Normative Facts and Reasons

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Abstract

The main aim of this paper is to identify a type of fact-given warrant for action that is distinct from reason-based justification for action and defend the view that there are two types of practical warrant. The idea that there are two types of warrant is familiar in epistemology (e.g. Burge 2003), but has not received much attention in debates on practical normativity. On the view that I will defend, normative facts, qua facts, give rise to entitlement warrant for action. But they do not, qua facts, give rise to reason-based warrant. Normative practical reasons, I will argue, are true propositions that represent fact-based favouring and that are made true by normative facts.

1. Introduction

A currently popular view of the currency of practical normativity associates practical warrant with reason-based justification. The view may be called the Centrality of Reasons view. Joseph Raz helpfully describes the view as follows: [t]he normativity of all that is normative consists in the way it is, or provides, or is otherwise related to reasons (Raz 1999: 67).[1]

My main goal in this paper is to present an alternative to the Centrality of Reasons view. I will identify a type of practical warrant that is not based on reasons and does not otherwise involve reasons and defend the view that there are two types of practical warrant against the Centrality of Reasons view. The two types of practical warrant I have in mind are entitlement warrant and reason-based justification. The possibility of two types of warrant is familiar in epistemology (e.g. Burge 2003), but tends to be overlooked in debates on practical normativity.

The view I will defend in this paper rests on a distinction between normative facts and normative practical reasons. Normative facts, qua facts, give rise to

[1] Philosophers holding this view, sometimes also called the "Reasons First" view, include Korsgaard (1997, 2009a); Schroeder (2008: 81); Skorupski (2011); Parfit (2011) and Scanlon (2014). Unlike these authors, Raz may not actually be committed to the Centrality of Reasons view.

entitlement warrant for action. But they do not, qua facts, give rise to reason-based warrant. Normative practical reasons, I will argue, are propositional representations of fact-based favouring. This alternative to the Centrality of Reasons view thus distinguishes both between normative facts and reasons and between entitlement warrant and reason-based justification.

My argument for this alternative view is built on objections to a prominent version of the Centrality of Reasons view, recently defended by Derek Parfit (2011) and Thomas Scanlon (2014), for example. This version holds both that normative practical reasons just are, or are given by, facts (Factualism about Reasons) and that the property of being a reason cannot be explained or analysed further (Reasons Fundamentalism). I will first distinguish between different ways in which this form of Factualism about Reasons might be understood and then argue that there are objections to each of the two main options open to Reasons Fundamentalists (section 2). Next, I will argue that these objections do not show that we need to reject what I call Normative Factualism, the claim that there are normative facts, as distinct from reasons, which have the power to favour action. I will also show that Normative Factualism is compatible with Propositionalism about Reasons and that there are thus two types of practical warrant – one being fact-based and the other being reason-based (section 3). I further support the idea that there are two types of practical warrant on the basis of the distinction between entitlement warrant and reason-based warrant that is familiar in epistemology (section 4). I end the paper by addressing some objections that one might raise against the distinction between normative facts and reasons and the distinction between entitlement warrant and reason-based warrant in the practical domain (section 5). Section 6 concludes.

2. Against Factualism about Reasons

The Centrality of Reasons view comes in many guises, depending on how reasons are understood. A prominent version of the Centrality of Reasons view claims that normative practical reasons are, or are given by, facts. Call this claim Factualism about Reasons. Factualism about Reasons can also be interpreted in different ways. In particular, there are naturalist (e.g. Schroeder 2008) and non-naturalist versions of the view (e.g. Dancy 2000; Parfit 2011; Scanlon 2014). The difference between them is that naturalist versions explain or analyse the property of being a reason in terms of non-normative facts while non-naturalist versions resist this move. My focus in this paper will be on that version of Factualism about Reasons that is understood in conjunction with the claim that the property of being a normative practical reason cannot be analysed or explained further, whether it is in terms of other normative properties or in terms of non-normative properties. Call this second claim Reasons Fundamentalism. In what follows, I shall refer to Factualism about Reasons only to denote this particular non-naturalist version.

There are two main versions of Factualism about Reasons, thus understood, and they differ because they involve different interpretations of the facts that are, or

give rise to, normative practical reasons.[2] A first interpretation of Factualism about Reasons is in terms of a truth-maker understanding of facts. We find this interpretation in Jonathan Dancy's work, for example, which has been very influential in shaping Factualism about Reasons. On this view, the relevant facts are obtaining states of affairs that make normative claims true. As Dancy explains, it is "her being ill that gives me reason to send for the doctor, and this is a state of affairs, something that is part of the world, not a proposition" (Dancy 2000: 114).

In arguing for this interpretation, Dancy (2000: 116) follows Plantinga (1974), who distinguishes ontologically between things that are capable of being the case and things that are capable of being true. Dancy comments that what favours certain actions must be things capable of being the case – states of affairs. That is because the things capable of being true – propositions – merely represent. What favours certain actions is that which relevant propositions represent; it is what is actually the case, not the representation of what is the case, not even a true representation of what is the case.

So Dancy's claim is that in order to make sense of the realist intuition that there is a factual constraint on practical normativity and normative practical reasoning, the source of normativity must be embedded in the facts, not in the propositional representation of those facts. Call the relevant claim Normative Factualism. It states that there are normative facts, understood as states of affairs, that have the power to favour action.[3] Note that Dancy's argument does not prove (or aim to prove) that Normative Factualism is true, i.e. that there are normative facts that have the power to favour certain actions. The argument only aims to show that if Normative Factualism is true, the source of normativity must be embedded in the facts and not in the propositional representation of those facts. I think Dancy is right about this point.

The current literature does not follow Dancy on this point, however. Instead, many philosophers think that Normative Factualism is unnecessarily metaphysically demanding – it unnecessarily postulates normative entities that are hard to account for. Call this objection to Normative Factualism the Metaphysical Objection. In an attempt to get around the objection, many Factualists about

[2] To be sure, the general question of what facts are raises more thorny philosophical issues than I can deal with here. To get around them, I will simplify and focus on the two main ways in which non-naturalists have tended to understand fact-given reasons.

[3] I will stick with Dancy's characterisation of facts in this paper, for ease of presentation. But I am open to the suggestion that facts might also include objects and properties and perhaps other elements as well. I am grateful to Guy Longworth for drawing my attention to this issue; see Longworth (2018) for a further discussion of this issue.

Reasons advocate an interpretation of Factualism about Reasons that does not commit them to Normative Factualism.[4]

The main alternative interpretation of Factualism about Reasons is in terms of an understanding of facts as true propositions. We find the clearest articulation of this interpretation of Factualism about Reasons in the work of Thomas Scanlon. Scanlon's interpretation of Factualism about Reasons involves what Scanlon (2014: 31) calls the reason relation. The reason relation is:

> "a four-place relation, R(p, x, c, a) holding between a fact, p, an agent x, a set of conditions c, and an action or attitude a. This is the relation that holds just in case p is a reason for a person x in situation c to do or hold a."

The claim is, for example, that, in circumstances c, the fact that she is ill (p) is a reason for agent x to call the doctor (a). But note that in this case, the relevant fact is not a state of affairs. Scanlon rejects the interpretation of facts as truth-makers (see footnote 3 and identifies facts with true thoughts, instead, following Allan Gibbard.[5] Thoughts, I take it, are individuated by their propositional content and the fact p that is the reason is thus a true proposition, on this interpretation, not a state of affairs.

What should be said about these two competing interpretations of Factualism about Reasons? Starting with the facts as truth-makers interpretation, note that we need to distinguish between two claims. The first is that normativity resides in the facts (states of affairs) – I labelled that claim Normative Factualism – and I already expressed my support for Dancy's argument for this claim. The second claim is that such normative facts (states of affairs) are reasons. I believe this is a mistake. My main objection against this interpretation of Factualism about Reasons is not the Metaphysical Objection, however. Instead, it is this Normativity Objection: a normative practical reason must be the sort of thing we can reason with and which can, in this way, get a normative grip on our practical thoughts and our actions. Facts understood as states of affairs, the objection continues, are not that sort of thing as they do not mesh with reasoning in the right way. We can reason about such facts, but not with them.[6]

[4] Cf. Scanlon (2014: 62), for example: "Normative truths do not require strange metaphysical truth makers. Such truths are determined by the standards of the normative domain itself."

[5] See Scanlon (2014: 45 and 66).

[6] I am drawing on Christine Korsgaard's work (Korsgaard 1997, 2008) here, but I do not endorse all of Korsgaard's claims about reasons and normativity. As I will argue below, my claim is not that states affairs cannot be normative; may claim is just that they are not normative qua being reasons. Note that what I call the Normativity Objection bears some relation to what is discussed under the label of the argument from action guidance against Factualism. See Way and Whiting (2016), for example, who argue that this argument cannot support Perspectivism about reasons. But I am not using the Normativity Objection to defend Perspectivism here.

As I understand the Normativity Objection, it is not concerned with a motivation to act in accordance with what we have reason to do (cf. Parfit 2011b: 421). Nor is it, in the first instance, concerned with the question of whether states of affairs can bear on how we should act. Instead, it is concerned with the way in which we should expect reasons to figure in our deliberation about how we should act.[7] We can certainly reason about states of affairs – about the situation we are finding ourselves in. States of affairs may bear on our deliberation about how we should act via the contents of our beliefs about them. In the non-normative case, the grey clouds that I see are likely to bear on my deliberation about whether or not to take an umbrella. In the normative case, the agitated state of my friend that I sense is likely to bear on my deliberation about what to say next. If Normative Factualism is true, the relevant states of affairs need not just concern the non-normative features of our practical situation; there will be states of affairs with the normative power to favour action. But because the way in which states of affairs favour action is different from the representation of fact-based favouring, the way in which states of affairs bear on our deliberation does not qualify them as reasons. Reasons must be the sort of thing that we can entertain in thought or assert to others when trying to determine how we should act and when trying to justify an action – that is how they get a grip on our practical thoughts. States of affairs are not that sort of thing and so they are not reasons. I will have more to say on this point below.

If we reject the facts as truth-maker interpretation of Factualism about Reasons, this leaves us with the facts as true propositions interpretation as an alternative. What should we say about this interpretation? The answer to this question depends on what the facts are that are at the centre of the reason relation, or, in other words, what those true propositions represent. On one view, the relevant facts are true propositions about the non-normative world – they are non-normative facts. It is this view that avoids the Metaphysical Objection because if the facts involved in the reason relation are not normatively loaded states of affairs, then Factualism about Reason does not entail Normative Factualism.[8]

This version of the facts as true propositions interpretation of Factualism about Reasons runs into an objection of its own, however – I call it the Transparency Objection. The objection is that a key normative question is what makes a consideration a reason and that a conception of practical normativity that fails to answer this question is incomplete.[9] The problem arises because the Factualist about Reasons wants to treat normative practical reasons as normative rock-bottom, while not offering an answer to the question of what makes the non-

[7] I thank Daniel Whiting for pressing me on this point.
[8] I greatly benefitted from Skorupski's (2015) discussion of this point. He writes (2015: e9): "[Scanlon's] notion of fact is effectively the Fregean notion: reasons, then, are facts in that special sense of 'fact' in which facts are truths, as against what 'makes' propositions true." Skorupski (2011) defends an irrealist version of Factualism About Reasons. Note that I do not think that the Metaphysical Objection is decisive. I will come back to this point in section 5.
[9] The inspiration for this objection also comes from Korsgaard's work on this issue – cf. Korsgaard (1997: 40).

normative facts that are at the centre of the reason relation reasons.[10] There are true thoughts about the non-normative world and true claims about normative reasons for action, but it remains mysterious how they relate. This is not satisfactory.[11]

Scanlon (2014: 66) considers an objection along those lines and, in reply, claims that the idea of a normative reason is intelligible by itself and does not require further analysis or explanation.[12] But I do not think that this is the right answer to the Transparency Objection, on the following grounds. If we take the view that the facts that are at the heart of the reason relation are true propositions, we are facing the question of what those propositions represent. And there are only two options here: what they represent is either non-normative or normative. If it is non-normative, we are lacking the crucial ingredient of a theory of practical normativity because we fail to answer the question in virtue of what a non-normative fact acquires the normative status of a reason. It may be true that we recognise a reason when we see one, as Scanlon argues, but a theory of practical normativity should go deeper and make clear how a non-normative fact relates to this special normative status. That is the Transparency Objection.

We can avoid the Transparency Objection if we allow that the true propositions that are reasons represent something normative. The reason relation is then no longer a black box. Instead, we are able to explain reasons as propositions that truly represent states of affairs with the normative power to favour action. Of course, while this view of reasons avoids the Transparency Objection, it reintroduces Normative Factualism – the claim that there are states of affairs with the power to favour action – and confronts us again with the Metaphysical Objection.

3. Normative Factualism and Propositionalism about Reasons

Bracketing the Metaphysical Objection for the time being, let me focus on the advantages of interpreting normative practical reasons as propositions that truly represent states of affairs with the normative power to favour action. To clearly distinguish the view from the two interpretations of Factualism about Reasons I have discussed so far, call it Propositionalism about Reasons.

It should already be fairly obvious how Propositionalism about Reasons supports the distinction I mentioned earlier between normative practical reasons and normative facts. Normative facts are states of affairs that have the power to favour action. I will sometimes refer to the relation between such states of affairs and the actions that they favour as fact-based favouring or the fact-based favouring-

[10] Above, I called this commitment Reasons Fundamentalism.
[11] See also Väyrynen (2013) and the literature cited there for discussions of this issue.
[12] See also Scanlon (2014: 10) on this. See Raz (2010, 2015), however, for a defence of the realist's understanding of the faculty of reason and of practical reasoning.

relation. Normative practical reasons, by contrast, are true propositions. While such propositions represent fact-based favouring, reasons and normative facts remain distinct – the true propositions that are normative practical reasons represent normative facts and they are made true by normative facts.[13]

Let me flesh out the view a bit more. Korsgaard (2008: 213) draws a helpful distinction between acting in response to a fact and acting in response to the description of this fact as a reason for action. She illustrates the distinction with the example of a lioness. The lioness may respond to a fact (and, say, bring her cubs to safety), but – in all likelihood – not under the description of that fact as a reason for action. Human beings, by contrast, can respond to a fact under the description of that fact as a reason for action and we only act intentionally when we act for what we take to be a normative reason for action. For example, I might take the fact that a friend is normally kind to me as a reason to remain well-disposed towards them and ignore a minor infraction.

I take the contrast that Korsgaard sets up to be between facts as states of affairs and normative practical reasons. Reasons, as already explained in the context of the Normativity Objection, are not states of affairs; they are particular descriptions or representations of states of affairs. What is distinctive of normative practical reasons is that they represent states of affairs as favouring certain actions. Korsgaard uses this distinction to develop a constructivist theory of normative practical reasons, of course.[14] But we do not have to follow her down that route in order to grasp the significance of the distinction between facts (states of affairs) and normative reasons for action.

On the view that I am developing here, the relevant distinction is between normative facts as states of affairs that have the power to favour action and normative practical reasons as propositional representations of fact-based favouring. To illustrate the idea going back to the example I used earlier, suppose the fact of her being ill favours calling the doctor. Your reason for calling the doctor is a propositional representation of this fact-based favouring – that she needs help, for example.[15]

Propositionalism about Reasons, as I am interpreting here, has several advantages. First, it can accommodate key realist intuitions, namely that some

[13] I am glossing over the question of whether other factors, in addition to facts, might also play a role in making reasons propositions true (see Longworth 2018 for a discussion of the general issue).

[14] Drawing on Schroeder (2013), we might interpret Korsgaard's constructivist proposal as follows. Normative practical reasons describe a type of favouring, but not fact-based favouring. Instead, the propositions that are reasons have different content – specifically, content that derives from the appropriate use of one's rationality.

[15] Note that there is a distinction between normative facts as I understand them – as normatively fundamental – and derivative normative facts, e.g. the fact that there is a reason for you to call the doctor.

form of factual constraint on practical normativity is necessary to account for the significance we attach to practical normativity, and to moral normativity in particular, and that even ideal practical reasoning may err. I take it that realists have succeeded in defending these claims and I will not provide any additional arguments here.[16] The version of Propositionalism about Reasons that I am advocating here supports these claims because it takes normative practical reasons to be true representations of a fact-based favouring relation.

But the version of Propositionalism about Reasons that I have presented avoids some important objections that have been raised against attempts to capture these realist intuitions through Factualism about Reasons. Importantly, it avoids the Transparency Objection. As explained above, if the true propositions that are reasons are reasons in virtue of the normative facts that they represent, then we have opened the blackbox that was the reason relation and offered an account of what makes a consideration a reason.

Propositionalism about Reasons also deflects the Normativity Objection. Recall that the objection is that the sort of thing that normative practical reasons are is the sort of thing that we can reason with and that thus gets a grip on our practical thoughts and, in this way, on our actions. As we saw, the main target of this objection is the facts as truth-makers interpretation of Factualism about Reasons. Facts in the sense of states of affairs are the wrong sort of thing; they do not mesh with our reasoning in the right way. But Propositionalism about Reasons is not affected by this objection. Propositions mesh with our reasoning because propositions just are the material of (at least some of) our thoughts – they give content to our beliefs and desires, to our affirmative assertions and to our doubts – and because they can be used in the inferential processes that define reasoning.

4. Two Types of Practical Warrant

My arguments against Factualism about Reasons and in favour of a combination of Normative Factualism and Propositionalism about Reasons entail that we abandon the Centrality of Reasons view in favour of a view of practical normativity that makes space for both normative facts and reasons. My main aim in this section is to further develop and defend this alternative view by focusing on the following two interrelated claims: facts (states of affairs) can be a source of normativity without being reasons and practical warrant, although it often involves reasons, does not necessarily involve reasons.

How are we supposed to make sense of fact-based favouring that does not involve reasons? I think that we can flesh out the idea on the basis of Tyler Burge's (2003) distinction between two types of warrant: entitlement and reason-based justification. Burge introduced the distinction in relation to warrant for perceptual beliefs, but it can be fruitfully applied to the practical context as well. I will argue

[16] See Enoch (2011) for a good statement of these arguments. See also Lavin (2004) for an excellent discussion of the error constraint on practical reasoning.

that we should see normative facts as giving rise to an entitlement to act, but not, at least not by themselves, to a normative practical reason.

Here is how Burge describes the distinction between the two types of warrant (Burge 2003: 504f):

> "Entitlement is epistemically externalist inasmuch as it is warrant that need not be fully conceptually accessible, even on reflection, to the warranted individual. The individual need not have the concepts necessary to think the propositional content that formulates the warrant. Entitlements that I shall discuss are epistemically externalist in the further sense that the warranting features include relations between the individual and an environment. The other primary sub-species of epistemic warrant is justification. Justification is warrant by reason that is conceptually accessible on reflection to the warranted individual."

As Burge characterises it, entitlement is an externalist form of warrant, in two senses. First, it depends on the objective relation in which the individual whose perceptual belief is under evaluation stands to the world, not on subjective attitudes. Second, the warrant need not be conceptually accessible to the warranted individual, even on reflection. I call the first the relational sense and the second the content sense in which entitlement warrant is externalist. Burge furthermore characterises reason-based warrant as internalist in the content sense: a reason is conceptually accessible to the warranted individual. He does not comment, as far as I can see, on the question whether reason-based warrant is also internalist in the relational sense, but I take it that this is his view.

In the practical case, as I have described it, what we are considering is warrant for actions, not for perceptual states. The dominant tradition in metaethics today focuses only on reason-based justification for action. This type of warrant for action obtains when an action is justified on the basis of normative practical reasons. What has not received the attention it deserves, however, is the possibility that warrant for action sometimes takes the form of entitlement.

Applying Burge' distinction to the practical case helps us see that normative facts need not be reasons in order to have a normative grip on us. Normative facts entitle us to act in a certain way. Paraphrasing Scanlon's characterization of the reason relation we can say that entitlement specifies a relation between a normative fact (a state of affairs), a context c, an agent x, and an action a. An agent x is entitled to do a in context c iff there is a normative fact that favours doing a in this context.

This fact-based favouring relation is externalist in both senses that Burge mentions. It is externalist in the relational sense in that it does not depend on attitudes of the agent. It is the normative fact that, in a given situation, gives rise to the entitlement and not the agent's attitudes towards this fact. In addition, it is also externalist in the content sense in that the warranted agent need not have conceptual access to the favouring relation, not even on reflection. To be warranted to do a in the entitlement sense does not entail that one can represent the favouring relation that supports doing a in propositional form.

Reason-based justification for action contrasts with entitlement warrant in the following ways. Reasons, I have argued above, are propositions. We can now state more precisely what sort of propositions they are. Generally speaking, it is the true proposition that p – a proposition describing a favouring relation – that is the reason for x to do a in c. An agent x has a reason to do a in context c iff there is a true proposition describing a fact-based favouring relation that favours doing a in this context. For example, that she needs help is a reason to call the doctor in virtue of how her being ill favours calling the doctor.

From this characterisation of reasons it follows that reason-based warrant is internalist in the content sense. A reason is, qua proposition, at least in principle conceptually accessible. Conceptual accessibility is given because a normative reason is a proposition describing a favouring relation and concepts are the building-blocks of propositions.[17] Conceptual accessibility is compatible, of course, with denying the truth of a proposition. For example, I can accept that the proposition that she needs help, if true, is a reason for calling the doctor, while denying that the proposition is true in the particular context.

Is reason-based warrant also internalist in the relational sense? Yes and no. The content of a normative practical reason is given by the representation of a favouring relation in a particular context. Such representations require an agent doing the representing: qua objects of thought, such reasons do not exist without there being a reasoner who has entertained or asserted the relevant favouring proposition. In this regard, reason-based warrant is internalist in the relational sense.[18]

But this is not to say that reason-based warrant is internalist in this relational sense for the agent considering the action. The representation that yields a reason need not be by the person considering a particular action. It could be the representation of a well-placed observer. For example, the reason I should give to charity A rather than charity B may be given by your correct representation of how the normatively loaded fact of the harmfulness of charity B's actions favours not giving to charity B. My belief that charity B is dedicated to an important cause does not change anything about this. So if a well-placed observer's representation is true while the agent's own is false, reason-based warrant is externalist for the agent in the relational sense.

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[17] It might be more accurate to say that reason-based warrant as I have defined it is weakly internalist in the content sense. It would be strongly internalist in the content sense if the warranted individual could always access the relevant proposition, at least on reflection. On this understanding of reasons, there could be no gap between there being a reason and having a reason. Reason-based warrant as I have introduced it is weakly internalist because it allows for a gap between the two – an individual may lack the necessary concepts to access the reason proposition.

[18] This may be controversial. I will defend the idea further in section 5 below.

One way of putting the point is that while normative practical reasons are propositions, they need not be propositional attitudes of the agent under consideration. The agent may be mistaken about the reasons that apply. Another way to put the same point is in terms of Parfit's distinction between real and merely apparent reasons (Parfit 2011 (I): 35). Real reasons, while reflecting the true thoughts of some person about the fact-based favouring relation, may be distinct from what appear to be reasons to the agent under consideration.

Note that denying that reason-based warrant necessarily involves the propositional attitudes of the agent under consideration is compatible with the claim I made earlier that such propositions will, qua propositions, be accessible to rational agents. I can grasp, because a poisonous drink is to be avoided, that I should not accept a drink that contains petrol, even while I continue to be convinced that it contains gin. Normative practical reasons are thus conceptually accessible even to those agents who do not hold the corresponding propositional attitude.

To summarise, the view of practical normativity that I am arguing for here is the following. It starts with the stipulation that there are normative facts. If a normative fact favours action a by agent x in circumstances c, it gives rise to entitlement warrant: in virtue of the normative fact being what it is, agent x is entitled to do a in c. Reason-based justification, by contrast, involves the propositional representation of fact-based favouring. So, on the view I am developing here, a normative practical reason is a true representation of a fact-based favouring relation.[19]

5. Objections

How plausible is this alternative to the Centrality of Reasons view? In this section I want to further defend it by responding to some potential objections. First, let me repeat that I have not provided an argument for the truth of Normative Factualism, the claim that there are states of affairs with the normative properties to favour action. All I have argued for is that Normative Factualism is the starting-point for an attractive way to accommodate realist intuitions about practical normativity. Still, an important objection against my proposal stems from metaphysical worries. Recall that the Metaphysical Objection, as I have stated it earlier, is that Normative Factualism is unnecessarily metaphysically demanding. It is not just critics of metanormative realism who have raised this objection against Normative Factualism, of course. As explained earlier, many realists about reasons, too, are worried about setting the metaphysical bar too high.

My reply to the Metaphysical Objection is that my argument, if correct, shows that Normative Factualism is not unnecessarily metaphysically demanding. It may

[19] We can call such reasons discovered reasons. As it happens, I believe that there are also constructed reasons – reasons that do not acquire their normative status as reasons from the correct representation of normative facts. I lack space to develop this idea here.

raise questions about how we are supposed to account for normative facts – questions I cannot answer here. In this sense, it is a metaphysically demanding view. But, I have argued, it is not unnecessarily demanding. The advantage of Normative Factualism is that it is the basis of a conception of practical normativity that reconciles realist intuitions about practical normativity with an attractive view of reasons.

Second, it might be argued that a version of the Transparency Objection that I have raised against Factualism about Reasons also affects the view I am proposing here. The objection was that an explanation is required of what makes a consideration a reason. Is Normative Factualism vulnerable to a similar objection? I do not think so. I accept that there may be something mysterious about the idea of normative facts that is the focus of this paper. Whatever one might want to say about this issue, however, it is important to see that the worry that Factualism about Reasons gives rise to is distinct. The main target of the Transparency Objection as I have stated it is the mysterious connection between non-normative facts and reasons. If the facts that give rise to reasons are true propositions, it cannot remain mysterious what the representational content of those propositions is. If the representational content is non-normative, then we are lacking an explanation of the normativity of reasons. My view does not suffer from this problem because, first, my view starts from normative facts, not from non-normative facts. In addition, it offers an explanation of what normative reasons for action are – they are true propositional representations of fact-based favouring.

What I consider the most serious potential objection against my distinction between normative facts and reasons may be labelled the Myth of the Given Objection. The objection claims that only what is propositionally structured can generate warrant.[20] Granting that reasons are propositions, the claim is that what cannot be represented propositionally does not generate warrant.

To show that there can be a type of warrant for action that does not presuppose propositional representation, I need to explain how entitlement warrant for action does not presuppose that the fact-based favouring relation can be represented propositionally. I will do so by further clarifying the relation between entitlement warrant and reason-based justification. My strategy is to use an argument Mark Kalderon (2011) makes in support of the claim that there can be warrant without propositional content. His argument, like Burge's, focuses on the case of perception, but it can be applied to the practical context too, or so I contend.

Let me first retrace Kalderon's argument for the case of perception and then develop it for the practical context that I am focusing on here. Kalderon's argument rests on a distinction between particulars and thoughts.[21] Particulars, I take it, are what I have labelled states of affairs or facts.[22] Kalderon takes

[20] E.g. McDowell (1996).
[21] See Kalderon (2011: 224 f). He follows Sellars and Pritchard in this regard.
[22] I am glossing over some complications here about how to interpret facts – see footnote 3.

perception to be of particulars. Following Johnston (2006), he argues that particulars are present – or sampled – in perception. Thoughts, by contrast, generalize. Thoughts, whether entertained in private or asserted publicly, have propositional content, but perceptual experiences do not:

> "If perception is a mode of taking in, the objects of sensory awareness are 'selectively made present, but not synthesized' by our sensibility .... From this perspective, any felt need for synthesizing activity to confer unity upon sensory manifolds already represents a withdrawal from the world of sensible particulars" (2011: 236).

Thoughts depend on a generalising, or synthesising, activity while perceptual experiences do not. The realm of thoughts is given by how we represent the world to ourselves and, as such, involves a "withdrawal" from the world compared to the immediacy of the perceptual relation.

This view implies that perceptual content and the content of our thoughts need not be congruent. Because thoughts already imply a withdrawal from the world, the content of thoughts might go beyond what is present in perceptual experiences, just as what is present in those experiences might exceed what is available in thoughts (Kalderon 2011: 239, following David Lewis).[23]

Here is how Kalderon explains the idea of there being such a gulf between perceptual experiences and what is available in reflection:

> "If thoughts are categorically distinct from particulars and particulars are given in perception, then what is given in perception is not so much unarticulated as it is inarticulable. The yellowish red of the tomato may be the object of my visual awareness, but it is thoughts about the color of the tomato, and not the color of the tomato itself, that are articulable in judgment and assertion. Vision is, if not blind, then dumb"... (2011: 239).

Given this gulf between particulars, which give perceptual experiences their – inarticulable – content, and thoughts, which contain propositions, what is the epistemic significance of perceptual experiences and what is the relation, if any, between perceptual experiences and thoughts?

Kalderon argues that even if perceptual experiences cannot generate propositional knowledge, this does not rule out that they carry their own type of warrant. First, perceptual experiences are important for propositional knowledge because these experiences make thoughts about a subject matter available: "Seeing the yellowish red of the tomato may make thoughts about that color available to me" (2011: 240). In addition, propositions that are entertained or asserted when these thoughts are formed may be made true by the facts sampled in perception. Perception can thus change the perceiver's epistemic status, even if it cannot, by itself, generate propositional knowledge: "Perception constitutes a change in the subject's knowledge potential whether or not such knowledge is in fact activated" (2011: 225).

[23] Lerman (2010: 21) makes a similar point.

In sum, Kalderon's argument is this. Perceptual experiences, though not propositionally structured, warrant certain judgments. The source of the warrant is the object of perception – the particular – that is present in a perceptual experience. That type of warrant is different, however, from the type of warrant our thoughts might have. While perceptual experiences cannot, by themselves, generate propositional knowledge, there is nevertheless a connection between the perceptual experience and propositional knowledge. First, perceptual experiences make thoughts about a subject matter available and, second, the facts sampled in perception can make certain propositions entertained in thought true. Perceptual experiences thus have an indirect role to play in the generation of propositional knowledge. At the same time, because the content of perceptual experiences may exceed the content of thoughts, there might be limits to what can be captured in thought.

An argument along those lines can be made to work in the context of practical normativity too, or so I want to argue. But let me first point out a problem with Kalderon's argument as he presents it. The problem is that Kalderon obscures the distinction I drew between entitlement and reason-based justification and thus between a fact-based favouring relation and reasons.[24] He obscures the distinction by calling a fact – e.g. the yellowish red of the tomato – that gives rise to non-propositionally structured perceptual experiences a reason, referring to the realist view of reasons I am discussing in this paper. Consider this passage:

> "The yellowish red of the tomato lacks a propositional structure ... It is an aspect of how things are independently of me. The yellowish red of the tomato is a reason that warrants judging that the tomato is yellowish red" (2011: 227).

This move is problematic in several ways. First, it glosses over the distinction between two conflicting interpretations of what I called Factualism about Reasons – in particular, the facts as truth-makers interpretation (to which Kalderon appears to be committed) and the facts as true propositions interpretation, very common in the literature. Second, if facts in the sense of particulars are reasons, it is not clear how Kalderon's claim that there are two types of warrant can be supported. As we saw, Kalderon insists that the facts that are being sampled in perception provide a type of warrant for judgments that is distinct from, and only indirectly related to, the warrant that propositional knowledge enjoys. But if the facts that are being sampled are reasons, then it would appear that there is only one type of warrant: that of reasons. The claim that there are two types of warrant is naturally supported, by contrast, if we distinguish between entitlements (in Burge's sense) and reasons and recognise that while perceptual experiences of particulars can be warranted, there is a gap between judgments warranted by perceptual experiences and the warrant that the true thoughts that constitute propositional knowledge enjoy.

[24] The view of reasons I am developing in this paper has some parallels, I think, with the view that Comesana and McGrath (2016) present.

Finally, the failure to distinguish between entitlement warrant and reason-based justification also commits Kalderon to an implausible account of reasons. Kalderon's association of particulars with reasons has the baffling implication that (at least some) reasons are inarticulable. Kalderon both maintains that what is given in perceptual experiences is not in propositional form, and hence inarticulable, and that it is a reason. As I argued earlier, in the context of the Normativity Objection, reasons must be articulable and they thus belong to the realm of generalisation-involving thoughts, not to the realm of particulars.

If we distinguish more sharply between the fact-based favouring relation and reasons, as I propose we do, the view becomes much more plausible. The view then becomes this. The perceptual experience of particulars entitles one to certain judgments. The experience of those particulars also makes thoughts about them available and thus grounds propositional knowledge about them. But it is the fact-based favouring relation that does the grounding. The yellowish red of the tomato is not itself a reason to judge that the tomato is yellowish red. Facts are not reasons, and reason-based warrant is different from fact-based warrant. Whereas the fact-based favouring relation is inarticulable in Kalderon's sense, reason-based warrant is articulable. It belongs to the realm of thoughts. The reason to judge that the tomato is yellowish red is the true proposition that the tomato is yellowish red that forms the content of a thought about the colour of the tomato. The proposition is made true by the state of affairs that is sampled in perception.

If we apply this view to the practical case as I have set it up in my argument so far, we get the following picture. The starting-point is Normative Factualism – the view that there are facts (states of affairs) that favour acting in certain ways in certain contexts. In addition, although I have not argued for how this might obtain, we might assume that it is possible to experience these facts in some way – whether through some form of perception or some form of intuition.[25] This possibility would explain how we might sample normative facts. Sampling enables one to act as one is entitled to. Sampling is not necessary for acting in accordance with an entitlement, but it helps one grasp an entitlement.[26] It is important to note that in the context of this paper, I am not concerned with how sampling might work or with how we might distinguish between a proper sampling experience and an experience that fails to sample the normative facts. I am only interested in the possibility of entitlement warrant – given by fact-based favouring – as distinct from reason-based justification.

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[25] I am deliberately vague here as I will not be able to address the question of how we might gain access to normative facts, whether it is through intuitions or through perception. I lean towards a perceptual, *a posteriori* view, but I cannot argue for this here. I have to leave this epistemological question open just as I had to leave open the metaphysical question of what normative facts are.

[26] More specifically, sampling helps one grasp a real entitlement, we might say, as opposed to an only apparent entitlement that would be the result of a misleading experience of normative facts. This distinction parallels Parfit's distinction between real and apparent reasons (Parfit 2011). Discussions with seminar participants at ANU helped me to get clearer on this point.

What is important in the context of this paper is that normative facts give rise to their own type of warrant, one that does not, by itself, generate or entail a reason-based justification to act. What is reason-giving are true thoughts about the fact-based favouring relation. These thoughts contain true propositions and the propositions are made true by normative facts. Even a sampling experience does not, by itself, generate or entail a reason-based justification to act. In sampling, it is normative facts that are sampled – particulars – not thoughts. The experience may, however, make thoughts about the fact-based favouring relation available.

This explanation of a distinction between the two types of practical warrant preserves the features I introduced earlier. I described entitlement warrant as externalist in both the relational sense and the content sense. Entitlement warrant for action is externalist in the relational sense because it depends on the agent's relation to the normative facts in some context – it does not depend on the agent's attitudes, not even on some sort of experience of the fact-based favouring relation. Such experiences only help agents act as they are entitled to, but they do not generate an entitlement. It is also externalist in the content sense because entitlement obtains even if there is no conceptual access to the fact-based favouring relation that gives rise to entitlement.

Vice versa, I described reason-based warrant as internalist in the content sense. It is internalist in this sense because what has been articulated in the realm of thoughts is, at least in principle, conceptually accessible to rational agents. And I described reason-based warrant as internalist in the relational sense for at least some agents, if not necessarily for the agent under consideration. This is so because for reasons to exist, some agent must have had thoughts about the fact-based favouring relations. Without articulation in propositional form, there are no reasons, only entitlements. Even if the experience of normative facts might make thoughts about favouring relations available and thus facilitates the discovery of reasons, reason-based warrant does not reduce to fact-based favouring because the experience of a normative fact need not be in the propositional form that would make it a reason. In addition, because the agent having these true thoughts need not be the agent whose actions we are evaluating, however, there remains an externalist element in reason-based warrant.

6. Concluding Remarks

My aim in this paper was to argue that there are two types of practical warrant: entitlement and reasons-based justification. Normative facts are the source of entitlement warrant. Normative facts – states of affairs – are not reasons, however. I have argued that there is a necessary gap between fact-based favouring and reason-based favouring because reasons depend on our thoughts in a way that normative facts do not.

I have characterised the view that I have developed in this paper as a combination of two commitments – to Normative Factualism and Propositionalism about Reasons – and I have shown how they work together. My interpretation of normative facts and their role in warranted action makes good on the realist

intuitions that there is a factual constraint on practical normativity. But I have offered a way of thinking about this factual constraint that does not commit us to Factualism about Reasons. Normative facts give rise to entitlement warrant, I have argued, and this type of practical warrant is distinct from reason-based warrant.

An important question that I lack space to address in this paper is what the scope is for entitlement warrant and reason-based justification. Very briefly, my answer to this question would be that which form of warrant is appropriate depends on the stakes.[27] The higher the stakes, the less likely it is that entitlement warrant is sufficient and that reason-based warrant will be the appropriate form of warrant. This is so because reason-based warrant allows for a deliberative double-checking of the warrant, while entitlement warrant does not. If the stakes are high, this double-checking is likely to be required for warranted action. While my account implies that normative facts enjoy a certain normative priority over reasons, it does not imply that entitlement warrant is generally better than reason-based warrant. As it happens, I think that in most normatively significant contexts, reason-based warrant is the type of warrant that will be required. But these issues will have to be more fully addressed elsewhere.[28]

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[27] This echoes a point Gerken (2011) makes in relation to the norm of practical reasoning.

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