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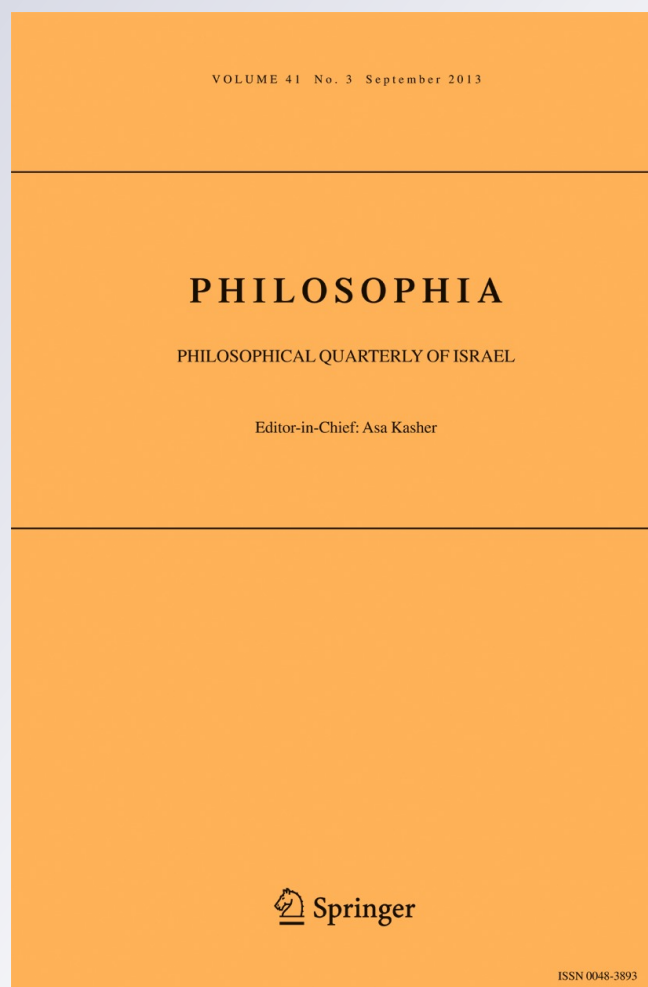
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Abstract In an overlooked section of his influential book *What We Owe to Each Other* Thomas Scanlon advances an argument against the desire-model of practical reasoning. In Scanlon's view the model gives a distorted picture of the structure of our practical thinking. His idea is that there is an alternative to the "weighing behavior" of reasons, a particular way in which reasons can relate to each other. This phenomenon, which the paper calls "silencing", is not something that the desire-model can accommodate, or so Scanlon argues. The paper first presents and interprets Scanlon's challenge. After this, the paper argues, through the examination of three responses, that Scanlon is right in claiming that the model cannot accommodate the phenomenon as he describes it. However, the paper further argues that there is no need to accept Scanlon's depiction of silencing: advocates of the model can give an alternative account of what happens in cases of silencing that is just as plausible as Scanlon's own. Scanlon's challenge is thus, the paper concludes, illegitimate. (169)

Keywords Thomas Scanlon · Silencing · Desire-model · Reasons · Reasoning

Scanlon's Challenge

In an overlooked¹ section of his influential book *What We Owe to Each Other* Thomas Scanlon advances an argument against the "desire-model": the view that desires (a) "are not conclusions of practical reasoning but starting points for it"; (b) are "states which simply occur or not"; and (c) are states that "when they do occur, they provide the agent with reason to do what will promote their fulfillment" (Scanlon 1998: 43).² In Scanlon's (Ibid: 50) view this model gives a "distorted picture of the structure of our practical thinking." In his words:

¹To my knowledge the only discussion is in Arkonovich (2001), section 4.

²Scanlon has other arguments against the desire-model, but these have received detailed discussion. See Arkonovich (2001), Shemmer (2007), Schroeder (2007), Copp and Sobel (2002), Macleod (2001), Sosa (2004).

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“The claim I am making here is a structural one. I am calling attention to familiar features of our practical thinking that, I argue, are naturally represented in terms of reasons and judgments but cannot be accounted for if we take practical reasoning to be a matter of balancing competing desires on the basis of their ‘strength.’” (Ibid: 53–4)

What are the features Scanlon is referring to? In his interpretation the desire-model pictures the behavior of competing reasons as one of *weighing* based on strength:

“On this view, when our desires conflict, rational decision is a matter of balancing the strengths of competing desires. If we take desires, along with beliefs, as the basic elements of practical thinking, then this idea of balancing competing desires will seem to be the general form of rational decision-making.” (Ibid: 50)

Scanlon accepts that reasons can indeed be *pro tanto* and outweigh or be outweighed by other reasons. But, he points out, contrary to what the desire-model suggests, “this is only one special case, as can be seen by taking note of the various ways in which reasons can conflict with or support one another.” (Ibid: 51)

What are the “various ways” Scanlon is talking about? His idea is that there is an alternative to the “weighing behavior” of reasons, a particular way in which reasons can relate to each other. He says:

“But reasons can be related to one another in more complex ways. I may, for example, judge one consideration, C, to be a reason for taking another consideration, D, not to be relevant to my decision whether or not to pursue a certain line of action. In this case the relation between the reason-giving force of C and that of D is not merely practical conflict, as in the case of desires for incompatible states of affairs. The conflict is deeper. The reason-giving force of C not only competes with that of D; it urges that D lacks force altogether (at least in the given context). Often, our judgment that a certain consideration is a reason builds in a recognition of restrictions of this kind at the outset. D may be taken to be a reason for acting only as long as considerations like C are not present. In this case the reason-giving force of D is commonly said to be merely *prima facie*.” (Ibid.)

Scanlon supports his case with examples taken from everyday practical reasoning. In his first example, we are to imagine him as a tennis player who is about to play a game with some other people. He now must decide whether to play to win or not. He lists three alternatives and opts for the third of these: he decides that he will either play to win or not do so depending on what he feels he would most enjoy at the moment of commencing play. And when the time comes to begin playing, since he feels like playing to win, he decides that this is what he will do. This decision, Scanlon goes on to say,

“involves deciding which reasons will be relevant to how I play. The fact that a certain shot represents the best strategy will count as sufficient for making it. I need not weigh against this the possibility that if the shot succeeds then my opponent will feel crushed and disappointed. This does not mean that I cease to

care about my opponent's feelings. I may still want him to be happy, hope that he is able to take pleasure in the game, and refrain from laughing at his missed shots. My concern for his feelings is not eliminated or even diminished; I just judge them not to be relevant to certain decisions." (Ibid: 52)

Scanlon's second example concerns practical reasoning in certain formal or informal roles. Here too, he claims, we can observe the same phenomenon:

"Being a good teacher, or a good member of a search committee, or even a good guide to a person who has asked you for directions, all involve bracketing the reason-giving force of some of your own interests which might otherwise be quite relevant and legitimate reasons for acting in one way rather than another. So the reasons we have for living up to the standards associated with such roles are reasons for reordering the reason-giving force of other considerations: reasons for bracketing some of our own concerns and giving the interests of certain people or institutions a special place." (Ibid.: 53)

On the basis of these two examples and using an analogy with reasons for belief, Scanlon finally changes his permissive attitude towards the weighing behavior of reasons. He still admits that such weighing takes place, but he adds,

"My point is rather that when this [weighing] is so in a particular case it is because a more general framework of reasons and principles determines that these considerations are the relevant ones on which to base a decision." (Ibid: 52)

Scanlon thus pictures everyday practical reasoning as having (at least) two levels. On the higher level, "a more general framework of reasons and principles" informs the agent in deciding what reasons are relevant for her on the lower level in the given situation. It is only these selected reasons that enter into competition on the lower level; the rest are judged irrelevant (bracketed) in the given situation. Weighing reasons, according to Scanlon, is then confined to this lower-level of reasoning with the selected reasons being the only participants.

Interpreting the Challenge

To simplify discussion, I will call the phenomenon Scanlon draws attention to *silencing*. I find this an apt term since it encapsulates what, in Scanlon's view, happens in the cases he describes: that one reason rules out other available considerations as having no reason-giving force in the given situation.

Scanlon's challenge, however, is sufficiently under-described to warrant clarification. Two aspects of the challenge deserve particular attention. Consider, first, the nature and scope of Scanlon's argument. When discussing silencing, Scanlon claims to be drawing attention to "familiar features of our practical reasoning." That is, as he explains at the end of the section discussed above,

"I have tried in this section to call attention to features of our practical thinking that are better represented in terms of a framework of reasons than in terms of competing desires. I have not argued that we must deliberate in the way I have

described—that rationality requires it—but only that we do commonly think in this way and that it seems appropriate to do so.” (Scanlon 1998: 55)

From this it follows that Scanlon’s argument has a form analogous to arguments that appeal, via thought experiments, to intuitions, and then show that a particular theory cannot accommodate this intuition. In Scanlon’s argument intuition is replaced by the phenomenology of reasoning but the idea is the same: our common experience of silencing serves as a hard datum that any theory, in this case the desire-model, must account for.

Turn next to the content of Scanlon’s challenge: our understanding of the phenomenon of silencing. Two distinctions need to be drawn here. First, silencing can be given both a subjective and an objective reading. The subjective reading takes the form of a claim about the agent’s practical *reasoning*: it concerns how the agent sees her reasons in the given situation and how she experiences the conflict of these reasons, in the process that leads up to her decision on how to act. Silencing is, accordingly, spelled out, at least in part, in terms of the agent’s mental states; in Scanlon’s case, in terms of beliefs. Understood in this way, silencing occurs during the agent’s activity of comparing reasons: it consists in the agent’s coming to believe that some consideration is not a reason in the given situation (or, in ceasing to believe that some consideration is a reason in that situation), due to the influence of another reason of hers. In short, the target of subjective silencing is what we can call the subjective desire-model.

However, there can also be an objective reading of silencing that focuses on how *normative reasons* for action behave with regard to one another. This reading concerns another desire-model, that of the desire-based account of normative reasons for action. Silencing now takes the form of a claim about the theory of normative reasons and the weight of those reasons, where “weight” and “reason” are those items that determine what the agent ought to do—and not what the agent believes she ought to do—in the given situation. Understood in this way, objective silencing occurs not as part of the agent’s activity of comparing reasons but when, due to the influence of a particular normative reason, no other normative reasons have a say in determining what the agent ought to do in the given situation. Accordingly, no mental states or mental processes need to be part of this account. In short, the target of objective silencing is what we can call the objective desire-model.

From Scanlon’s explicitly psychologistic depiction of silencing as occurring in the agent’s practical thinking, it is clear that what he has in mind is subjective silencing and that therefore his target is the subjective desire-model. However, this should not lead us to discard objective silencing when dealing with subjective silencing. After all, the objective desire-model, with its account of reasons and their weight, sets the standard for the agent’s reasoning: whether the agent is right or wrong about what reasons there are for her to act and what the weight of these reasons are.³ In Scanlon’s case, this connection amounts to a claim about the truth or falsity of the agent’s beliefs about reasons and their weight. Accordingly, we can make a significant step

³ Admittedly, my understanding of practical reasoning, hence the connection between the two desire-models, presupposes the idea that practical deliberation is about reasons. This is not an undisputed thesis, but since, as far as I know, Scanlon himself adheres to it, I think there is no need to defend it in this paper. For a discussion and defense see Schroeder (2007), pp. 26–9; Goldman (2005), pp. 505–9 and (2006), p. 472.

towards an account of subjective silencing in the subjective desire-model, if we find a place for objective silencing in the objective desire-model. A ‘significant step’ only, because, given the difference in the nature of the two models, it is possible that, due to the agent’s inability to detect silencing in the objective desire-model, no subjective silencing can happen in the subjective desire-model. In short, one can account for subjective silencing by accounting for objective silencing and then seeing if objecting silencing can be transferred, as subjective silencing, into the subjective desire-model.

Turn now to the other distinction. It stems from the idea that silencing can also have a *motivational* side. In this case, one reason does not ‘merely’ silence the reason-giving force of other considerations, but also saps away their motivational drive. The result is that the agent does not experience any kind of motivational conflict when these considerations collide. There are, then, really two forms of silencing; to borrow some terminology from Jeffrey Seidman’s (2005) discussion in a different context, we can call them rational and motivational silencing. Scanlon discusses only rational silencing (which has an objective and subjective version), but now we can ask if his challenge can be strengthened by adding motivational silencing to his repertoire (as Arkonovich 2001: 515 suggests).

I do not think so. There is, on the one hand, the lack of textual evidence. Scanlon explicitly says, in a paragraph quoted above, that in the first, tennis-player case he describes, the tennis-player does not cease to care about his opponent’s feelings, that he still wants his opponent to be happy etc. Nor is it plausible, I submit, to describe this case as involving motivational silencing.⁴ Scanlon’s second example, concerning the reasoning of persons in certain kinds of roles, looks perhaps to be a suitable candidate. But this, I submit, is because we smuggle in the picture elements of *virtue*. If we talk about the loyal husband or the benevolent committee member, we may perhaps be tempted to believe that motivational silencing is also involved in these cases.⁵

However, these virtuous aspects of the agents involved are not essential to describe these cases. Take the committee member: it is surely not essential to rule out motivational conflict in order to understand this case. Moreover, re-describing Scanlon’s cases in such a way that his agents turn out to be virtuous is a legitimate move, but it is not one that can sustain the sort of challenge Scanlon makes. On the one hand, the appeal to virtue would restrict the *scope* of the challenge: Scanlon’s claim would no longer be about ordinary reasoning, but only about virtuous reasoning—and this is much less interesting as a challenge to the subjective desire-model, which concerns ordinary practical reasoning. On the other hand, although an account of the virtuous person may be part of the phenomenology of practical reasoning, it is far from obvious that *this* particular, substantial account is such a part. And if it is not,

⁴ Although Scanlon (1998: 33–41) argues that seemings of reasons motivate in their own right, this need not falsify this claim. First, it is not clear that he thinks that *only* seemings can motivate; hence it is unclear whether he would hold that in the absence of normative seemings, no motivation is possible. It is more likely that he would instead point out that the result of subjective silencing is that the agent does not judge some consideration to be a reason that appears to him to be a reason; or that even if subjective silencing takes away both judgment and seeming, the temptations cited are either not desires or are urges that cannot provide reasons.

⁵ As John McDowell (1978, 1979, 1998a, b) would suggest.

then relying on it cannot reproduce the *nature* of the challenge Scanlon launches against the subjective desire-model: that our every-day reasoning takes the shape he describes, that it is a hard datum theories of reasoning should account for.

In the rest of the paper I will therefore address rational silencing (henceforth, “silencing”): the target will be its subjective version, which will often be approached through its objective version. Subjective silencing, as we learnt, holds that in the agent’s reasoning one reason urges that other considerations are not reasons in the given situation. Silencing is thus the process of the agent’s coming to believe that some consideration is not a reason (or, ceasing to believe that it is a reason) in the given situation, due to the influence of another reason of hers. The tennis player’s decision to play to win is a reason that silences, in this way, his reasons to be concerned for his opponent’s feelings. Similarly, the committee member’s reasons to live up to the standards of his role also silence, in this way, the reasons provided by his own concerns. In both cases, the agent comes to believe that the silenced considerations are not reason-providing in those situations. Scanlon claims that the subjective desire-model cannot accommodate this phenomenon because, by its very structure, it is committed to the idea that reasons compete on the basis of their weight as determined by the strength of the desires they are grounded in. This is why the model fails, or so Scanlon argues.

Accordingly, one question of the paper is whether Scanlon is right in his contention that the subjective desire-model—by itself, or via the objective desire-model—has no resources to accommodate the phenomenon of subjective silencing *as understood above*. I will answer this question in the affirmative, that is, I will agree with Scanlon that subjective silencing, as he depicts it, is foreign to the subjective desire-model. There are no silencing desires in the agent’s practical reasoning, no desires that would ground reasons, which would then have the capacity to silence reasons grounded by other desires. To show that this is so, I will, in the next three sections, consider three responses—screening, disabling, and conditioning—to Scanlon’s challenge and refute them one by one. The order of my discussion will reflect my views as to how much these responses retain of Scanlon’s depiction of subjective silencing.

At the same time, I hold that advocates of the subjective desire-model have the right to propose descriptions of subjective silencing other than Scanlon’s own and in this way question the legitimacy of his challenge. Our everyday experience of reasoning is vague when it comes to the phenomenon of subjective silencing; hence it is up to our theoretical constructs to interpret and fill up with content this vagueness. This theoretical work, I submit, extends as far as to allow for accounts of subjective silencing that are different from Scanlon’s own, *if* these accounts are well supported and worked out in enough detail to pose a credible alternative to Scanlon’s own depiction of what happens in cases of subjective silencing. This is what I will do in the pre-ultimate section of the paper, where I will consider a ‘response’ to Scanlon’s challenge—swamping—that retains nothing of his depiction, but is, I argue, as plausible as his own. Hence my overall conclusion, in the last section of the paper, will support the desire-model: although there are no silencing desires, there is no need for them either. Scanlon’s challenge, although looks initially promising, is ultimately illegitimate and advocates of the desire-model, of either stripe, should not worry about it.

Screening

The following three responses are united by two features: each accounts for subjective silencing via objective silencing, and each fails. The first response retains the most of Scanlon's account; in fact, it reproduces it, insofar as it holds that certain desires have objective silencing functions in the objective desire-model that give us subjective silencing in the subjective desire-model. The response derives from a theory of Donald Hubin.

Hubin builds his theory on the rejection of a version of the objective desire-model that employs some kind of idealization to distinguish desires that can ground reasons from those that cannot. The opposing idea he pursues is that only *actual* desires of the agent can ground reasons for the agent. His suggestion is that we should focus on what he calls *intrinsic values*. These values, are the “expressions of our selves”, i.e., they “define who we are and what our lives are about.” Moreover, they can be “dispositionally and functionally defined” (Hubin 1996: 47, 49–50; 2003: 327, 329). Namely, they “tend to be relatively enduring through time, relatively stable upon reflection, relatively central to the agent's conative psychology in the sense that the best account of the agent's conative psychology treats these states as explanatory of other positive conative states of the agent” (Hubin 2003: 333).

For us the crucial point comes after this. Hubin points out that these values do not exercise their reason-grounding potential in the ‘normal’ way. For it is not the case that reasons are grounded in these values due to what they are, i.e., due to their intrinsic nature. Instead, intrinsic values ground reasons *relationally*: all those conative states of the agent can ground reasons for acting that are not in conflict with the agent's values. His definition of this position, which he dubs “Value-Screened Neo-Humeanism”, is the following (Ibid: 331-2):

“There is reason for an agent to perform an action (in the sense relevant to rational advisability) if, and only if, and *because* the agent's performing that action would promote the satisfaction (realization) of one of the agent's positive conative states (desires, values, etc.) that is not in conflict with the agent's values.”

This definition suggests how objective silencing can be accounted for in this picture of desire-based reasons. What Hubin claims is that values have a certain *screening* function. How can screening give us objective silencing? This is fairly straightforward. As Hubin puts it, when a value screens out a conative state, it does not override the reason-giving force of this state. Instead, what it does is to make sure that the state has no reason-grounding potential whatsoever. And how do we move from objective silencing to subjective silencing? This too is fairly simple. The screening function in the objective desire-model becomes the *deliberative role* of silencing in the subjective desire-model. In short, and contrary to what Scanlon says, in addition to having a weight and an object, desires also have a deliberative role and for some of them this role is that of subjective silencing.⁶

⁶ Arkonovich (2001: 517–8) also advances this response. His idea is that, once we admit that it is not an ad hoc feature of desires in the subjective desire-model that they have a deliberative role, Scanlon's challenge is disarmed. However, from the claim that desires have also a deliberative role, it does not follow that they have the *particular* role that a response to Scanlon's challenge needs.

This “functional role that an agent’s values should play in her deliberative processes” is, moreover, crucial for us, as autonomous agents. For we are reflective beings who, unlike simpler conative creatures, “must be able to organize and structure their deliberative lives in such a way that some of their conative states carry no weight in their deliberations.” (Ibid: 333) This, I submit, is just the sort of hierarchical structure that Scanlon finds lacking in the subjective desire-model. If Hubin is right, Scanlon is wrong; subjective silencing turns out to be a part of the model, in exactly Scanlon’s sense: one reason urges that another reason is no reason at all in the given situation. And those reasons that come through the screening and are thus silenced, will continue to compete on the basis of their weight, as determined by the strength of the desires they are grounded in—again, just as Scanlon describes.

The general framework Hubin’s theory provides for silencing, both objective and subjective, are open to three objections. The first is this: Hubin talks about values and not desires; hence his theory is not a version of the desire-model (of either kind), and therefore it cannot be used to answer Scanlon’s challenge. I, however, think of this as a merely terminological issue. Both Hubin and Scanlon use the term “desire” in a technical, very broad sense, common among philosophers (the so-called “pro-attitude” sense of desire). Thus Scanlon (1998: 50) says that “[t]o have a desire for something in this broad sense [that is common in philosophical usage] is just to have some kind of pro-attitude toward it.” And Hubin (2003: 317) defines desires as “subjective, contingent, conative states of the agent.” It is true that later, as reported above, he switches from “desire” to “value”, but he still understands value as a conative state, which, by his own definition is just a desire. What we end up with on Hubin’s picture, therefore, is that there exist value and non-value desires, the latter possessing a screening function and the corresponding silencing deliberative role (henceforth, I will use “screening function” and “silencing deliberative role” interchangeably).

The second objection derives from some critical remarks Scanlon (1998: 55) makes concerning the silencing role of second-order desires. One can ask: why do Hubin’s values have any authority, of the kind Scanlon demands them to have, over non-value desires, if they too are just desires that differ from other desires only in their objects and weights? The answer to this has two parts. First, values do not merely differ from non-value desires in their weight and object, but also in their particular deliberative role, namely that of silencing. Second, they have this deliberative role in virtue of their place in the agent’s life. As Hubin says, values are the “expressions of our selves”, since they define who we are. Robert Noggle (1999: 314–6) makes this point even clearer: values are desires that constitute the agent’s self and secure her psychological identity, i.e., integrity over time. In sum, these values “form the cognitive and evaluative perspectives that determine what matters to us. They are literally at the psychological core of our very being” (Ibid: 321). The picture we have in front of us here is thus hierarchical, with values placed in the core of the agent’s identity and integrity, surrounded by non-value desires that are governed by them whenever conflict takes place. And the claim is that it is natural to see this governance as one of silencing, not merely of weighing against non-value desires.

The third problem, however, makes a good challenge. We can see it by using one of Scanlon’s examples. Take the committee member and call him Rob. Formal and informal roles might well involve values since these roles typically constitute who we are. In Rob’s case, therefore, his desire to live up to the standards of his role may itself

be the relevant value. The problem is that there is also a value on the other side. Since he loves her, Rob also values Anne's, his girlfriend's happiness, which can be promoted by giving her the job, even unjustly, that is, even if she is not the best candidate for the position. Thus, Rob's value of just hiring conflicts with his value of Anne's happiness. Hence Rob's case seems to involve a conflict of values, rather than a conflict between a value and a non-value desire; and even if non-value desires are screened by values, it is implausible that values are screened by other values. This certainly does not follow from the above explanation of why values have screening functions. The source of the silencing authority values have over non-value desires, namely, that they make up the agent's psychological identity over time, does not provide them with the same authority over other values that too partake in that source. It is values that sit in the core of the hierarchical system of the agent's conative states and, therefore, the silencing relation only holds between values and non-value desires that surround this core. In order to claim more than this, that is, in order to hold that values can also silence each other, it would have to be shown that the core is further partitioned into a hierarchy—of the same, silencing sort—*among* values. What has been said so far, however, concerns entirely the rationale for the hierarchical relation between value and non-value desires and is not, by its nature, extendable to apply to relations among values; hence this explanation cannot deliver the required result.

One might suggest, though, that we amend the view such that the screening value is the value that the agent holds most strongly. Presumably, Rob values being just in hiring more than he values Anne's happiness. But this won't do. First, it is implausible that stronger values always screen weaker values, especially if one holds the stronger value to only a very slightly greater degree than the weaker value. Second, this proposal would nullify the offered explanation of why values screen. The explanation was that values have special normative force due to their special place within a person's psychological identity. But, to repeat, in conflicts of values, both have that special place *qua* values, and so the special normative advantage of values per se is lost (since that advantage was, as far as the explanation presently goes, only an advantage over non-value desires). All we are left is weighing and from this no screening function follows.

Disabling

The second response again accounts for subjective silencing via objective silencing in the objective desire-model. The response is inspired by an idea of Jonathan Dancy (2004: Chapter 3). Dancy's claim is that in addition to what he calls "favourers", there are other considerations that are crucial when we want to account for the existence of reasons. Just as for Scanlon, for Dancy too, favourers, i.e., facts of the situation that speak in favour of actions, are reasons. But there are other aspects of the situation in which a favourer serves as a reason that do not themselves favour the action in question, but without which the favourer would not in fact favour the action. In this way these other facts serve as *enablers*: they enable the favourer to play the role it plays, namely, to favour the action.

For us the crucial point is that, if there are enablers, there can also exist disablers (cf. *Ibid*: 41): features of the situation in the presence of which the favourer cannot

play its role, i.e., cannot serve as a reason. We can claim that this is exactly what happens in cases of objective silencing: the silencing consideration functions as a disabler for the silenced reason. In the two examples Scanlon gives we can quickly point to these disablers: the fact that Anne is not the best candidate for the job is a disabler in Rob's case; the fact that Tom, the tennis player cannot win the game without hurting his opponent's feelings is a disabler in his case. Turning to Scanlon's more general picture, the principles and reasons that make up the framework that determines which reasons are relevant or irrelevant, can be understood as disablers (or enablers). However, in Dancy's theory disablers are not reasons, nor is it clear how they can be accommodated in the objective desire-model (Dancy himself is an opponent of the model). And without filling in these gaps, we do not get a response to Scanlon's challenge.

There might be a way forward, though. It is to make use of Mark Schroeder's Hypotheticalism in finding a role for disablers as reasons in the objective desire-model. Since Hypotheticalism explains every reason for action in terms of desires (Schroeder 2007: 103), it can safely be considered as a version of the objective desire-model, and the resources it offers can thus be used to counter Scanlon's challenge. In particular, Schroeder's theory comes with a novel account of the weight of reasons. Roughly, the idea is that,

“a reason's being weighty is like someone's being *admirable*. Being admirable is not a matter of being able to be admired—it is a matter of being correctly or appropriately admired. Similarly, I'm proposing, being a weighty reason is not a matter of being taken seriously; it is a matter of being correctly or appropriately taken seriously.” (Schroeder 2011: 336)

The next step is to understand correctness in terms of reasons. Just as correctly admiring something is a matter of having reasons to admire it, it is also the case that a reason's being correctly taken seriously is a matter of having reasons to place weight on it. In short, a first-order reason's weight is determined by further higher-order reasons to place more (or less) weight on it. There are thus facts about a reason's weight and these facts are facts about reasons (Ibid.: 336–7).

This account of reasons' weight seems to offer a natural place for disablers as reasons. We can say that disablers are higher-order reasons to place *no* weight on first-order reasons for action (cf. Schroeder 2005: 10–11; 2007: 132–3; 2011: 335–6, though, who does not seem to agree). Moreover, it is arguable that, just like all first-order reasons, higher-order reasons to place weight on first-order reasons to act are also explained in terms of desires (cf. Schroeder 2007: 113 note 16). In this way we get a picture which reproduces Scanlon's own account of objective silencing: a (higher-order) reason urges that another (first-order) reason has no weight in the given situation. Take Scanlon's two examples. Given Rob's desire to give the job to the best candidate, the fact that Anne is not the best candidate serves as a reason not to place any weight on his reason, provided by his love for Anne, to select Anne for the position. And given Tom's desire to win the tennis game, the fact that this is not possible without hurting his opponent's feelings serves as a reason not to place any weight on his reason, based on his concern for his opponent's feelings, not to deliver the winning shot. This account of objective silencing can then be used to account for

subjective silencing, by turning Schroeder's account of the weight of reasons into a theory of weighing reasons in practical deliberation.

Two points have to be added to this account. First, in Schroeder's (2007: 200; 2011: 334–5) theory, facts about reasons are general: there can be many reasons to place weight on first-order reasons to act; in fact, since reasons to place weight also have a weight, there can also be reasons to place weight on reasons to place weight on reasons etc. Now, I have not shown that disablers are the only reasons present when it comes to deciding the weight of first-order reasons in Scanlon's examples. However, I see no reason why this could not assumed to be so. Nothing in what Scanlon says rules this out, nor is this assumption counter-intuitive. And if this is granted, then we get to the bottom of the chain of reasons, to what Schroeder calls "Weight Base", and at this point we can stop calculating weights.

The second addition is that, according to Schroeder, not all reasons to place weights on reasons are admitted; only reasons of the *right kind* are. Recently, Schroeder (2010: 39) gave the following account of these reasons:

"The right kind of reasons with respect to any activity, A, are all and only those reasons which are shared by necessarily every able person engaging in A, because they are engaged in A, together with all reasons which are derivative from such reasons."

If, moreover, an activity has a standard of correctness, it gives rise to the shared set of reasons Schroeder is talking about above (Ibid: 40). Take Rob's case. The activity is that of acting as a member of a job committee. This activity clearly has a standard of correctness and the reason not to place weight on reasons that direct Rob to give the job to the candidate who is not the best, is surely among the shared set of reasons the standard gives rise to. Turn now to Tom's case. Here the activity is that of winning a tennis game. This activity too has a standard of correctness and the reason not to place weight on reasons that direct Tom not to win in order to avoid hurting his opponent's feelings, is surely among the shared set of reasons the standard gives rise to.

However, even if these two additions are plausible, there is still a problem with this response. It is that it trades on an ambiguity between a reason's having no weight and its being non-existent, which I will presently argue to be merely apparent. To begin with, as the above reproduction of Scanlon's examples show, the response admits that there are reasons for Rob to give Anne the job unjustly and for Tom to let his opponent win. In Rob's case, giving Anne the job unjustly will promote one of his desires (e.g., that Anne be happy, that Anne get the job, etc.—all that comes with his love for Anne)—and that, according to Schroeder, entails that there is a reason for Rob to give Anne the job. Likewise, letting his opponent win will promote one of Tom's desires (e.g., that his opponents feel good), and thus on Schroeder's view Tom has a reason to do so. So there are reasons here: how could then they be silenced?

The only way the response could explain away this problem would be by pointing out that these reasons, though exist, have *no weight*, and that this is enough to answer Scanlon's challenge. But this position is a non-starter. I take it to be true that reasons are plausibly characterized as relations that connect five items: the fact that p is at time t a reason of weight d for X to A . Hence, one might indeed think that the weight of a reason and its being a reason can come apart, making it possible that, when one

reason silences another, the silencing reason only reduces the weight of the silenced reason to zero, without putting an end to its existence. But this is mere appearance that one is misled into by the ontological picture painted above. Reasons are favorers, also on Scanlon's account—the reason-relation is a favoring relation—, and something cannot favor something else, yet favor it to no degree. To illustrate: a reason cannot have zero weight any more than a concrete object can have zero volume. Hence disabling cannot be used in one's response to Scanlon's challenge: if there are reasons in Scanlon's examples, then these reasons must have a weight, or it must be shown that these reasons do not exist. Since the present response does neither, it fails.

Conditioning

The third response is inspired by Scanlon's remark, quoted above, that “[o]ften, our judgment that a certain consideration is a reason builds in a recognition of restrictions of this kind at the outset. D may be taken to be a reason for acting only as long as considerations like C are not present.” This sounds like conditioning: one reason functions as a condition for the non-existence of another reason. This suggests that if the objective desire-model could accommodate conditioning, it could also account for objective silencing, and from this we could perhaps move on to subjective silencing in the subjective desire-model. The way to make the first step, the response argues, is to introduce the concept of a *conditional desire*. To explain how this works, let us turn again to Scanlon's two examples.

First take Rob, the committee member. The idea is that Rob's desire that his girlfriend, Anne gets the job is in fact a conditional one of the following form: “I desire that [if this does not conflict with my duties as a committee member, then Anne gets the job.]” The same idea applies to Tom, the tennis-player. Tom's desire to care for his opponent's feelings is also conditional with the form: “I desire that [if this does not conflict with my decision to pursue a play-to-win strategy, the feelings of my opponent are not to be hurt.]” Once the idea of a conditional desire is in place, an account of objective silencing follows. What happens in cases of objective silencing is that the relevant condition is not fulfilled and therefore the conditional desire does not provide the agent with reason to act. That is, Rob has no reason to support Anne's candidacy, and Tom has no reason to be concerned about his opponent's feelings—just as Scanlon claims it to be the case.

In one aspect, though, this response keeps less of Scanlon's account than the previous two. It does not entirely reproduce objective silencing as Scanlon depicts the phenomenon: we get an account of the silenced side, but the silencing side is passive. What happens is that the desire on the silenced side ceases to provide reason without intervention by another reason. True, in a sense, the silencing side, in the form of a condition, is now built into the desire itself. Even so, the condition does not appear there as a competing *reason* provided by a *desire*: the clash of desire-based reasons, which is then reduced to a non-conflict due to objective silencing, is thus not accounted for.

Nonetheless, this much ‘revisionism’ would be worth paying if the response was not subject to problems like the previous two. There is an obvious hurdle to take: it seems far from obvious that Rob's or Tom's desires are indeed conditional. For the condition appears in the *content* of their desire; it is not put upon the desiring itself.

This may sound counter-intuitive to many: surely, it is not the case that agents who have such desires always have it in this conditional form! Maybe some of them do, but many do not! There is a way to get around this problem, though. We can claim that the condition is not necessarily part of the propositional content of the desire, but is certainly part of the best *expression* of the desire. That is, we can use the proposition involving the conditional clause to express the agent's desire, even if the agent herself cannot so express her desire and/or grasp the proposition that is used to express it.⁷

Of course, now the task is to show that the best expression of Rob's and Tom's desires indeed includes the relevant condition. To begin, I suggest that we understand the best expression of an intrinsic desire roughly like this: "I desire that $p =$ [for all two possible worlds alpha and beta: (if alpha is a p -world and beta is a non- p world as similar to alpha as a non- p -world can be, then I prefer alpha to beta)]."⁸ Take Rob's desire that Anne gets the job. According to this schema, the best expression of Rob's desire is that of all two possible worlds, which are the same except for the fact that in one Anne gets the job and in the other she does not, Rob's preference always lies with the one in which Anne gets the job. It does not matter whether the two worlds are such that a just decision was made in the committee, or are such that an unjust decision was made in the committee. In all of these so-called "minimal difference pairs", that is, between worlds in which all other things are equal, the preferential balance is tipped by " p ", that is, by the fact that "Anne gets the job".

However, in our case Rob's desire is supposed to be conditional, at least as far as its best expression is concerned, because he is a member of the decision committee. What we are aiming at then, is an analysis, which holds that there is, first, clear preference for worlds in which the decision is just, and that only once this is ensured, can the fact that Anne gets the job tip the preferential balance. Do we get this analysis? I think so. It goes like this. Take the case when in both worlds the just decision was made: then it is indeed the case that the world is preferred in which Anne gets the job. Take next the case when in both worlds Anne gets the job, but in one the just decision was made, while in the other the decision was unjust. It is surely the case that the former world is preferred to the latter—and the same is the case with worlds in which Anne does not get the job. Turn finally to the case when in both worlds the unjust decision was made. Rob's desire, it seems, is unclear—nor does it need to be clear—on this comparison. Although it is possible that Rob would, in this case, prefer the world in which Anne gets the job, it might also well be that the preference is the other way round (because it no longer matters who gets the job) or that indifference is warranted (because no one should get the job). It is plausible to hold, on ground of these comparisons, that Rob's desire is indeed best expressed in the conditional form suggested above.

Turn now to Tom's case. Again, if we were just to take Tom's desire that he does not hurt his opponent's feelings, this consideration would always tip the preferential balance between worlds that differ only in this fact, whether they involve winning the game or not. But in the case under consideration, Tom has decided to pursue a play-to-win strategy and this should change the analysis. Now the analysis we are aiming at holds that there is clear preference for worlds in which Tom wins the game, and the fact that he does not hurt his opponent's feelings is wheeled in only once this is ensured. Take the

⁷ Cf. Velleman (2000: 104) on Davidson's (1980: 86) evaluative account of desire.

⁸ This idea is inspired by G. H. von Wright's (1963) account of preferences.

case when in both compared worlds Tom wins the game; in this case the fact that he does not hurt his opponents' feelings does tip the preferential balance. Take next the case when in one world he wins the game, but in the other he does not. In this case the former world is preferred, even if winning would mean hurting his opponent's feelings in both worlds. And the same holds for worlds in which Tom does not hurt his opponent's feelings, whether winning or not. Turn finally to the case when in both worlds Tom does not win the game. In this case the fact that he does not hurt his opponent's feelings may not—and need not—decide the choice, although this too is a possibility. Hence Tom's desire is also best expressed in the conditional form stated above.

There is, however, a serious problem with this proposal as well. It concerns the move from objective silencing to subjective silencing. The above idea of opting for the best expression of a desire as conditional, may work for an account of objective silencing in the objective desire-model. But it surely does not work for subjective silencing in the subjective desire-model. There are two possibilities. Either the agent indeed cannot express her desire in a conditional form and/or grasp the proposition used to express her desire in this form. In this case, for this agent there exists no conditionality and, accordingly, no subjective silencing. Or, the agent can indeed express her desire in that way, but then Scanlon can simply respond, as was suggested above, that there is no need to assume that this happens in his examples, i.e., that his agents have desires with a conditional content. In this case too, then, we get no subjective silencing in the agent's practical reasoning and Scanlon's challenge remains intact.

Swamping

So far we have tried to tackle Scanlon's challenge head on by showing that the subjective desire-model can accommodate subjective silencing as Scanlon depicts it. All these attempts have failed, however, and their failure supports Scanlon's case against the model. In this pre-ultimate section of the paper, therefore, I will propose a different approach. I will deny that Scanlon's challenge is legitimate by putting forward an alternative and equally plausible account of what happens in cases of subjective silencing that is compatible with the subjective desire-model.

The core idea has been for some time present in Donald Hubin's (1996: 47; 1999: 33–4; 2003: 322) writings. He argues that certain reasons are *swamped* by other reasons of the agent: they are so resoundingly overridden that they are easily overlooked. Therefore it would be a mistake to trust our intuitions about reasons in these cases. He claims that, "[t]hose intuitions are shaped by pragmatic considerations as well as semantic ones, and these different sorts of considerations are seldom carefully distinguished. And so, while it may be perfectly *true* to say that you have a reason to turn over your child's soul, it may be quite *improper* to say it, or even to think it" (Hubin 1999: 34). Now, the question is why it would be improper to do this: what are the relevant, but unspecified, pragmatic and semantic considerations? ⁹

⁹ Hubin's words suggest that a version of Bernard Williams' "one thought too many" argument may also be used to explain cases of swamping. The claim would be that it is *unattractive* to consider some consideration as a reason in the face of certain other reasons, even if these reasons apply to the case. This addition, however, is not about the structure of practical reasoning but about its *content*; hence it is of no interest to us.

Mark Schroeder (2007: 92-7; 2011) has recently given an answer concerning pragmatics. As finite creatures we cannot take account of an infinite number of considerations in our deliberations; we must focus on the weighty ones. Using Grice's (1967: 27) maxim of relevance, this leads, according to Schroeder, to the thought that asserting that there is some reason to act implies that we know what the relevant reason is and that this reason is *not* extremely weak. Otherwise we would be flouting our standard conversational purposes by sidetracking and overloading our conversations with reasons that are not worth mention in the given context. Hence, the suggestion goes, what happens in cases of subjective silencing is just this: the reasons are (objectively) there, albeit swamped, thus extremely weak and therefore (subjectively) hiding in our account of these cases. They might come out of hiding, if the situation changes; if, for instance, the constellation of reasons changes (in his discussion Schroeder shows how certain counterfactual reasons force swamped reasons to appear on the scene).

Now the question is whether this general analysis also applies to Scanlon's cases. Let us begin with two worries. First, swamping works only if the reasons involved are weak. However, in Scanlon's cases we deal often with important interests, projects etc. of the agent, and it is plausible to assume that these interests or projects are backed by powerful desires of the agent. This suggests that the relevant desire-based reasons are strong, not weak, and therefore are not hidden in the agent's (conversational) account of her reasons. Second, the above account of swamping relies on inter-personal discourse, whereas Scanlon's agents talk to themselves, their conversation takes place in their head: their discourse is intra-personal. The worry then, is that pragmatic considerations do not apply in such cases, hence an appeal to swamping does not help with these cases.

Both worries can be answered, however. As for the first, Hubin's original point can help. The idea is that the relevant reasons are extremely weak, *because* they are resoundingly overridden by other reasons of the agent. It is possible that in other situations they would serve as weighty reasons that are therefore explicitly asserted by the agent; yet, this is not the case in the situations Scanlon provides us with, hence they are not so asserted. That is, these two claims are taken to be plausible: the tennis-player's decision to play to win resoundingly overrides his concerns for his opponent's feelings; and the committee member's reasons to live up to the standards of his role resoundingly override his own concerns. As for the second worry, it is not true that the pragmatic considerations presented above do not apply to the intra-personal case. The considerations mentioned, which relate to the fact that we are finite creatures who are forced to deal with a finite set of reasons, are also applicable to the intra-personal case. Not even in our head, I submit, do we want to sidetrack and overflow our conversations with reasons that have very slight bearing on the given case.

There is one problem remaining: whether Schroeder is right that our intuitions about reasons in Scanlon's cases are unsound due to our reluctance to assert the relevant reason-claims. Luckily, Schroeder himself provides us with the tool to test these intuitions. What we have to check, according to Schroeder, is whether our intuition to deny the existence of a reason is weakened by the introduction of (a) what this reason is and (b) the fact that this reason is weak.

Take, first, Rob, Scanlon's committee member. The question is whether our intuition that, although he has the relevant supporting desire, Rob has no reason to

vote for a candidate in a competition for a teaching position in his department is weakened by (a) being told that the Rob's reason is that this candidate is his girlfriend, Anne and (b) admitting that this is a weak reason. I believe that our intuition would be shaken. I believe that we would say that Rob has a reason to vote for Anne in the competition for the job, although this reason, in the given situation, is very weak. Turn now to Tom, the tennis-player. Here too, I think, our intuition that, although he has the relevant supporting desire, Tom has no reason not to deliver the winning shot, would be weakened by (a) being told that Tom's reason is that this would hurt his opponent's feelings and (b) that this reason is weak. Similarly to Rob's case, we would hold that Tom has reason not to deliver the shot, although this reason in the given situation is rather weak.

This account of subjective silencing, I submit, is just as plausible as the one Scanlon works with. If this is so, Scanlon's challenge was not legitimate in the first place. After all, here we have a story of silencing that not only denies the existence of objective silencing, but also focuses on our intuitions about reasons to show that there is no subjective silencing to accommodate in the subjective desire-model. There is only a reluctance to assert the existence of some reasons in certain situations, a reluctance that can be explained by the pragmatics of practical reasoning and that in turn explains why our intuitions about the existence of reasons are unsound in these cases. Subjective silencing, as Scanlon depicts it, is therefore no hard datum that theories of practical reasoning should account for.

Summary and Concluding Remarks

In this paper I discussed and responded to a challenge, derived from the existence of a phenomenon I dubbed silencing, that Thomas Scanlon launched against the desire-model. My discussion had three parts. First, I presented and interpreted the challenge, making important distinctions on the way. Second, I buttressed the challenge, by refuting three responses to it that attempted to accommodate subjective silencing in the subjective desire-model. Finally, third, I disarmed Scanlon's challenge by showing that it is illegitimate, since it is possible to give an alternative account of what happens in cases of subjective silencing that is compatible with the subjective desire-model. From this I conclude that, contrary to its initial plausibility, Scanlon's challenge is not something that advocates of the subjective desire-model should worry about.

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