not optional but visceral
- (3) They are usually tacit and manifest in action rather than speech
- (4) They are not responsive to rational considerations (Pritchard 2021, 1118–1119)

The value of life and of autonomy, as manifested in the two polarities of the abortion debate, satisfy these conditions. This makes them into 'value-hinges', which differentiates them from other hinges because they are not only epistemological but also ethical, and differentiates them from other values which are not hinges, i.e. whose role in thinking is not foundational. Following Pritchard's desiderata, for each side of the debate, their value: (1) is not something that is put into doubt – in fact doubting about the value would dismantle many other values, ideas, and practices that make their lives what they are; (2) the commitment to it is visceral, rather than being the result of deliberation, which would require that the value is hypothetical or optional; (3) the value is ordinarily tacit, and implied rather than explicitly

addressed in most actions and beliefs; (4) the value-holders do not typically rationally justify the values of life and autonomy: rather, the values provide justification for other claims and considerations, instead of being objects of considerations. These are the features that, contextually, allow us to consider some values as hinges, and, as I am going to argue, they are also the same features that make them explanatorily relevant in DMD.

Pritchard himself (2023), in his most recent contribution to the debate, is also offering hinge commitments of this kind as explanatory of deep disagreement (but not specifically DMD): ‘My proposal is that when one is engaging in a deep disagreement one is arguing about a topic that is of existential importance, in the sense that it is pivotal to one’s worldview and one’s values’ (302). My proposal will partly build on Pritchard’s, agreeing with him that deep (moral) disagreement *concern* our fundamental values, but offering a different element as to what is *directly explanatory* of DMD, hence partly distancing myself from his explanation.

Value as Structure of Deep Moral Disagreement

Pritchard begins his proposal by claiming to shift the focus of the deep disagreement debate from the *properties* such as the ones cited above (resistance, certainty, etc.) to the *topic* of deep disagreement. The topic that characterises deep disagreement, he suggests, is something that has existential importance to the parties involved. He calls this the ‘axiological account’. The axiological account, he writes, is compatible with the hinge account, if we take hinges to include fundamental values. Hence, some but not all hinges are axiological and therefore some but not all hinges are explanatory of deep disagreement.

I agree with Pritchard that at the core of deep (moral) disagreement there is something fundamental, and that value, due to its motivational and identity-building nature, is at least more likely than epistemic principles to play the role of hinge commitment in deep disagreement as defined above. But, describing the given axiological commitment as ‘topic’, Pritchard understates the case. As he himself shows by linking the topic of existential significance to hinge commitments, disagreeing about topics of existential significance provides a specific *structure* to the disagreement, and that is what gives them the special role they have in deep disagreement: ‘These are commitments that are not merely central to our worldview but also more specifically structure our values, and that’s what gives them existential significance’ (2023, 2).

The relevant nature of these commitments for deep disagreement, by Pritchard’s own lights, is that of structure, not topic. In the abortion debate, the two polarities do not disagree about whether human life and autonomy have value. What they disagree about, or the ‘topic’, is whether abortion

should be permissible. Then, as they start to give reasons for and against, they appeal to human life and autonomy. Note that neither party disagrees that these are values. But the *role* that each value plays in the respective position is different. Perhaps it can be said that they disagree on how much ‘weight’ the values should have. In some cases, that is true, and when it is the case, it is in principle possible to look for a shared principle that allows both parties to evaluate that weight. That, by Fogelin’s and many commentators’ lights, would be an ordinary moral disagreement, not a deep one. In DMD, instead, some commitments do not have more or less weight because their role is not relative nor dependent on other principles. They are, themselves, the ground upon which considerations are given weight. This is one of the ways in which, in our example, human life and autonomy structure the way in which each party contributes to the debate and, at the same time and for that reason, their role in DMD is not primarily that of *topic* of the debate.⁵

The difference between topic and structure in DMD can be spelled out this way: DMDs concern topics that can be characterized as pertaining to moral discourse, such as whether abortion should be permissible. This is a moral topic insofar as the reasons offered concerning the question appeal to moral value. Some of these reasons appeal to the value of autonomy and the value of life. In non-deep disagreements, these values themselves can be, alongside the practical question, an object of disagreement, and nothing more. When disagreements are deep, these values are not only, and typically not primarily, what the parties disagree about, but they what structures the disagreement by framing it and enabling and blocking certain reasons and their role in argumentation. If we take values to play this role, then we can explain what otherwise seems puzzling in DMD, namely that a) neither party denies the values that the other puts forth (suggesting that these values are not topics), and yet b) no amount of argumentation leads to agreement, for the reasons given by one party are not accepted as reasons by the other. Therefore, while it is true that DMD concern moral topics, the topic is not part of the explanation of the ‘depth’ of moral disagreement, and it is only part of what makes deep disagreement ‘moral’. The primary moral element of DMD, from which the moral significance of the topic follows, is the value that structures the disagreement and enables the moves in it, including the identification of the topic as one of specific moral concern.

To say that human life and autonomy are value hinges means that, in DMD about abortion, their role is *both ethical and epistemic* at the same time: being something that matters absolutely, and precisely because of it, they are also the hinges around which the arguments of each party revolve. Value-hinges determine the way one argues for the positions that support or threaten them, but are not themselves justified because they were never open to doubt in the first place, and because of their constitutive role in one’s practices (following Pritchard’s conditions 1–4 above).

There are at least three ways in which human life and autonomy structure the DMD on abortion. The first is by assigning weight to other (moral or non-moral) considerations that rest on them. The second is by enabling reasons to be accepted as reasons or not (e.g. that the mother would be in psychological distress should she have a child is not acceptable as a reason for abortion to the party for whom human life, at any stage including potential, is a value-hinge). The third is by enabling or blocking practical possibilities that are either compatible or incompatible with the value-hinge.⁶ It is this third structural role of value-hinges that, I am going to argue, makes disagreement deep in the cases where it is moral. Here, then, is my first step for an explanation of DMD:

DMD 1: deep moral disagreements are those disagreements where the role of value is not (just) as topic, but as structure of the disagreement.

Moral Disagreement About Possibilities

The second element of DMD I wish to bring out has to do with the direct object or topic of the disagreement. If value is the structure, rather than the topic, what is the disagreement about, if not those values? The answer depends on the practical role of moral disagreements observed at the start of the paper.

When we look at how debates around topics of great significance proceed, such as give rise to DMD, we notice one peculiarity. The disagreement tends to be not primarily about the *truth* of the claims of each party, nor about clashing values, but over what to do. The normative question about what to do implies that the disagreement concerns actions that have not yet been carried out, and that are possibilities in the future. Hence, I suggest that the primary *topic* in the abortion debate, qua moral disagreement, is what possible world should be actualised.⁷ The disagreement, then, is about the *practical possibilities* that each party asks the other to *consider* and, eventually, endorse.

In the abortion debate, what troubles each party is not *primarily* whether the other believes that an embryo or foetus has value.⁸ The worry that drives the debate is that, if the other party's view gains traction, one will have to live in a world where either abortion is permitted or prohibited, and that is a world that they find abhorrent because, in that world, their value-hinge would be systematically trampled. The arguments, granted, often concern the value of life and freedom, where life begins, and so on. But in the abortion debate, as in other DMD, people do not typically come to blows, literally and metaphorically, about that – or rather, they do because they know that the answer they accept to these questions have practical consequences. In other words, people in the two polarities clash about the possibilities that each demands, and that the other cannot take.⁹

Most participants in the abortion debate share many relevant hinge values (such as the value of life and autonomy) and they may well share key epistemic principles (they may agree on the rules and procedures of argumentation, what counts as evidence, etc.), especially in debates where both parties take a secular perspective.¹⁰ It is in the possibilities they take as available that the participants in DMD do not meet. What makes disagreement deep is that, without shared possibilities, there is no shared object for the participants to agree on – or, in one sense of the word, to disagree on.¹¹ To be able to take \times (where \times is ‘abortion is permitted’ or ‘abortion is prohibited’) as a possibility is the pre-requisite, in normative debate, for deliberation and argumentation about \times to occur. This may seem rather obvious, yet the consequences are important: when even the best argumentation fails in *practical* reasoning, we should ask if we lack common possibilities. This takes us to a second specification in the understanding of what characterises DMD:

DMD2: deep moral disagreements are not about epistemic principles or truth-claims, but about practical possibilities.

The concept of possibility in the context of practical reasoning is a phenomenological one: I am not talking about the possibilities that are open to one from a third-personal, logical or empirical perspective. This puts further distance between the practical disagreements of DMD, and those disagreements where we are concerned (only) with the truth of value statements. Instead, I refer to *practical possibilities* to specify that the possibilities that are the topic of DMD are not based on whether each party can imagine the other’s desired outcome or abstractly take it to be possible. Rather, the possibilities are practical insofar as they demand each party to accept that a world where those possibilities are realised is at least in principle a world that can be correctly morally chosen by someone. As Gaita writes: ‘arguments in ethics can take us only to what we had already entertained as a morally thinkable conclusion’ (1989, 313).

This differentiates practical possibilities not only from abstract possibilities but also from first-personal options for action. It is not only that those holding the given value-hinges cannot take abortion or the denial of women’s autonomy as an option for themselves; it is, rather, that a world where one of these possibilities is routinely realised by anyone is *unthinkable* for them: they cannot properly understand how anyone could engage in such a practice – even if they know that they do. They cannot, with Wittgenstein, ‘find their feet’ in that possibility (Wittgenstein 1953, II xi 225).¹² So let’s specify the previous element as follows:

DMD3: deep moral disagreements are about mutually unthinkable practical possibilities.

From Value-Hinges to Unthinkability

Putting the structuring role of value together with the role of practical possibilities as topics of disagreement, which gives rise to mutual unthinkability, we need now to explain exactly how value-hinges determine the unthinkability of specific possibilities which, I am proposing, is what gives rise to DMD.

Let us start by flagging one property of value-hinges mentioned in the discussion above: the fact that they manifest equally in what we do and what we do not do; that they express themselves in how we live and what matters to us, but also in what is outside our sphere of consideration. In other words, hinge values function as *excluders*, or as *limits to our field of practical possibilities*. This is the third, and for our purposes most important, of the three ways listed above in which value-hinges structure the DMD on abortion.

This idea is present, more and less explicitly, in the literature on hinges. For instance, Ranalli and Lagerwaard write that ‘at root, hinge propositions *frame* worldviews’ (2022, 9, emphasis mine). If we follow the idea of framing, we will see that framing not only gives shape and structure to what is inside a worldview, but by definition excludes something from it. And if hinge-determined worldviews are taken seriously as not mere accidents but the space within which we can choose, argue, deliberate, and even consider certain possibilities, in a practical sense, then the exclusion operated by hinges bears serious examination.

This point is often overlooked; yet the role of hinges as limits has important consequences, I am arguing, not only theoretically but practically and, specifically, as explanatory factor of DMD. If the value-hinge that operates in the anti-abortion camp is that ‘any form of human life, actual or potential, has absolute value’, then *qua* hinge, it will delimit both what options are available to those who hold it and what practical possibilities they will consider in deliberation and discussion. Anything that violates that hinge will not be ‘wrong’ for them: it will lie outside the limits of their *Weltbild*. That makes it unthinkable.

The concept of ‘unthinkability’ has received limited attention in philosophy, having been explored mostly, and unsurprisingly, by Wittgenstein-inspired thinkers. Raimond Gaita (1989, 1999), for instance, defends the importance of unthinkability both as an element of rationality and as an element of morality. While, for Gaita, the rationally unthinkable constrains what it means to think well and badly, where not considering certain possibilities is part and parcel of our grasp of certain concepts and rational practices, the morally unthinkable excludes possibilities as part of the structure of morality itself: if we do not fear or resist certain thoughts, then we

have not grasped what evil is. Here we can understand evil as that which, subjectively, is taken to destroy one's value hinges.

In the case of DMD, while the surface semantic structure appears to be that of ordinary disagreement, the possibilities that each party presents as acceptable – and for which they are prepared to engage with reasons – are unthinkable to the other party, meaning that they are incompatible with their own value hinges, so that even considering reasons in favour of that possibility constitutes an in-principle acceptance of its goodness, and therefore a violation of the value-hinge.

The unthinkable, then, does not refer – as the name might suggest – to states of affairs that one party is unable to think, or imagine. The anti-abortion party can think or imagine abortion occurring, and so can the other party imagine a ban. In the moral context where it emerges, however, the unthinkable is tied to practical possibilities: it is not that which we cannot think, but that which we cannot take, or think, as a practical possibility – which means that we cannot think it as something even potentially good, and therefore realisable. The reason of this impossibility refers to a logical incompatibility of the possibility with value hinges. Even thinking abortion as a practical possibility, thus making space for it as a possible conclusion of debate, is incompatible with the holding of the value-hinge of the sacredness of human life at all stages. The value-hinge, then, blocks the possibility not only from being endorsed, but even from being thinkable *as a practical possibility* – and therefore, from being a proper object of debate, as non-deep moral disagreement would require.

Although not explicitly drawing on Wittgenstein, the central points in Gaita's analysis are what Wittgenstein called 'grammatical': unthinkableity is not explained by social or psychological forces, but by the internal logic of certain concepts and practices (Gaita 1999, 179–180). This means that their force as excluder is the strong force of a logical impossibility. As background to our life, value-hinges are incompatible with doubt, as Wittgenstein writes in another context: 'Here a doubt would seem to drag everything with it and plunge it into chaos' (OC §613). These values are part of one's *Weltbild*, i.e. worldview or world-picture, which is not acquired through evidence – rather, 'it is the inherited background against which I distinguish between true and false.' (OC, §94). Luigi Perissinotto evokes the experience that accompanies events that challenge hinge commitments: 'If I wanted to shoot a film about all this, I would have to ask my actor to look astounded and dazed, like someone who literally does not know what to say and do – like someone who seems to be standing "before the abyss [vor dem Nichts]" (OC, §370)' (Perissinotto 2016, 86). If some cases, hinges can be dismantled. But this neither denies their role in DMD nor their foundational role. On the one hand, the moment they are open to

doubt, they cease being hinges. On the other, in order to doubt them, it takes more than the ordinary kinds of reasons that could dismantle mere beliefs or commitments; for, as Perissinotto writes, ‘in cases where a doubt “would seem to drag everything with it” I could doubt the doubt itself’ (2016, 88).

If some values can play this role, then being presented with practical possibilities that would shatter them is bound to create an incapacity to seriously consider such possibilities. And, if those possibilities are what one needs to engage with in order to non-deeply disagree with someone else (by e.g. considering reasons and showing the other to be wrong), then the resistance will make the disagreement deep.

The unthinkable is also documented in empirical psychology, notably in a series of studies led by P. E. Tetlock et al. (1996, 2000), who has observed the role of unthinkability in what he calls ‘sacred values’. Although what is sacred, of course, varies, ‘sacredness seems to qualify as a functional universal across societies, both primitive and modern’ (P. Tetlock 2003, 320). The role of sacred values, as described by Tetlock, seems extremely close to that of value-hinges: he describes them as values that individuals or groups take to be fundamental, non-negotiable, and possessing ‘transcendental significance’ (P. E. Tetlock et al. 1996); they are not open to questioning and negotiation, and in argument, they don’t play the role of considerations or reasons, but just like hinges, they provide the silent background which delimits what can and cannot be used in questioning and negotiation. While there is no space to investigate whether just how close the similarity between hinges and Tetlock’s sacred values is, their shared role as background values, held with optimal certainty, and which impedes *even considering* practical possibilities that violate them, offers empirical support for the idea that this dual phenomenon, consisting of value-hinges and unthinkability, can be what is at play in DMD.

Both the concept of unthinkability and that of deep disagreement lie outside of the standard Western post-Enlightenment model of moral reasoning and deliberation, where moral wrongness blocks action, not thinking, and where disagreement proceeds on common rational epistemic practices. While, on that model, any conclusion is ‘up for grabs’ for the rational thinker, Gaita (1989, 1999) argues that being a serious thinker means instead that there are certain paths one won’t go down. While his examples would appeal to actions widely considered beyond the pale (someone who murdered a baby for no apparent reason, and whether we can, in all seriousness, ask if they did the right thing ‘for the sake of argument’ (1999, 177–178)), the structural point is relevant here, helping us to see how one may not consider a given practical possibility, not out of stubbornness or irrationality, but through a deep value commitment. (This discussion is agnostic on whether they are right in holding that value.)

Unthinkability and Bad Faith

If we take a quick look at the language of the abortion debate in its public form, we will find that the language of unthinkability is widely used – much more often, however, by the anti-abortion side. Here are some paper and blog headlines: ‘On Abortion, How Do We Get to Unthinkable?’ (*US National Catholic Register*); ‘A World Where Abortion Is Unthinkable’ (*plough.com*); ‘Abortion will be considered unthinkable 50 years from now’ (*vox.com*); ‘Making Abortion Unthinkable: The art of pro-life persuasion’ (*Christian Research Institute*). The wide presence of the language of unthinkability, especially in overkill formulations like ‘We aim to make abortion illegal, unthinkable, and unnecessary’ (Graham 2022), is suspect. Only those possibilities that threaten our deepest values (hinges) are properly unthinkable, and those are not many. The rhetorical use of the unthinkable typically occurs in one of two ways: either as a more emotive synonymous for ‘very wrong’; or as an avowal of necessity (if something is unthinkable, I must do something else), for which one is not responsible. What arises here is a question about the *bad faith* of avowed unthinkability as one of those epistemic vices that need to be removed before we can consider a disagreement to be deep.

Finding out whether the unthinkable is used as a rhetorical device is necessary to understand whether we are really in the presence of an unthinkable possibility, and therefore a DMD, and address the issue accordingly. This involves at least two requirements. The first is that the participants are expressing their position due to genuine concern for the question at hand, as opposed to furthering another goal through the debate (this is similar to Pritchard’s fourth requirement for deep disagreement, that both parties are committed to the truth of what they are saying (2023, 305–306)). The participants are expected to know, or realise after some analysis (by which I mean the ordinary kind of analysis that occurs when one is trying to explain one’s position), whether, say, they are truly committed to the absolute value of the embryo’s or foetus’s life, or whether they are arguing against the permissibility of abortion in order to gain political support, or to satisfy misogynistic leanings. A non-insignificant portion of the debate about abortion in the US is vitiated by bad faith, with some politicians fostering disagreements over topics such as abortion or homosexuality for political ends (Tolentino 2019) or changing their position about the issue according to electoral needs (Elliott 2023).

Another standard of good faith involves the way in which unthinkability is used. Interestingly, when unthinkability is used merely rhetorically, it has the opposite relationship to moral identity than genuine

unthinkability. When the unthinkable has rhetorical appeal, it is used as a way of removing responsibility from oneself.¹³ When we encounter a genuine unthinkability, we take it to be both demanded by the world – a real limit – and something that comes from deep within us. We can be, therefore, responsible for our unthinkabilities, even if we do not choose them.¹⁴

The use of the unthinkable as rhetorical device displays, by contrast, the feature of hinge commitments I flagged above: they are often silent. The very use of the unthinkable as an argument denies its nature as excluder, or as structural feature of argument. While there is no ‘test’ for genuine unthinkability, the ways the concept is invoked and used allow us to draw distinctions between genuine and deceptive cases.

Deep Moral Disagreements as Mutually Unthinkable Possibilities

To return to the argument after the interlude on bad faith. If value-hinges determine the space of practical possibilities, cases in which practical possibilities (e.g. the impermissibility of abortion) are incompatible with a given value hinge (e.g. women’s bodily autonomy) are cases where that practical possibility is unthinkable to the value-hinge holder. And when the practical possibilities that are compatible with the value-hinge clash with the practical possibilities that are compatible with a different value-hinge (the value of potential or embryonic human life), then the practical possibilities available to each party are mutually incompatible. Because they are determined by value-hinges, they are also mutually unthinkable.

This, I am suggesting, is why arguments in these cases stall. There is no common ground – the common ground of practical possibilities –, because one is demanding that the other takes as practically possible something that would violate their hinges, and vice versa. In these cases, the relevant shared space of possibilities is unavailable in a moral sense. And if, as I have argued, the disagreement is primarily about practical possibilities, then lacking a shared space of practical possibilities means lacking the conditions for agreement.

Putting together the previous partial definitions offered above with the element just added, we reach the following definition of DMD:

DMD: Deep moral disagreements are those where each party’s demanded practical possibility is unthinkable to the other party, and what determines the unthinkability is the structural role of value as hinge commitment, which functions (among other things) as an excluder.

Conclusions

In this paper, I have proposed a way to understand DMD which explains its peculiar features as opposed to ‘normal disagreement’: its heated affective dimension and stubborn lack of resolution, despite the exchange of reasons and arguments, and despite lack of epistemic vices such as ignorance and irrationality. By taking, as topic of the disagreement qua moral disagreement, the practical possibilities that each party wants to realise, I have suggested that what characterises DMD is that each party’s demanded practical possibility is unthinkable to the other party, and what determines the unthinkability is the structural role of value as hinge commitment, which functions both as background and as excluder.

This proposal builds on others which see deep disagreement as *concerning* hinge commitments, but distances itself from them insofar as the explanation of depth appeals not to the hinge itself, but to the unthinkability that is generated when one’s hinges are threatened. The reasons for not taking value-hinges as topic of disagreement are, on the one hand, that in DMD (as in some disagreements about abortion) we should take seriously their practical nature, where what is at stake, typically, is not primarily the question of what is true but what should be done. On the other hand and for this reason, while my account also suggests that hinges play a central role in DMD, it is not the hinges *themselves* that clash: both parties in the abortion debate take human life and autonomy to be values, but the role these values play is different, and the clash occurs when those values structure each party’s world-view so that the possibility demanded by the other’s value-hinge is unthinkable for them, in the sense of threatening their value-hinge.

Adopting an explanatory model of DMD should have practical consequences too, although there is no space to develop them in this paper. To offer the briefest of sketches: if we take DMD as involving mutually unthinkable possibilities, and if the exclusion depends on a value-hinge, we can a) examine, genealogically, where the given hinge came from, what made it into a grounding value in our/the other’s life;¹⁵ b) ask whether it is true that the possibility offered would destroy the value-hinge; and c) affectively try to de-escalate the conflict by reminding ourselves that the exclusion of possibilities, painful to contemplate as it may be, comes from the need to protect a value, rather than from the desire to destroy something of fundamental importance for us, although it does that too.

On the view I am proposing, the lack of common ground, identified in deep disagreement by its original proponent Robert Fogelin (1985), is indeed central to DMD. It is, however, not to be found in epistemic practices or truth claims. It is to be found in the practical possibilities that, in DMD such the ones about abortions, we morally cannot share.

Notes

1. And some, like Fogelin (1985), insert an explanation in the description, which complicates matters.
2. This formulation is intentionally vague: the specific way in which value is involved is crucial, and will be addressed below.
3. Note that she then goes on to discuss, not the polarized views, but the moderate position on abortion.
4. Cf. the earlier remarks about private language in the *Philosophical Investigations*, when one cannot be said to ‘know’ one is in pain (PI 246).
5. Cf. Fogelin (1985, 3): some beliefs ‘provide the framework or the structure within which reasons can be marshaled.’
6. ‘Practical possibilities’ refer to possibilities that are taken to be realisable. I elaborate on this notion below. Here I would like to note that the ‘practical’ nature of practical possibility should be understood broadly – in the way that ethics as a form of ‘practical philosophy’ is understood broadly. I wish to include not only the clear cases, such as appear in the abortion debate, where incompatible practical possibilities include actions and laws; but also states of affairs that are less tangible, such as the formation of cultures in which certain ways of seeing and thinking about others are tolerated or normalised.
7. This formulation clearly makes reference to Lewis’s (1986) possible-world theory, but it is intended to do so only in a general sense without committing to specific interpretations of the issue.
8. This would be a valid disagreement, but an abstract one. While there *can* be a DMD on the value of embryos and of autonomy *only for the sake of truth* and not because of what holding such values means in the world, these are unlikely. People do not take to the streets only to prove the soundness of their reasoning.
9. That one party calls itself the ‘pro-life movement’ appeals precisely to this point: in practice, we do not deeply disagree about whether life has value *unless* the use or misuse of this value leads to something that we cannot accept; no one is ‘against life’; the abortion debate is not the value-of-life debate. This is why in this discussion I refuse to use the standard ‘pro-life’ and ‘pro-choice’ labels.
10. Most discussions of abortion in the deep disagreement literature appeal to the difference in epistemic principles (‘I derive my beliefs from the Bible’ or ‘from Western empirical science’) or hinges (a religious world-view). But abortion debates do not all rest on secular vs religious perspectives and epistemic practices.
11. The conditions for disagreement can be said to be absent if we take the concepts of agreement and disagreement to rest, in parallel fashion, on possibilities being available and accepted or, in the other case, rejected. In that case, ‘conflict’ would be a better word. However, the debate on deep disagreement does not use the concept of ‘disagreement’ as presupposing the possibility of agreement, hence it does not take disagreement and agreement as parallel concepts, so I will not switch to the language of conflict here.
12. Although I agree with Lisa Tessman that ‘Having the experience of unthinkability thus depends on whether we take an agent-relative perspective or an

agent-neutral perspective’, I depart from her on the idea that we experience the unthinkable when we ask what *we* should do. I think it is enough to be asking the question of what should be done, which can nonetheless be asked from an agent-relative perspective (Tessman 2023, 502).

13. The use of unthinkability in order to perform morally wrong actions because anything else is presented as unthinkable, often emerging in the formulation ‘we have no choice but’, can be used as a way to distance oneself from the possibility that is, in fact, chosen. This way of speaking makes the unthinkability seem external, while the point of genuine unthinkability is that it is personally endorsed, while still appealing to a value that one identifies in the world.
14. See Frankfurt on unthinkabilities as part of one’s moral identity (Frankfurt 1988).
15. Johnson (2022) also recommends that we look at the hinge involved by becoming self-aware and responsible for our own hinges qua hinges. However, he goes on to identify this awareness with a form of intellectual humility because, he writes, recognition of hinges as hinges involves awareness that we have not ‘earned’ our hinge commitments (366–367) and hence ‘owning one’s limitations’ (367). This step implicitly presents hinges as (unavoidable) limitations, rather than facts of life. Yet the existence of fundamental moral commitments displays the nature of the ethical. Wittgenstein accused Moore of using the wrong concept when he claimed he ‘knew’ he had hands – of being confused, not of being arrogant.

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