

Chapter 3

The Normativity of Practical Reason

3.1. Humean subjectivism

One influential form of subjectivism about ethics and value consists in denying the coherence or validity of a certain type of rationally inescapable norm of action. In the terms of a distinction historically associated with the work of Immanuel Kant, this form of subjectivism denies the coherence or validity of so-called *categorical imperatives* of practical reason, where these are imperatives that apply to agents regardless of their contingently given ends.¹ Thus, when John Mackie claimed to have diagnosed a constitutive error embodied in the pre-reflective morality of his time, this was because he claimed to have shown that this morality was committed to the validity of something very much like categorical imperatives of practical reason. Thus, Mackie writes:

So far as ethics is concerned, my thesis that there are no objective values is specifically the denial that any... categorically imperative element is objectively valid. The objective values which I am denying would be action-directing absolutely, nor contingently... upon the agent's desires and inclinations. (Mackie 1977, 29)

So understood, objectivism about value is the view that there are some imperatives of practical reason that are categorically valid in the sense of rationally requiring some course of action unconditionally on any (actual or possible) end.² I shall refer to the denial of this view as *Humean subjectivism*.³ Mackie and subjectivists like him do not normally deny the validity or coherence of the other type of rationally inescapable norm distinguished by Kant, namely hypothetical imperatives. On the contrary, the domain of hypothetical imperatives is supposed to be definitive of the scope of practical reason on Mackie's account. Mackie's claim is that the scope of practical reason is exhausted by the scope of hypothetical imperatives and the instrumental reasons to which they give rise. It is precisely because Mackie thinks that practical reason is exhausted by instrumental reason alone that he also thinks the demands of pre-theoretical morality are rationally escapable, and all moral judgements pretending otherwise therefore either false or incoherent (c.f. Mackie 1977, 27-30). So understood, the subjectivity of value does not entail complete scepticism about practical reason, in the sense of the refusal to accept any norms of practical reason whatsoever. At least some norms of practical reason are objectively valid on this view, including instrumental norms that prescribe the efficient promotion of contingently given ends.

Humean subjectivism might seem to be favoured by the virtues of motivational, epistemological, and metaphysical modesty. The validity of hypothetical imperatives has historically been much less controversial than the validity of categorical imperatives.⁴ While many philosophers have denied that agents are rationally bound by categorical imperatives (be they ethical or otherwise), hardly anyone denies that agents are rationally

required to take efficient means to their ends. While the idea that some ends of action are objectively action-guiding in themselves has seemed to many either motivationally, epistemologically, or metaphysically mysterious, the idea that some ends are required on pains of irrationality in order to efficiently promote other ends has traditionally seemed comparatively straightforward. This is especially so for Humeans like Mackie and others, who have sought to find a place for reason and value within a broadly naturalistic worldview (c.f. Gauthier 1986).

In recent years, Humean subjectivism has been attacked by a number of philosophers who, inspired by what they take to be Kant's view of instrumental reason, argue that Humean subjectivism is faced by an insuperable dilemma (c.f. Korsgaard 1997, Hampton 1998, 125-206). These philosophers argue as follows. Either hypothetical imperatives are normative or they are not. If hypothetical imperatives are normative, then they are valid standards of consistency in action that apply to agents regardless of their ends. If so, they entail a 'categorically imperative element' in practical reason that is objectively valid, and therefore neither more nor less mysterious than categorical imperatives are. On the other hand, if hypothetical imperatives are not normative, then they merely register possible causal or constitutive relationships between states of affairs described as possible ends of action. If so, they are not even candidates for the status of authoritative standards of consistency in action. Humean subjectivism is therefore either implicitly committed to a form of objectivism about value, or it collapses into complete normative scepticism. Either way, there is no viable form of subjectivism about value based on the notion of pure instrumental reason alone. In what follows, I shall refer to this argument as

‘the Kantian argument’. The Kantian argument is a type of ‘companions in guilt’ argument (c.f. Hampton 1998, 11). It claims that the existence of subjective value (as understood by Humeans like Mackie) entails the existence of objective value (as understood by the Kantians whose view of practical reason Humeans reject). The argument is therefore a companions in guilt argument by entailment because the commitment to objective value is supposed to logically follow from the commitment to subjective value.

The Kantian argument has two notable implications. First, and most obviously, the Humean project of accounting for practical reason in purely instrumentalist terms is bound to fail. Second, a commitment to objective values is arguably embodied not only in paradigmatically normative judgements like the claim that we should keep our promises, but also in claims that attribute to agents propositional attitudes like beliefs and desires. As noted in Chapter 2, it is a widely held view that the content of the propositional attitudes is partly defined by their basic logical and other rational relations to each other (c.f. Hurley 1989; Davidson 2004). If so, agents must be interpreted as minimally coherent in their beliefs and desires in order to count as having any thoughts at all. The consistency in question comes in two sorts, namely basic logical consistency as defined by the norms of classical logic, and basic instrumental consistency as defined by the norms of rational decision theory. Of these two types of consistency, the second is arguably committed to a normative conception of instrumental rationality. According to Donald Davidson, for example, constitutive constraints of interpretation entail that we must think of agents as being instrumentally rational in the sense of generally pursuing

their desires in accordance with their beliefs.⁵ If the process of interpretation is, as Davidson claims, a normative process of classifying agents as successfully complying with a set of standards of rational behaviour, then the Kantian argument entails that the very idea of a propositional attitude itself contains a commitment to objective value insofar as the norms of instrumental rationality embodied in rational decision theory presuppose the validity of at least one categorical norm of practical reason. If understanding hypothetical imperatives as normative is a presupposition of agency as such, it follows that Humean subjectivism is inconsistent not only with the objectivity of value, but also with the existence of rational agency.⁶ Not even the most radical Humean should be attracted to this conclusion.

In a series of books and papers published since the 1990's, Jean E. Hampton and Christine Korsgaard have defended a Kantian conception of the objectivity value by employing a companions in guilt argument against the Humean idea of pure instrumental reason (Hampton 1992, 1994, 1995, 1996, 1998; Korsgaard 1996a, 1996b, 1997).⁷ Between them, Hampton and Korsgaard give at least three separate arguments against Humean subjectivism, each of which constitutes a distinct claim to companionship in guilt of the entailment form. First, they claim that the idea of a hypothetical imperative is as normative as the idea of a categorical imperative and consequently no less problematic from a naturalist perspective. Second, they claim that the validity of hypothetical imperatives entails the validity of at least one categorical imperative, namely the categorical imperative to be instrumentally consistent. Third, they claim that the normativity of hypothetical imperatives presupposes the correctness of a substantial

theory of valuable ends, or ‘the good’. Their conclusion is that Humean subjectivists such as Mackie are implicitly committed to objective prescriptivity in exactly the sense that his own arguments are meant to undermine. Humean subjectivism, when fully explicated, is either unmotivated or self-defeating. It does not immediately follow, of course, that there are any valid categorical imperatives. But the price of denying the existence of such imperatives is complete skepticism about practical reason.

In what follows, I shall agree that the Kantian argument succeeds in bringing out a number of frequently neglected presuppositions of Humean subjectivism. Thus, as literally formulated by Mackie, for example, the Humean position is genuinely self-defeating. Yet making this concession leaves the core of Humean subjectivism intact, or so I shall argue. The Kantian argument is relatively neutral on the content of both the categorical norms of practical reason and the substantial conception of the good to which Humean subjectivism allegedly commits us. The argument is therefore consistent with a wide range of indeterminacy in the truth-value of many substantial evaluative claims. In particular, conceding the validity of some categorical norms of practical reason does not entail the acceptance of the paradigmatic kind of substantial categorical imperatives of morality the rejection of which is arguably what leads Mackie and others to endorse a Humean view in the first place.⁸ For all the Kantian argument shows, many of the norms of prudence, morality, aesthetics, politics and the rest on which discussions of the objectivity of value has traditionally focused are rationally escapable, and therefore not objectively binding for the agents to whom they are frequently applied. In making this argument, I shall grant the Kantian understanding of objective value proposed by

Hampton and Korsgaard. I shall also grant their claim that hypothetical imperatives are normative in the sense of being universally valid standards of rational criticism. What I shall question is their specifically Kantian understanding of what this normativity amounts to, as well as their Kantian view of what follows from it by way of objective values. I shall conclude by connecting the issue of the objectivity of value to the issue of the rational inescapability of moral and other substantial norms of practical reason, and shall argue that it is partly a reasonably motivated skepticism about the range of such norms that is the guiding thought behind the Humean subjectivism of Mackie and his philosophical allies.

3.2. The normativity of instrumental reason

The first strand of the Kantian argument claims that the idea of a hypothetical imperative is as normative as the idea of a categorical imperative, and consequently no less problematic from the perspective of a naturalistic worldview. To avoid confusion in what follows, I shall refer to the imperative that agents should take effective means to their ends as ‘the formal hypothetical imperative’. I shall refer to concrete applications of this imperative as ‘substantial hypothetical imperatives’. The claim that ‘If you want a bribe, you should name your price’ is a substantial hypothetical imperative in this sense.⁹ The claim that rational agents will take efficient available means to their ends is a critical, evaluative standard that postulates a set of non-trivial success conditions on rational agency. According to this standard, instrumentally inefficient or self-defeating action is a form of internal incoherence in agency and thereby a paradigmatic form of irrational

failure. To the extent that Humean subjectivism is motivated by commitment to a naturalistic worldview, and to the extent that a naturalistic worldview is inconsistent with the existence of normative standards of rationality, the existence of hypothetical imperatives is inconsistent with a naturalistic worldview. On these grounds, Hampton claims to diagnose in Humean subjectivism an implicit or explicit ‘... dislike of the inclusion of norms in their theory’ (Hampton 1998, 198). Having made the point that some normativity is inescapable even on a conception of practical reason as exhausted by hypothetical imperatives, Hampton writes:

[A]ny theory of instrumental reason is just as hip-deep in normativity as any moral theory, and therefore just as metaphysically problematic as any moral theory if, as many naturalists believe, normativity is metaphysically problematic. (Hampton 1998, 206)

Yet the main point of Humean subjectivism is precisely that instrumental rationality is not ‘just as hip-deep’ in normativity as any moral theory. On the contrary, instrumental norms are meant to share with a wide range of other norms the absence of the feature that makes paradigmatically moral norms philosophically problematic, namely their ‘objective prescriptivity’ (c.f. Mackie 1997, 29). Thus, the Humean subjectivist is not forced by consistency to reject normativity as such, but rather to reject specific forms of it.¹⁰ To see why, consider the normative status of social conventions like norms of etiquette, such as ‘If someone offers you their hand, take it’. This norm is not objectively prescriptive in Mackie’s sense. It is possible to reasonably act against it without having

misunderstood either its content or social significance. Refusing to take someone's hand may be rude, but it does not thereby constitute having made any kind of mistake (except trivially, from the perspective of the norm in question). We must have room in our worldview for such conventional norms, otherwise we could convict people of irrational behaviour by arbitrary stipulation. The Humean subjectivist should not deny the existence of conventional social rules that embody internal standards of correct behaviour. What he or she is really interested in denying is that any such conventional norms are objectively prescriptive in the sense of constituting categorical imperatives that are rationally inescapable regardless of any end (actual or possible) that they may serve to promote.

It is plausible that some norms are rationally inescapable in this sense. Arguably, these include the basic laws of logical inference (within limits, because the extent to which an agent has reasons to be consistent may depend on what her other ends are). Logical inconsistency in reasoning is arguably a categorically prescriptive form of irrationality, all else equal. Somewhat more controversially, the set of rationally inescapable norms arguably also includes the basic epistemic norms of belief formation (again within limits, because the extent to which an agent has reasons to have true beliefs may depend on what her other ends are). Wishful thinking is a categorically prescriptive form of irrationality, all else equal. Humean subjectivists like Mackie generally accept the rational inescapability of basic logical and epistemic norms. To that extent they are objectivists about logic and epistemology.¹¹ The question for Humean subjectivists is whether it is possible to be an objectivist (in this sense) about logical and epistemic norms while being a subjectivist (in the same sense) about a wide range of norms of practical reason,

including the categorical norms of pre-theoretical morality. The main issue between the Kantian and the Humean is therefore whether the norms of practical reason are inescapable in the same way as the basic norms of logic and belief formation apparently are.

It is arguably impossible to coherently opt out of the basic norms of instrumental rationality in the way one can obviously opt out of the conventional norms of etiquette. In one uncontroversial sense, therefore, the basic norms of instrumental rationality are as inescapable as the norms of logic and belief. As we have seen, minimal instrumental consistency is arguably a precondition of rational agency. Failures of instrumental consistency are paradigm cases of practically irrationality. It is therefore impossible to rationally escape the formal hypothetical imperative that one should take effective available means to one's ends. On the other hand, almost any substantial hypothetical imperative is rationally escapable because, as is often pointed out, there are two ways in which one can comply with it: either by taking the means or by abandoning the end.¹² It is partly the latter form of escapability that the Humean subjectivist appeals to when he denies that the norms of morality are objectively prescriptive. The point of Humean subjectivism so understood is that agents can comply with the inescapable norms of instrumental rationality without thereby being committed to any particular subset of substantial ends, including the norms of commonsense morality. Unless it can be independently established that the norms of morality are likewise rationally inescapable, the objectivity of instrumental rationality is compatible with the subjectivity of morality in the relevant sense.¹³ On of the most natural ways of understanding Humean

subjectivism is as claiming that there are no rationally inescapable ends apart from the ends of formal consistency in attitude and action. The issue is not one about normativity as such. Nor, in spite of Mackie's unhelpful formulation, is it one about whether there are any norms at all that are objectively prescriptive in the sense of being rationally inescapable. Instead, the issue is one about how far the domain of rational inescapability extends.¹⁴ While Hampton is right that Humean subjectivists such as Mackie are committed to the rational inescapability of some norms on pains of inconsistency, this does not undermine Humean scepticism about specific substantial normative systems like the commonsense morality of Mackie's late 20th Century culture. At best, Hampton's argument shows that moral scepticism should not be supported by complete scepticism about normativity as such. Yet this is by no means the most charitable way to understand the core position of Humean subjectivists like Mackie and the like.¹⁵

3.3. The categoricity of instrumental reason

Even if Humeans are right to reject the rational inescapability of moral and other substantial norms, they are arguably committed to the rational inescapability of the formal hypothetical imperative that agents ought to take efficient means to their ends. This fact gives rise to the second strand of the Kantian argument. This second strand attacks the Humean dictum that reason obtains relative to desire. In her book *The Authority of Reason*, Hampton claims that this dictum is incompatible with the rational inescapability of the formal hypothetical imperative because even though it may depend on your desires whether or not you have a reason to promote a given substantial end, it is

not contingent on your desires whether or not you are bound by the formal hypothetical imperative (Hampton 1998, 125-206). According to Hampton, the normativity of the formal hypothetical imperative entails the existence of at least one norm of practical reason the authority of which is not desire-dependent, namely the norm of instrumental consistency in action. Pure instrumentalism about practical reason, and any form of value subjectivism based on it, is therefore incoherent. Hampton writes:

[T]he authority of this instrumental norm has to be understood noninstrumentally. Because it is the foundation of the idea that we ought to act on means appropriate to the achievement of our ends, it cannot itself be defended consequentially. Thus, understood as an imperative, it is categorical and not hypothetical... (Hampton 1998, 140, Note 22)¹⁶

To claim that the normative authority of the hypothetical imperative is not itself hypothetical does not entail that the adoption of any arbitrary end makes it irrational or unreasonable to not promote it. Hypothetical imperatives can be complied with by giving up the end. This point is sometimes put by saying that the consequent of a hypothetical imperative is not automatically detachable (c.f. Greenspan 1975, Broome 1999). To mark this distinction, the idea of a *reason* is sometimes contrasted with the idea of a *normative requirement* (c.f. Broome 1999).¹⁷ A normative requirement, on this view, is a standard of coherence on rational attitudes and their relationship to action. The formal hypothetical imperative on this view is a standard of coherence on rational action, specifying the relationships in which rational attitudes stand to each other regardless of their content. A

reason on this view is a standard of substantial correctness of rational attitudes in response to the world, specifying the content of ends agents ought to pursue. The formal hypothetical imperative is not in this sense a standard of correctness on rational action, as it fails to set any substantial ends for the agents to whom it applies. It is therefore blind with respect to the question of the substantial correctness of an agent's attitudes. The fact that an agent is normatively required to effectively promote the means to her ends does not, on this view, entail that she has any reason to promote the means to any of the ends she actually has. Thus, a completely crazy agent may still be normatively required to show consistency in action even if he has no reasons to promote any one of her silly, deranged, or evil ends.¹⁸

In the terminology of reasons and normative requirements, the second strand of the Kantian argument can be reformulated as follows. Even if all reasons obtain relative to desire, reasons do not exhaust the domain of practical rationality. The norms of practical rationality also include the normative requirements of consistency in attitude and action embodied in the formal hypothetical imperative. This normative requirement does not obtain relative to desire. It follows that the norms of practical rationality are not all instrumental. Any purely instrumental account of practical rationality is incoherent.

As defined by Broome, for example, the distinction between reasons and normative requirements is arguably no deeper than the distinction between formal ends like consistency on the one hand, and substantial ends like prudence or morality on the other. This distinction is arguably one of degree. Even if normative requirements do not set

agents any interesting substantial ends, such as being nice to their neighbors or caring about the past, they do impose genuine restrictions on the ends of agents, namely to retain instrumental coherence among their attitudes. While formal coherence can be retained while remaining neutral between most substantial ends, it still requires agents to make structural choices between them. Thus, normative requirements are genuine standards telling agents to be, or to do, some things rather than others. It is consequently neither plainly incoherent or ungrammatical to say that agents who are normatively required to retain consistency in their attitudes have reasons to be consistent, reasons which are not instrumental in deriving from the satisfaction conditions of their ends. Thus formulated, the second strand of the Kantian argument can be reformulated as follows. In order for agents to have instrumental reasons to promote their ends, they must have non-instrumental reasons to be consistent in their attitudes. The rational inescapability of the formal hypothetical imperative therefore entails the rational inescapability of a categorical imperative of consistency in attitude. While this categorical imperative might be blind with respect to the content of the substantial ends of agents, it is not blind with respect to the content of their formal ends, including the end of being consistent in one's attitudes. To the extent that Humean subjectivism is motivated by skepticism about the validity or coherence of *any* 'categorically imperative' element embodied in evaluative discourse, it is therefore badly motivated.

One response to this strand of the Kantian argument is to claim that the force of the hypothetical imperative is itself hypothetical. Thus, agents should obviously promote the means to their ends effectively if they desire to promote their ends. Consistency in

attitude is a necessary means to successful action, and (equally obviously) to consistency in attitude itself. This response does not, however, take the Humean subjectivist very far. The first problem is one of explanatory impotence. To account for the normativity of the formal hypothetical imperative by appealing to the formal hypothetical imperative itself quickly threatens with triviality, regress, or circularity. The second problem is one of incoherence. It is hard to see what it could possibly mean for anyone to reject the formal hypothetical imperative outright. True, some ends may be better served by a limited degree of instrumental irrationality. But no ends can be served without being served. Thus, any minimally rational agent would comply at least partially with the formal hypothetical imperative, regardless of their ends. Instrumental rationality is rationally inescapable regardless of the substantial contents of desire. While this may not entail that instrumental rationality is categorically prescriptive in the sense of applying to agents independently of any ends whatsoever, it does entail that instrumental rationality is categorically prescriptive in the sense of being one necessary end. To that extent it is rationally inescapable and objectively valid.

A second subjectivist response to the second strand of the Kantian argument would be to universally reject all normative claims, regardless of discourse and context.

Independently of the credentials of its ontological cousin (which I like to refer to as ‘normative antirealism’), this position (which I like to refer to as ‘normative scepticism’) is arguably incoherent. Agents must be committed to some norms of thought and action in order to coherently think or act at all.¹⁹ These norms include basic norms of logical consistency. They arguably also include normative requirements on consistency in

attitude such as the formal hypothetical imperative.²⁰ The Humean subjectivist is therefore arguably stuck with some genuinely inescapable norms of practical reason on pain of not being able to make coherent sense of thought and action at all. The question is whether this concession refutes the Humean subjectivist position.

The answer to this question is less clear than the second strand of the Kantian argument may initially suggest. One potential source of Humean scepticism about the categorical prescriptivity of moral norms is the apparent absence of a coherent explanation for their existence (c.f. Mackie 1977). Where coherent explanations exist, the subjectivist concedes that categorical prescriptivity obtains. Thus, a Humean subjectivist like Mackie can coherently accept the categorical prescriptivity of logic without accepting the categorical prescriptivity of morality so long as the explanation of the categorical prescriptivity of the former does not extend to the latter. If the categorical prescriptivity of logic must be presupposed in order for coherent thought or action to be possible, this may provide all the explanation of categorical prescriptivity that the Humean subjectivist needs. If the Kantian argument is well founded, the same explanation is available to account for the objective prescriptivity of normative requirements like the formal hypothetical imperative. Not only is minimal compliance with the formal hypothetical imperative arguably a necessary condition for being interpretable as a rational agent (Davidson 2004). A commitment to the formal hypothetical imperative is also a necessary condition for any form of minimally coherent practical deliberation, whether from the first or the third person point of view. In other words, the formal hypothetical

imperative is genuinely inescapable, regardless of the substantial contents of the desires of agents.²¹

Not so for the substantial norms of morality or prudence about which paradigm Humean subjectivists have historically been skeptical. Thus, moral norms take a categorical form if they are applicable to agents regardless of their substantial ends. Compliance with moral norms in this sense is not a necessary condition for the pursuit of any substantial end whatsoever. This is why the rational inescapability of moral norms has been a subject of intelligent controversy among reasonable people for so long. Normative requirements like the formal hypothetical imperative may equally take a categorical form if they apply to agents regardless of their substantial ends. But compliance with the formal hypothetical imperative is arguably a necessary condition for the pursuit of any substantial end whatsoever. This is why the rational inescapability of the formal hypothetical imperative has not been a subject of intelligent controversy among reasonable people in the same way for so long. If so, there is enough of a genuine explanatory asymmetry between basic norms of instrumental rationality and paradigmatically moral or prudential norms to make Humean skepticism about the categorical prescriptivity of moral norms a *prima facie* reflectively coherent position.

The categorically imperative element embodied in the formal hypothetical imperative is therefore not a source of incoherence in Humean subjectivism as such. Categorical prescriptivity is acceptable where it is explicably inescapable. This is arguably the case with the formal hypothetical imperative, but arguably not with moral and other

substantial imperatives. This distinction is related to the fact that whereas the former concerns a formal issue of coherence among an agent's attitudes, the latter concerns the substantial specification of an agent's ends. One (potentially misleading) way of making this point is to say that the prescriptivity of normative requirements is not of the same kind as the prescriptivity of reasons. Another (and to my mind more straightforward) way of making this point is to say that such categorical prescriptivity as exists on the rational selection of ends is a relatively formal, and therefore relatively neutral, constraint on the choice of substantial ends. Put either way, Humean subjectivism is compatible with the categorical prescriptivity of the formal hypothetical imperative. While a complete normative skeptic would go further and reject all forms of categorical prescriptivity, this option is not made compulsory for the Humean by the second strand of the Kantian argument. It follows that while Mackie's official formulation of Humean subjectivism demonstrably overstates the subjectivist case, that case is not self-defeating in the way that some neo-Kantians such as Hampton and others have claimed.

3.4. Instrumental reasoning and the good

Both Hampton and Korsgaard argue that the normativity of instrumental reason is incompatible with complete evaluative neutrality. If this is right, then the objective prescriptivity of instrumental reason cannot be purely formal, since claims about value (or what Hampton calls 'the good') are claims about the substantial ends that agents ought to pursue. The basic thought behind this third strand of the Kantian argument is as follows (c.f. Hampton 1998, 167-206). In order for the formal hypothetical imperative to

be action guiding, instrumental reasoning must be guided by three different kinds of constraint. First, there are structural constraints on how ends can be rationally ordered. Not every structure of ends is rational because not every structure of ends is coherent. Yet even if this generic description of the rational demand for coherence is granted on all sides, there are different ways of being coherent and different views about what rationality demands by way of coherence. Thus, Hampton writes:

[A]nyone interested in defining instrumental rationality is going to have to take a normative stand on what... coherence constraints are – a stand that... simultaneously involves taking a stand on the structure of a rational agent's good. (Hampton 1998, 172)²²

If this is all, however, the point made in Section 3.3 about the substantial neutrality of instrumental reason would still hold. Norms of coherence are relatively silent on the substantial content of an agent's ends.

Second, there are formal constraints on the source of ends to be rationally ordered. Not every possible object of desire is consistent with an agent's present ends. Present ends can conflict with (actual) past and (determinate, probable, or possible) future ends of either the agent herself or other agents (c.f. Nagel 1970). Furthermore, some non-actual ends are potential candidates for inclusion in a rational structure of ends. These may include the ends one would have if one were better informed or fully impartial, imaginatively aware, and so on (c.f. Williams 1982; Lewis 1989; Smith 1989). Deciding

on which ends to include in practical reasoning cannot be purely a matter of applying the formal hypothetical imperative, since the application of this imperative presupposes an answer to the question of which ends to apply it to. Thus, the Humean default position that only actually occurring present desires count amounts to a substantial claim about what matters from the point of view of practical reason, and does arguably not follow analytically from the meaning of the formal hypothetical imperative itself. Thus, Hampton writes:

[T]he instrumental reasoner, in order to specify his conception of reasoning, has to say what a good-defining preference is, and doing so means that he must take a stand on the sources of the set of good-defining preferences. (Hampton 1998, 188)

These so called ‘source-defining’ constraints on preferences go beyond the purely structural constraints postulated above insofar as they not only impose a standard on how ends are to be rationally ordered but also on the selection of ends to rationally order. Even so, they share the relative content neutrality of the purely structural constraints considered above, and therefore also share their comparatively formal status, even if the question of formality is one of degree. No further conclusions follow from these constraints about the existence other, and substantial, values embodied in the idea of instrumental reason alone.

The third set of putative constraints on rational preference does have substantial evaluative implications. Hampton and Korsgaard both argue that the normativity of

instrumental reason presupposes the normative discrimination between the substantial content of ends. This claim can take at least two different forms. In its first form, the argument is that rational agents must take up a normative stand of endorsement towards some substantial ends in order to genuinely will (as opposed to merely wish or desire) their realization. Along these lines, Korsgaard writes:

I must have something to *say to myself* about why I am doing that – something better, moreover, than the fact that this is what I wanted... It looks as if the end is one that has to be *good*, in some sense that goes beyond the locally desirable.
(Korsgaard 1997, 250)²³

Korsgaard's thought in this passage is that from the first person perspective the selection of ends is usually not rationally arbitrary. We select ends on the basis of features they have that make them attractive to us. At bedrock, these features cannot consist purely in the fact that some things rather than others will serve as means to our ends. It would appear to follow that the normativity of instrumental reasoning goes beyond the purely instrumental. Hampton appears to concur when she writes:

Our pursuit of a conception of instrumental reason requires not only structural constraints on a conception of the good, and not only "source defining" constraints on a theory of the good, but also content-defining constraints on a conception of the good... To put the point succinctly, *what counts as a good-defining preference isn't self-defining*; hence to know what counts as a potentially good-defining-preference

one must have a theory that picks out such a thing, and this theory must take a stand... on the nature of a good associated with rational action. (Hampton 1998, 204-205)²⁴

In its second (and stronger) form, the argument is that for at least some ends, rational agents must engage in substantial evaluation in order not only to rank them but also to make up their minds about what they are. The ends in question are the objects of what John Broome has called ‘nonpractical preferences’, namely values, desires, or other attitudes that are not defined in terms of what is directly revealed by an agent’s behaviour. For such ends, the first person process of discovery is a form of evaluatively informed decision-making. Broome defends a version of this claim when he writes:

How is the person to know that she values, or desires to desire, the object? I can think of no plausible answer if this state of desiring to desire is one that simply imposes itself on the person causally... Most plausibly, a person will find out whether she desires to desire something by considering whether she has a reason to desire to desire it. This is a matter of estimating its goodness, and it is a rational process. (Broome 1993, 85-86)

Broome’s claim does not entail that evaluative judgement is a necessary condition for knowledge of desire as such. He can concede that there is a ‘practical’ sense of desire in which desire is revealed in behaviour. Furthermore, some desires do simply impose

themselves on persons causally. Nevertheless, Broome is arguably right that there is a further sense in which agents can be said to only desire (or desire to desire) what they evaluatively endorse - a state the paradigm knowledge of which is the act of endorsement itself. Furthermore, it is arguably the content of such evaluatively loaded (or what in Chapter 2 I referred to as 'judgement sensitive') attitudes that are in question when agents apply the formal hypothetical imperative to their ends in order to discover what instrumental reason demands of them. Even if there are alternative modes of epistemic access to the ends that agents endorse (for example from the third person perspective), the act of substantially evaluating them is often a part of what produces the content to which the formal hypothetical imperative is applied in practical reasoning from the first person point of view.

The claim that the normativity of instrumental reason depends on taking up a substantial view of the good is not equivalent to the previously discussed claim that the normativity of instrumental reason is committed to categorically prescriptive norms. While both claims deny that practical rationality is purely instrumental, they do so in different ways. Where the former postulates the need for rational agents to value some substantial ends, the latter postulates the need for agents to regard some ends as categorically prescriptive. The latter claim asserts that practical reason is not purely hypothetical. The former claim asserts that practical reason is not purely formal. It does not follow that the non-hypothetical aspect of practical reason extends beyond the purely formal. Yet while not equivalent, the two claims have similar limitations as potential premises in a conclusive argument against Humean subjectivism.

First, the rational inescapability of having at least some substantial values does not entail the rational inescapability of any specific substantial values. The fact that rational agents need to have substantial values in order to coherently apply the formal hypothetical imperative is itself relatively neutral on the content of these values (whether they include values of prudence or etiquette, for example). The same applies equally to the aforementioned source-defining constraints on ends and what Hampton calls ‘the structure of an agent’s good’. The fact that rational agents need to select a subset of ends from an indefinitely large source set of possible ends is itself relatively neutral on the content of that subset (whether they include the objects of either past, or merely hypothetical, desires, for example). The fact that rational agents need to order their desires in accordance with some constraint of coherence is itself relatively neutral on the exact nature of that constraint (how far it extends beyond bare logical consistency, for example). Yet it is partly the idea that there is a high degree of content neutrality embodied in the normativity of instrumental reason that has historically made Humean subjectivists like Mackie into sceptics about the categorical prescriptivity of paradigmatically moral norms (such as norms prohibiting lies, theft, or promise breaking, for example). Pointing out that the normativity of instrumental reason cannot be purely formal does not in itself undermine the Humean subjectivist view in this respect. What it suggests instead is that the issue between the Humean and her opponent is not an all-or-nothing matter.²⁵

Second, both the Humean subjectivist and her opponent can agree that rational agents must evaluatively endorse some substantial ends in order to apply the formal hypothetical imperative in action. It does not follow that all rational agents must do so in the same way. If there is more than one way to coherently structure one's ends, different agents (or the same agent at different times) may differ over which to choose. This applies not only to the choice of substantial values (prudence versus morality, say), but also to source-defining preferences (present versus future ends, say) and conceptions of coherence (minimal consistency versus explanatory coherence, say). While Hampton is right that an *objective theory* of practical reason in general (and of instrumental reason in particular) would have to decide between these, the mere fact that such decisions must be made by agents in practical reasoning does not guarantee that there is only one reflectively coherent way to make the choice. Nor does it entail that there is only one reflectively coherent way to theoretically systematise such choices. To the extent that the choice between coherent sets of ends is rationally indeterminate, the subjectivist claim that practical reason is relatively neutral between substantial values remains unrefuted. Separate argument is required to decide whether there is an interestingly small subset of ends that is uniquely privileged from the perspective of practical reason. The main issue in the present context is whether the fact that the normativity of instrumental reason is not purely instrumental refutes Humean subjectivism outright. With respect to the third strand of the Kantian argument, as with the first and second strand, the answer is negative. In fact, the claim that some element of subjectivity in value is left open by the Kantian argument is strongly suggested by the following remark from the final section of Korsgaard's paper 'The Normativity of Instrumental Reason', where she writes:

I have shown nothing so far about the *content* of those principles... [T]he reason to pursue the end which is needed to support the reason to take the means can be as thin and unsubstantial as the agent's arbitrary will, his raw and unmotivated decision that he will take a certain end to be normative for himself, for no other reason than that he wills it so. (Korsgaard 1997, 252)²⁶

These remarks suggest that Korsgaard at least should be prepared to concede that the third strand of the Kantian argument is unable on its own to refute Humean subjectivism.

Third, some formulations of the third strand of the Kantian argument give a potentially misleading picture of what it means to regard some feature of an end as valuable or good. The remark quoted from Broome above, for example, may suggest that there are only two ways of thinking about whether an end should be adopted as an object of will or not: either we observe whether we find ourselves gripped by it as a matter of pure causal receptivity or we attribute to the end some evaluative property in virtue of one of its (intrinsic or extrinsic) features. Yet one way of deciding whether something speaks in favour of adopting a certain end is to discover whether it fits coherently with one's existing attitudes, potentially including all of one's beliefs, desires, and other values. Thus, agents rarely (if ever) suspend their commitment to all ends completely in order to only select ends instantiating some appropriate evaluative feature. On the contrary, ends are generally evaluated against a background of existing attitudes our commitment to which is held relatively (but not indefeasibly) constant. This fact leaves open the

possibility that what constitutes the goodness or source-defining status of an end is nothing other than its coherence with the agent's existing attitudes, even if the process of deliberating about the goodness of ends does not only consist in directly comparing for coherence potential ends with the agent's actual attitudes. In fact, in many cases the most effective way to adopt ends coherent with one's actual attitudes could be to form desires for ends based on the attractiveness or perceived interest of their (intrinsic or extrinsic) features. On the assumption that the agent's ends already are largely coherent, this procedure would be as likely as not to retain that coherence. Furthermore, exclusive attention to the coherence or otherwise of potential with existing ends could be as likely as not to draw attention away from the features of those ends on which the question of coherence depends. The application of a coherence constraint on the choice of ends is therefore consistent with maintaining a focus on apparently good-making features of ends in practical deliberation (c.f. Lillehammer 2002). If so, the claim that the normativity of instrumental reason is evaluatively loaded would have to be re-interpreted. For on the present assumption, while the point would remain that the formal hypothetical imperative is normative and has categorically prescriptive authority, it would no longer be the case that the normativity of instrumental reason extends beyond the purely formal constraints embodied in the rationally inescapable norms of logical and instrumental consistency and coherence.

3.5. Conclusion

The Kantian argument fails to refute Humean subjectivism about value. There is a consistent form of Humean subjectivism about value that accepts the categorical prescriptivity of the formal hypothetical imperative. This form of subjectivism is neither committed to complete normative scepticism nor to the categorical prescriptivity of substantial norms like those of the commonsense morality of our time. To the extent that some formulations of Humean subjectivism have been based on a complete rejection of all forms of categorical prescriptivity, however, they can arguably be shown to be genuinely inconsistent. But a form of Human subjectivism that accepts categorical prescriptivity where it is explicably inescapable (and is sceptical about it where it is not) is not only minimally coherent, but is also a theoretically respectable view about the scope and limits of practical reason.

The preceding discussion suggests a reading of the debate between objectivists and subjectivists about value as being composed of a series of interlocking strands, some of which are epistemological, some metaphysical, some descriptive, and some normative. In particular, the discussion in this chapter suggests that one of the central issues at stake in debates about the objectivity of value is the scope of rationally inescapable norms, and the range of indeterminacy of value caused by limits to the scope of reasonable convergence among the internally coherent values of different agents at different times, and in different social or historical contexts. While determining the precise scope and limits of reasoned convergence in values across all agents and times would fall way outside the remit of the present enquiry, it is relatively safe to suggest that it is unlikely to be an all-or-nothing matter. One possible upshot of the Kantian argument is therefore a

refocusing of the debate about the objectivity of value from a focus on concepts like truth or fact on the one hand, to a focus on concepts like rationality and necessity on the other.

Quite independently of this suggestion, however, the present discussion leaves one important question unanswered. This question is whether the notions of truth or fact themselves make sense in the absence of any reference to substantial goods like epistemic, prudential, or ethical values. According to some philosophers, a negative answer to this question provides the basis for a different kind of companions in guilt argument for the objectivity of ethics and value (c.f. Putnam 1981). If these philosophers are right, there could be life in the companions in guilt strategy yet, regardless of the fate of the Kantian argument. The scope and limits of this form of companions in guilt argument is the focus of the next chapter.

¹ Kant introduces the distinction between hypothetical and categorical imperatives in *Groundwork to the Metaphysics of Morals* as follows: ‘Now all imperatives command either hypothetically or categorically. The former represent the practical necessity of a possible action as a means for attaining something else that one wants (or may possibly want). The categorical imperative would be one which represented an action as objectively necessary in itself, without reference to another end’ (Kant 1981, 414). It is a significant, but not always noted feature of this definition of hypothetical imperatives that it is literally speaking applicable to possible as well as actual ends. Hypothetical imperatives in this sense do not necessarily obtain only relative to the actual ends of agents: they are norms of consistency between means and ends, actual or possible. To this extent, it is misleading to characterize subjectivism about value as claiming that all valid imperatives of practical reason are hypothetical in Kant’s sense. For as that claim is normally made in the contemporary literature, valid imperatives of practical reason are said to be dependent either on the actual ends of agents or on the subset of possible ends they would possess in a set of favourable circumstances, not on any possible end (c.f. Foot 1972; Mackie 1977; Smith 1994).

² One ambiguity sometimes noted in the literature about categorical imperatives is that which arises from the fact that an end can apply to agents regardless of their ends in two different ways, namely a) regardless of their contingently given ends, and b) regardless of

any end whatsoever (contingent or necessary). For the purposes of the present argument, I shall read the notion of categoricity in the stronger sense, and thus in accordance with b).

This means that subjectivism turns out to be consistent with the claim that some imperatives apply to agents regardless of their contingently given ends provided that some ends are possessed by agents necessarily. For the suggestion that there are some ends that agents possess necessarily, see e.g. Williams 1995, 35-45; Davidson 2004.

³ I call this view ‘Humean’ in spite of the fact that it is not clear that Hume (as opposed to some of his contemporary followers) ever held it. For discussion, see Millgram 1995.

⁴ Kant, as well as most commentators who are sympathetic to his work, tacitly agree with subjectivists that the validity of hypothetical imperatives is less controversial than the validity of categorical imperatives. This fact is shown by the way both Kant and his followers generally devote less space to the discussion of hypothetical as opposed to categorical imperatives (one exception being Hill 1973). Thus, Kant writes: ‘How an imperative of skill is possible requires no special discussion. Whoever wills the end, wills (so far as reason has decisive influence on his actions) also the means that are indispensably necessary to his actions and that lie in his power. This proposition, as far as willing is concerned, is analytic’ (Kant 1981, 417). This claim is not, of course self-interpreting. For explication, see e.g. O’Neill 1989, 89-94; Korsgaard 1997.

⁵ This claim is echoed by neo-Kantians like Korsgaard for the sub-class of self-conscious action. Korsgaard writes: ‘A rejection of the instrumental principle is a rejection of self-conscious action itself’ (Korsgaard 1997, 248).

⁶ Of course, not everyone agrees that the relevant form of decision theory should be interpreted normatively. But even those who favour a purely descriptive account of

subjective decision theory are generally committed to the normative interpretation of some form of decision theory, such as objective decision theories with subjective utilities and credences replaced by objective utilities and chances (c.f. Blackburn 1998, Mellor 2005). Qua normative, objective decision theories are potential targets for the Kantian argument (c.f. Hampton 1998).

⁷ Korsgaard and Hampton are not the only Kantians to employ some form of companions in guilt argument against Humean subjectivism. Thus, Allen W. Wood writes: ‘... [T]hose who find nothing problematic about instrumental rationality should recognize that they cannot consistently object to the idea of a categorical imperative on the ground that it is supposed to be universally valid, necessary, and *a priori*...’, for those properties already belong to hypothetical imperatives’ (Wood 1999, 65). See also Harold 2003.

⁸ This claim is obviously consistent with the possibility that there is no sharp distinction between formal and substantial categorical imperatives. The actuality of this possibility would not affect my argument so long as there remain differences of degrees according to which paradigmatic moral imperatives such as ‘Give 10% of your income to charity’ count as (relatively) substantial, imperatives such as ‘Promote the means to your ends’ count as (relatively) formal, and imperatives such as ‘Avoid inconsistent thought’ fall somewhere in between. What matters for present purposes is that categorical imperatives licensed by the Kantian argument are of a (relatively) formal kind, and therefore not ethically substantial in any interesting sense. While this issue clearly merits further discussion, we do not need to pursue this further discussion here.

⁹ The distinction between the formal and substantial hypothetical imperatives is not always duly noted in the literature, and is a potential source of philosophical muddles about the

relationship between practical rationality formally understood and the substantial reasons that agents are said to have to pursue certain ends rather than others. For a recent attempt to come to grip with these issues, see. Kolodny 2005.

¹⁰ It is equally true that Humean subjectivists have traditionally accepted a commitment to only such forms of normativity as can in some sense be naturalised. Mackie commits himself to this view when he writes in response to the companions in guilt charge: ‘The only adequate reply... would be to show how, on empiricist foundations, we can construct an account of the ideas and beliefs and knowledge that we have of all these matters. I cannot even begin to do that here... I can only state my belief that satisfactory accounts of most of these can be given in empirical terms.’ (Mackie 1977, 39). The question of whether all forms of normativity can be naturalized is orthogonal to the present inquiry. I shall therefore not discuss the issue further here.

¹¹ Hampton extends the Kantian argument to epistemology and science (c.f. Hampton 1998, 207-214). Korsgaard equally draws an explicit link between value on the one hand and epistemology and logic on the other (c.f. Korsgaard 1997, 248). The question of the ontological consequences of this commitment is orthogonal to the question of the success of the Kantian argument. I return to the connection between ethics and epistemology in Chapter 4, ethics and science in Chapters 4 and 6, and ethics and logic in Chapter 7, below.

¹² The obvious exceptions are ends that involve respecting basic norms of formal consistency, and any necessary ends (if such there be).

¹³ Of course, Kantians also argue that the norms of morality follow from pure practical reason. But their case for this claim has not traditionally been thought to rest solely on the kind of companions in guilt argument at issue here.

¹⁴ As Hampton writes: ‘As I’ve noted, some normativity is inescapable – for example, with respect to the coherence constraints and with respect to defining such things as “excused failures” or “best” means to ends.’ (Hampton 1998, 194-195). An ambitious Humean would deny the claim that there can be no reductively naturalistic account of instrumental rationality. This, however, is a topic for a different occasion.

¹⁵ Here I agree with James Dreier, who writes: ‘As a Humean myself, I think we should be up front about this. The special status of instrumental reason is due to its being the *sine qua non* of having reasons at all. We shouldn’t be embarrassed to take the insights of Kantian philosophizing to heart... Our scepticism should consist in doubts that the content of practical reason is anything like the content of morality. We should be contesting the normative ground, not contesting its very existence’ (Dreier 1997, 98-99). Dreier’s argument is also relevant to the discussion in Section 3.3.

¹⁶ Korsgaard makes a related, but distinct, point about the incompleteness of a purely instrumental account of practical reason. She writes: ‘... [T]he instrumental principle cannot stand alone. Unless there are normative principles directing us to the adoption of certain ends, there can be no requirement to take the means to our ends. The familiar view that the instrumental principle is the *only* requirement of practical reason is incoherent’ (Korsgaard 1997, 220; c.f. Kolodny 2005). Korsgaard’s point is that unless an agent has a reason to promote an end, the fact that some action is a means to that end fails to constitute a reason for the agent to promote the means to it. Now this fact itself (if it is a fact) does

not refute Humean subjectivism. The subjectivist will say that it is the very fact that an agent has an end that makes that end reason giving for her. Korsgaard shows some recognition of this possible response when she writes ‘... [H]ypothetical imperatives cannot exist without categorical ones, or anyway without principles which direct us to the pursuit of certain ends, or anyway without *something* which gives normative status to our ends’ (Korsgaard 1997, 250). There are different ways in which this claim can be understood, some of which are compatible with Humean subjectivism and some of which are not. A number of alternatives are explored by Korsgaard herself (c.f. Korsgaard 1996a, 49-130). I shall return to this issue briefly in Section 3.4.

¹⁷ Another way of marking this distinction is to confine talk of *rationality* to constraints on consistency and coherence in attitude, and to confine talk of *reasons* to substantial constraints on correctness in attitude in response to the world. This way of marking the distinction has been subject to much debate (c.f. Scanlon 1998, 25-33; Kolodny 2005). I shall not pursue this terminological issue further here.

¹⁸ Broome 1999 accuses Korsgaard of confusing reasons with normative requirements when she writes: ‘...[F]or the instrumental principle to provide you with a reason, you must think that the fact that you will an end *is a reason* for the end.’ (Korsgaard 1997, 245). This interpretation of Korsgaard is not compulsory. Korsgaard shows explicit awareness that the instrumental principle is conditional and can be complied with either by pursuing the means or abandoning the end when she writes: ‘The hypothetical character of the principle implies that you can actually conform to it in either of two ways: you may take the means, or you may cease to will the end... There is no irrationality in this...’ (Korsgaard 1997, 237). When Korsgaard talks of willing an end as taking there to be a

reason to promote it she is arguably using the term ‘willing’ not to pick out the formation of any arbitrary desire, but rather the normative act of legislating for oneself. This is explicit in the passage from her paper quoted by Broome, where she writes: ‘The instrumental principle can only be normative if we take ourselves to be capable of giving laws to ourselves – or, in Kant’s own phrase, if we take our own wills to be *legislative*’ (Korsgaard 1997, 246). Korsgaard is here stating her own account of the source of reasons (c.f. Korsgaard 1996a, 90-130). I shall return to this account in Section 3.4. The detaching point is also noted by T. E. Hill Jr., who says: ‘... [W]hat the Hypothetical Imperative prescribes, in effect, is “Take the necessary means or else give up the end”’ (Hill 1973, 436).

¹⁹ The case for normative antirealism and normative scepticism comes apart on a conception of normative objectivity as inescapability, where such inescapability carries no commitment to the existence of ontological substantial correlates for the inescapable norms in question (c.f. Davidson 2004; Chapter 2 above)

²⁰ Korsgaard could be making a similar point when she writes, in the last sentence of her paper ‘The Normativity of Instrumental Reason’, ‘There is no position from which you can reject the government of instrumental reason: for if you reject it, there is no you.’ (Korsgaard 1997, 254)

²¹ Some ends require instrumental incoherence for their realization, including most obviously the end of being instrumentally coherent. Yet even the realization of this end arguably presupposes instrumental coherence in some respect insofar as it genuinely constitutes the realization of an end (c.f. Williams 1995, 35-45)

²² Along similar lines, Korsgaard writes: ‘... [T]he normative force of the instrumental principle does seem to depend on our having a way to say to ourselves of some ends that there are reasons for them, that they are good.’ (Korsgaard 1997, 251). See also Quinn 1993, 210-255.

²³ Elsewhere, Korsgaard goes beyond this claim to suggest that the act of willing is itself a source of the normativity of ends. She writes: ‘It’s not exactly that there has to be a *further* reason; it’s just that you must take the act of your own will to be normative for you..., that your willing the end in a sense makes it good. The instrumental principle can only be normative if we take ourselves to be capable of giving laws to ourselves...’ (Korsgaard 1997, 245-6). As already noted in Section 3, Korsgaard is here taking a distinctive view on the issue of source of rational ends. In line with her Kantian (and broadly antirealist) sympathies, her position remains relatively formalistic in that the notion of rational willing is defined without reference to any interesting set of substantial ends. For further discussion, see Korsgaard 1996a, 90ff.

²⁴ Hampton’s reference to a ‘theory’ of the good may overstate her case here. I shall return to this issue below.

²⁵ It may be tempting to think otherwise if one reads too literally such claims as Hampton’s that: ‘... [D]efining the instrumental role of reason will involve taking a variety of normative stands, including... a way of defining an agent’s *good*.’ (Hampton 1998, 174). While this claim is supported by the third strand of the Kantian argument if ‘good’ is understood along the lines of ‘favoured by norms genuinely endorsed’, it is not equally supported if ‘good’ is understood along the lines of ‘what is objectively in the agent’s interest’ (or ‘what is objectively good for the agent’).

²⁶ Elsewhere, Korsgaard moves beyond this claim to argue (on different grounds) that substantial ends, including those of the commonsense morality of her time, are required by practical reason. See e.g. Korsgaard 1996a, 131-166.