

The definitive version of this article is available in *Philosophy Compass*, Vol 5:8, August 2010 (<http://onlinelibrary.wiley.com/doi/10.1111/j.1747-9991.2010.00318.x/abstract>)

Constitutive Arguments

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When faced with a conflict between the requirements of morality and something otherwise valuable (like our own happiness or that of those close to us, the satisfaction of strong desires, etc.) it is not uncommon to wonder why one should do what morality requires. This can be a momentary doubt which dissipates as quickly as it arrives or something that lingers on, leaving one wondering whether moral requirements can be justified such that anyone has reason to abide by them. Can the question “Why do what morality requires?” be answered in such a way that anyone regardless of their desires or interests has reason to be moral? One strategy for answering this question that has received quite a bit of attention recently appeals to *constitutive arguments*.¹

The basic idea behind constitutive arguments is that there are certain features constitutive of belief or action which guarantee that insofar as we act or believe at all, we are committed either to following principles like the law of non-contradiction or the instrumental principle, or to aiming at something like truth or the good.² Kant is the historical figure most associated with arguments of this sort, but interest in them is not limited to contemporary Kantians narrowly defined. For some, constitutive arguments are appealing because they are seen as providing a response to skeptical challenges.³ For others, the appeal of such arguments is that they promise to establish the normativity of certain rational requirements in a broadly naturalistic way, without appealing to irreducible normative properties external to the agent.⁴ In general, constitutive

¹ See for instance: Velleman (1992), (1996), (2000), (2009); Korsgaard (1996), (1997), (2008), (2009); Railton (1997); Dreier (1997), (2001); Skidmore (2001); Rosati (2003); Setiya (2003); O’Hagan (2004); Enoch (2006), Ferrero (2009).

² For instance, Korsgaard argues that commitments to certain principles are constitutive of action and belief; Velleman argues that certain aims are constitutive of action and belief; Railton (1997) discusses both types of argument.

³ See for example: Korsgaard (1996), Velleman (2000), Railton (1997).

⁴ See for example: Korsgaard (1996), Velleman (2000), Rosati (2003).

arguments attempt to establish the normativity of rational requirements by pointing out that we already accept them insofar as we are believers or agents, and so the question “Why should I care?” is answered, “Because you are already committed to them.”

In this paper, I am concerned with the general prospects for such arguments. I will start by explaining the general constitutive argument strategy. This will be followed by examples of a constitutive argument in theoretical reason and for the instrumental principle in practical reason. I will conclude by discussing some challenges to constitutive arguments posed by Enoch, Railton, and others, and consider some possible responses to these challenges.

I

The general strategy behind constitutive arguments is to justify requirements anyone would have reason to accept by explaining what it is to engage in a certain activity or be a certain kind of being. Philosophers often use game-analogies of the following sort: one may think of respect for the rules of soccer as being partly constitutive of playing soccer.⁵ You may make a mistake about what the rules are and still qualify as playing soccer; but if you do not care at all about the rules, then you are no longer playing the game. So, if one mistakenly (or intentionally) touches the ball with one’s hand, one may be breaking the rules while still playing; but if one throws the ball around with one’s hands and the fact that this is against the rules does not play any role in one’s deliberation, then one would not be playing soccer at all. Respect for the rules, even if occasionally outweighed by considerations in favor of breaking them, is part of what it is to be playing soccer.

This line of thought sets up an argument as to why one should abide by the rules of soccer which does not seem to depend on any particular desire or aim of the individual player. The rules of soccer say that you are not to touch the ball with your hands. If this consideration leaves you cold, then you simply aren’t playing soccer. This is what it means for respect for the rules to be constitutive of playing soccer.

Game analogies like this one are sometimes used to try to shed light on how there could be categorical moral requirements. However, we can see an immediate problem with this sort of move just by considering the soccer example a little more. An acceptable response to the line just set out is that one

⁵ Velleman (1996), Dreier (1997), and Enoch (2006) use chess as an analogy.

is not interested in playing soccer and thus is not interested in following its rules. That this response is acceptable shows that the results the argument yields are in some sense hypothetical: the argument does not tell us that we should play soccer regardless of any other attitudes we may have; it tells us only what to do if we are interested in playing. How is the argument given for morality supposed to be different?

One of the differences between soccer and morality, one could contend, is that the rules of morality apply categorically while the rules of soccer apply only to those playing the game. That is, you can be judged for failing to abide by the rules of morality even if you do not care about morality; your interests do not seem to exempt you from moral rules. In fact, the idea that one can break the rules of soccer even if one is not playing at all seems rather strange. Would the player who picks up the ball at the end of the game to take it home be guilty of using her hands? It is unlikely that even soccer fanatics would apply the rules of soccer to people who are not playing. And this is quite different from morality.

So, there seems to be the following intuitive disanalogy between the soccer case and the morality case – the rules of soccer are hypothetical, while the rules of morality are supposed to be categorical. Now, insofar as one is attempting to use a constitutive argument to support categorical moral requirements while at the same time using a game analogy to shed light on morality, one needs to say something about this point of disanalogy regarding categoricity, and show that it doesn't completely ruin the *analogy* between games and morality. However one hopes to do this, one cannot merely point out that the rules of soccer apply to only some while the rules of morality apply to all. For, even though this is true, Philippa Foot has famously argued that categoricity of application doesn't imply categorical reasons.⁶ She argued for this claim using the example of etiquette, which is like morality in that it contains requirements that apply categorically, but is unlike morality in that everyone has a reason to abide by its requirements – only those interested in etiquette. So even if a requirement is *categorical in its application*, this is not enough to show that it gives *categorical reasons*, that is, that it gives reasons for action to all human beings independently of their other interests.⁷

⁶ See Foot (1978).

⁷ The distinction at stake here is a distinction between whether everyone can be judged by such a standard and whether everyone is required to pay attention to the standard in deliberation.

In light of Foot's conclusion, why is anybody still attempting to use a constitutive argument to show that moral requirements give categorical reasons for action? The reason why the constitutive argument for morality has significantly more force than the argument for etiquette or soccer is that constitutive arguments for morality attempt to show that failing to care about moral requirements is failing to be a rational agent and this is equivalent to failing to an agent, period. Notice two things about this move. First, it preserves the relevant features of the soccer analogy: if you fail to care about morality you fail to be a rational agent, just as if you fail to care about the rules of soccer you fail to be a soccer player. But second, it promises to offer categorical requirements and not just the hypothetical ones the soccer case provides: if you fail to be a rational agent then no requirements could possibly apply to you.

But what really does this proposal give us besides adding another bad name ("irrational") to call those who are immoral? In what way is it illuminating to say that it is constitutive of (rational) agency to be motivated by moral considerations? Take the person who is not moved by moral considerations, but otherwise shows all signs of agency. In what sense is this person defective besides failing morally? Let's grant proponents of the constitutive argument that this person would ipso facto fail to be an agent. Still, we can define an agent* as a person who is like an agent in every sense except that she fails to care about moral requirements. Why should anyone care about being an agent rather than an agent*?

Answers to this question given by proponents of the constitutive argument include that otherwise there is no you, you are not autonomous, or you are irrational.⁸ But there is the risk that each of these answers merely gives us a new term for the same situation, a lack of morality. Why should you care about there being a you rather than merely being a you*, about autonomy rather than mere autonomy*, about irrationality rather than mere irrationality* (where each of the un-asterisked terms is available only to an agent, while the asterisked term is the analogue available to a mere agent*)? The point is, if the relationship between accepting moral requirements and rational agency is merely terminological, if it is just a matter of which label we are going to use to refer to the fact of failure to be motivated by moral requirements, then this

⁸ For the first, see Korsgaard (2009) and Velleman (2009); for the second, see Rosati (2003); for the last, see Nagel (1970). The last two are also in the background of Korsgaard's and Velleman's answers to the question.

might be enough to ground a form of linguistic necessity but it won't be able to ground the normativity needed for justifying moral requirements.⁹

What proponents of the constitutive argument need is for the relationship to be more substantial; they need the relation between being motivated by moral requirements and rational agency to be deeper. Maybe moral motivation is required by some basic and central feature of rational agency. If so, failing to accept moral requirements would be a failure of rational agency not simply because moral requirements are also rational requirements, but because moral requirements are derivatively required by some essential feature of agency or rationality, a feature without which there could be nothing recognizably similar to agency or rationality (and so no agency* or rationality*). This, I think, is the most promising path that a constitutive argument can take; and it is, not surprisingly, the one that in their best moments proponents of constitutive arguments *do* take. There are some essential requirements that a rational agent is committed to caring about insofar as they are a rational agent (or an agent *tout court*), and these features yield the requirements of morality. Failing to abide by these requirements is failing to abide by requirements that one accepts insofar as one is an agent. And so, failing to abide by them is failing to abide by what in some sense one requires of oneself.¹⁰ The success of a constitutive argument along these lines that shows moral requirements to be rational requirements depends on the costs and the implausibility of not caring about this allegedly central feature of agency and rationality.

II

Constitutive arguments are offered not only to justify moral principles but also to justify other principles of reason. Proponents of constitutive arguments for morality often build their case by first showing that similar arguments can be deployed with success in support of other, non-moral requirements of practical reason and in support of requirements of theoretical reason. Let's start with a constitutive argument in the area of theoretical reason.

⁹ On this point, see Railton (1997): "Labeling errors are not, however, defects of rationality. Once she has found the right word for her propositional attitude, the criticism would vanish." (70)

¹⁰ Notice the connection between this and autonomy, on this view one is governed by what one commits oneself to, by one's own requirements. Rosati takes autonomy to be at the center of her account; Korsgaard and Velleman also note this connection.

One may think that beliefs aim at accepting what is true and only what is true.¹¹ That is, in order for an attitude to be one of belief, it must be truth-directed in this way. Given that logical rules of inference are truth-preserving, insofar as we are committed to accepting only what is true we are also committed to following certain logical rules (e.g. the law of non contradiction, *modus ponens*, etc.). And so we are required to follow these rules because we are committed to them insofar as we have beliefs; if we were not committed to them, we would not be believers at all. But, could we fail to care about being believers? And if so, *should* we care? In response to these concerns, one may argue that having beliefs is, again, constitutive of agency.

One philosopher who discusses this line is Peter Railton. Railton considers the claim that responsiveness to the truth of a proposition is not optional insofar as one believes that proposition.¹² One cannot conceive of one's mental attitude as indifferent to what is true and yet think of it as a belief. So representing one's attitude as sensitive to the truth is not optional, at least in that one cannot fail to do so and still have beliefs. However, whether someone *should* represent her attitudes in such a way might seem to depend on whether she is interested in having beliefs in the first place. If this is right, epistemic requirements would be practically hypothetical – dependent on whether one desires to have beliefs. Once one considered one's mental attitude to be a belief, one would be committed to being sensitive to its truth.

If this is where the story ended, the constitutive argument for the requirements of theoretical reason would not seem to fare any better than the argument for the rules of soccer being universally required. However, it is not the end of the story. Having beliefs, Railton goes on to consider, may be essential to being an agent.

... paying the price of admission to belief is necessary to gain entry to agency. A self-representation of certain of one's attitudes as 'aiming at' truth is partially constitutive of belief, which in turn is partially constitutive of agency. (Railton 59)

¹¹ The connection between belief and truth is discussed in Velleman, "The Possibility of Practical Reason", "On the Aim of Belief," and "The Guise of the Good," all in Velleman (2000); in Shah and Velleman (2005); and in Wallace (2001).

¹² See Railton (1997).

Notice that it is conceiving of one's attitude as responsive to the truth which is constitutive of belief, not those attitudes actually conforming to the truth. If the latter were the case, false beliefs would not actually count as beliefs.

Several questions remain unanswered at this point: Why is having beliefs – propositional attitudes conceived of as responsive to the truth – required for agency? Could one be an agent without having any beliefs? What about being an agent**, where being an agent** is just like being an agent but does not require belief? If having beliefs is indeed constitutive of agency, is agency something that we all should strive for? What exactly would be wrong with failing to be an agent in this sense? I will not attempt to answer these questions here.¹³ Instead, I want to briefly mention how this account of the relationship between belief and truth is supposed to be related to the normativity of certain epistemic norms.

The rational requirements of theoretical reason are requirements on the formation of belief, for example, that we be sensitive to evidence or follow certain rules of inference. The normativity of these requirements may be linked to the fact that they are truth preserving or the best means for arriving at what is true.¹⁴ The connection seems to be as follows: pursuing the truth entails being sensitive to the best available evidence; this in turn seems to imply at least a commitment to some basic rules of inference. So, in representing one's attitudes as aiming at or being sensitive to the truth, one is committed to certain rational requirements.

Alternatively, one may attempt to give a constitutive argument for these rules without directly appealing to their relation to the truth. On this view, it is having beliefs which itself requires that one be committed to following the basic rules of inference and correct one's beliefs according to them. Korsgaard, for example, attempts to account for the normativity of the law of non-contradiction on the basis of the commitments one acquires by having beliefs without making any reference to its connection to truth.¹⁵

So, there are two alternative ways constitutive arguments for the normativity of the norms of theoretical reason have been run: the first one connects the normativity of the principles through the aim of truth, while the second tries to justify the principles directly by their connection to belief but without holding that belief has a certain aim. Admittedly, a number of

¹³ For an attempt to answer some of these questions, see for example, Shah and Velleman (2005).

¹⁴ Velleman (2000) pursues this route.

¹⁵ See for example, Korsgaard (1997).

questions about such arguments remain. But the intention here was just to provide a few examples of constitutive arguments in theoretical reason.

III

A parallel argument to the constitutive argument for epistemic norms is often made with respect to the instrumental principle in practical reason.¹⁶ The instrumental principle can be understood as a rule on a combination of attitudes. Take for example a desire or goal that provides motivation together with a belief as to how to satisfy that desire or goal; only certain actions would be appropriately (rationally) motivated by this belief/pro-attitude pair, while others would be ruled out as practically irrational. Nagel famously gives the example of a person who puts a dime in a pencil sharpener in order to get a drink as someone who is practically irrational.¹⁷ If this person really thought that putting a dime in a pencil sharpener would provide her with a drink, there may be nothing irrational about her. We may of course wonder what possessed her to have such belief. But if she came to have it on the basis of sufficiently reliable evidence, her action of putting the dime in the pencil sharpener may qualify as practically rational

In any case, if there is anything wrong with this person for *believing* that putting a dime in a pencil sharpener would provide her with a drink, it would be a failure of theoretical reason, not practical. For it to be an instance of practical irrationality, it has to be that she does not believe that putting a dime in a pencil sharpener will provide her with a drink, and yet she decides to put a dime in a pencil sharpener anyway on the basis of her desire for a drink. If this is so much as coherent, it provides a clear case of practical irrationality.

Continuing on with the case, imagine that the problem with the person's intended action is pointed out to her and yet she does not see what is wrong; she does not see why her actions should exhibit a certain connection to what she desires or intends and her beliefs as to how to accomplish it. If someone rejected the instrumental principle, even in this basic form, how could we convince her to come around and accept it? What could we say in response to somebody who says, "I don't see anything wrong with putting a dime in a pencil sharpener to get a drink even though I know that pencil sharpeners do not provide drinks"? Or more generally: "I don't see why I should take the

¹⁶ For various examples, see Railton (1997); Wallace (2001); Velleman, "The Possibility of Practical Reason" and "The Guise of the Good" both in Velleman (2000); Korsgaard (1997).

¹⁷ Nagel (1970): 34.

means I acknowledge to be necessary to the ends I am pursuing.” It seems there wouldn’t be much to say in response to such a person that could persuade them out of such a view. At least in part, perhaps, we don’t know what to say to such a person, because we don’t really understand what is going on with them.¹⁸

One could argue that such a person simply does not exist. We all do act according to some version of the instrumental principle. If I find myself putting a dime in a pencil sharpener, we would not assume that I wanted to get a drink but that I wanted to play or to demonstrate a philosophical point. But when we act intentionally we normally can say what is it that we are doing. We have some intention that we are pursuing, and although we may be wrong about what is it that we are doing, we can describe our actions in one way or another. Now, some description of our action has to make sense in light of our mental states, if we are rational. If I am intentionally putting a dime in a pencil sharpener, and somebody asks me what I am doing, I may reply that I am intending to get a drink because I am thirsty. If even after being told that this is crazy and that it would not provide me with a drink, I still insist that this is what I am doing, you as an interpreter would have to decide how to understand me – either that there is some hidden psychological fact about me that rationalizes my action, or else I am violating the instrumental principle. When confronted with situations of this sort, much work on unconscious motivation takes the first route. Often when our behavior initially seems to make no sense, we can find some deeper explanation at the level of unconscious mental states which helps us find it rationally intelligible after all. However, even if it may be very rare, it seems we at least can imagine cases in which no such deeper, rationalizing explanation exists. Instead, there is just the fact that I don’t see the connection between my judgments about how to accomplish my end and my pursuit of that end.

Now such a person is not *easy* to imagine. Again this is not someone who merely violates the instrumental principle, but someone who just does not see why she should abide by the principle.¹⁹ Notice that getting such a person to set the instrumental principle as one of her ends would not help us in

¹⁸ On this point, see Davidson (2001) and (2004).

¹⁹ Someone who violates the instrumental principle is much easier to imagine. One can do so by mistake because one is not paying attention to one’s judgments as to how to attain certain ends or by being weak willed. I may intend to lose weight, know that eating lots of ice cream will not help; and still decide to eat ice cream, without dropping my end to lose weight.

persuading her to abide by it, given that she is not already motivated to take her ends seriously.²⁰ This is why the instrumental principle is plausibly taken to be constitutive of practical rationality: Practical reasoning does not even get off the ground without taking the instrumental principle to have some normative force. If there is anything like practical rationality, something like the instrumental principle would seem to be part of it.

There are further questions that could be asked about the constitutive arguments for the instrumental principle, but having now looked at some examples to give us a better sense of how these arguments are supposed to work, we turn back to the general prospects for constitutive arguments in moral philosophy.

IV

In light of the discussion of the last few sections, let’s return to the problem facing constitutive arguments for morality that we encountered at the end of §I.

In David Enoch’s recent important paper,²¹ he outlines one of the main challenges facing constitutive arguments: Why does the fact that some motive or aim is constitutive of agency add any normative force to it? Why isn’t it normatively arbitrary whether something is or is not constitutive of agency? Why should I care one way or another?

Enoch wonders why the skeptic should be convinced by constitutive arguments:

However strong or weak the reasons that apply to him and require that he be moral, surely they do not become stronger when he realizes that unless he complies with morality his bodily movements will not be adequately described as actions. (Enoch 179)

The criticisms Enoch raises here remind us that linguistic necessity is not enough to ground the kind of normativity that principles of reason are supposed to carry. Why should anyone care what name is applied to one’s movements or even whether one is called an agent or not? Railton similarly wonders whether this is any different from name-calling or xenophobia where some people are

²⁰ Railton, Dreier, and Blackburn make a similar point by means of a parallel to Lewis Carroll’s discussion of *modus ponens*. See, Railton (1997); Dreier (1997); Blackburn (1995); Carroll (1995).

²¹ Enoch (2006).

marked as not ‘one of us’.²² Enoch, following David Lewis, reminds us that this strategy seems to attempt to have philosophy replace the hangman.²³ The idea behind Lewis’ claim is that all that constitutive arguments provide is the threat of being called by certain names (which replaces the threat of being hanged) and that this threat will not have any effect on those who don’t already care about being moral or about being labeled a certain way. Insofar as constitutive arguments aim to ground normativity in linguistic necessity, they seem doomed to fail. There are two alternative ways of developing a more substantive constitutive argument so as to avoid the xenophobia/hangman criticism.

On the first, constitutive arguments purport to show that certain principles are self-vindicating and so “efforts to challenge them cannot even get going without relying on them” (Rosati 522).²⁴ For example, in asking the question of whether the instrumental principle should be followed one is already implicitly assuming the instrumental principle – the question makes no sense unless one already assumes the principle one is trying to challenge. Skepticism about the instrumental principle is thus self-refuting.

Enoch’s response to this line of argument is that it misunderstands the skeptical threat. We are shown by the skeptic to have inconsistent commitments, and so inconsistency is a problem for *us*, not for the skeptic.

That the skeptic – if there actually is such an interlocutor – cannot avoid engaging the motives and capacities constitutive of agency while mounting his attack only shows that he is in the same boat as the rest of us (surely not a surprise). It does not show that those motives and capacities are self-vindicating or non-arbitrary from a normative point of view.” (Enoch 183-4)

Enoch argues that the skeptical challenge relies on the principles of logic, for example, because *we* are committed to the legitimacy of doing so.

In other words, the skeptic is entitled to use our own weapons against us. If, using these weapons, he can support a conclusion we are not willing to swallow – one stating, for instance, that the very weapons he is using are not ones we are entitled to use – then it is we who are in trouble, not him,

because we have been shown to have inconsistent commitments.” (Enoch 184)

Fair enough. But the fact that we can’t avoid taking these principles seriously – even when attempting to challenge them – does seem to confer on them a certain special status. Perhaps this status is not enough to guarantee their truth, but it does seem to make them non-arbitrary.²⁵

The second way of developing a substantive constitutive argument claims not that agency is self-vindicating, but that it is inescapable. Korsgaard and at times Velleman take this line.²⁶ The idea is that unlike soccer, you can’t really quit the game of agency and that is why normative requirements based on agency are inescapable for us. The fact that the person is asking about the validity of this or another principle shows that the person is already an agent. Only someone who already takes some basic principles of reason to be normative is able to question them. Enoch claims, however, that lacking a reason to continue to be an agent, one can decide to stop being an agent – even if that involves suicide. Why shouldn’t one decide to stop being an agent?

...you can continue playing or “going through the motions,” grudgingly, refusing to internalize the aims of the game. And absent some normative reason to play the game, there need be nothing irrational about such an attitude... The antinaturalist challenge raises its head again: nothing short of an explicitly normative claim seems fit to settle normative questions. (Enoch 189)

I think that Enoch is missing the point of the inescapability claim here. What the proponents of constitutive arguments are maintaining is that a certain inconsistency can be shown in an agent who does not follow the requirements in question. They are attempting to establish that once one is in the game of agency, one is committed to following certain principles, and so ignoring those

²⁵ Stroud (2002) makes a similar point in discussing transcendental arguments. He argues that those beliefs required in order to have any beliefs or thoughts about the world acquire a certain type of *invulnerability* “...in the special sense that it could not be found to be false consistently with its being found to be held by people...” (Stroud 216). Invulnerability for Stroud “...does not imply that we know the things in question, and it does not imply that they are true. It does not imply that the beliefs in question are indispensable to any conception of an independent world. It does not even say that the beliefs in question are invulnerable in the sense that we could never, or never reasonably, give them up. What it implies about invulnerable beliefs is that we could never see ourselves as holding the beliefs in question and being mistaken. We could not consistently find that human beings are simply under the misapprehension or the illusion that those things are true – that they think they are true, but that really they are not.” (Stroud 168)

²⁶ Korsgaard (1996), (2009) and Velleman (2009). See also Nagel (1970) and Davidson (2004).

²² Railton (1997).

²³ See Enoch (2006), Lewis (1996).

²⁴ Nagel (1970) argues that even the skeptic has to use logic and so the challenge is self refuting. See also Stroud (2002).

principles is going against what one is already committed to doing. They attempt to show that there is a certain irrationality at stake: one both accepts and denies the principles in question. If proponents of constitutive arguments are right about this, the inescapability of agency brings with it the inescapability of taking certain principles to be normative. When one goes through the motions, refusing to internalize the aims of the game, one is ignoring one's own commitments or something that one already takes seriously – and there seems to be a certain irrationality in doing this.

In contrast to Enoch, then, I think we should grant that ignoring the principles in question is irrational. The deeper issue, it seems to me, is whether this irrationality can be shown to be problematic – is it possible that we have *no reason not to be irrational* and ignore principles to which we are committed?²⁷ In connection, can we properly answer the ultimate skeptic who wonders why one should avoid contradictions or care about truth at all? I think that constitutive arguments provide a sort of answer, an answer that may inspire confidence in those already in the game of agency, but which may not serve to convince the ultimate skeptic of the objective truth of these principles as the basis for believing in a fully objective reality.²⁸ That is, once we find out that commitment to certain principles is constitutive of agency and we realize that being agents is an inescapable component of our actual lives, we may feel more confidence in the principles. We will not find in constitutive arguments reasons to be agents rather than not, but this should not distress us. Like so many other things that we can't change about the world, that we are already agents is one of those given facts that we might as well do the best we can with since it is hopeless to attempt to escape it.²⁹

Enoch insists that there must be a reason to play the game of agency – and so that inescapability is not enough – in order for the principles that are constitutive of agency to provide any normative force.

In order to have a reason to checkmate your opponent, it seems to me, it is not sufficient that you do in fact play chess. Rather, it is also necessary

that you have a reason to play chess (or the relevant specific game of chess). (Enoch 185)

If a constitutive-aim or constitutive motives theory is going to work for agency, then it is not sufficient to show that some aim or motives or capacities are constitutive of agency. Rather, it is also necessary to show that the “game” of agency is one we have reason to play, that we have reasons to be agents rather than schmagents... And this, of course, is a paradigmatically normative judgment. (Enoch 185)

But Enoch here seems to be assuming his own view, namely that reasons can be independent of agency – which is required for us to be able to make sense of reasons for being an agent. Proponents of constitutive arguments deny that there can be reasons that are prior to agency in this sense, or in other words, that one can have reasons without already being an agent. On the view that they are defending, then, any talk of reasons operates within an agent-based framework, and so there cannot be any *reasons to be an agent*, since unless you are an agent already, reasons do not have any relevance for you. As an agent, you can of course wonder whether you should continue to be one, but finding out that you would prefer not to be an agent anymore is not enough to make reasons stop applying to you or for you to stop having reasons. What would be needed for reasons to stop applying is actually to stop being an agent. Short of suicide, that is hard to do.

Just to be clear: we might find that there are some good features of agency, that for instance being an agent allows us to fulfill more of our ends. But any reasons of this sort to be an agent will already implicitly assume the agency that they are trying to justify. They are thus reasons we can provide to beings who already are agents as to why they should continue being agents, but they are not reasons that will get a grip on beings who are non-agents and rationally convince them to become agents – for as non-agents, such beings are inevitably deaf to any reasons we could try to give them. Any reasons for playing the game of agency, then, can be given only from within the game itself. Whether this ends up being a failure of constitutive arguments or not depends in a way on whether an alternative full-fledged realist view which takes reasons to be independent of agency can be shown to work.

²⁷ For an argument that we don't always have reason to be rational, see Kolodny (2005).

²⁸ This is analogous to the line that Stroud (2002) takes.

²⁹ Nagel (1970) makes a similar point: “I have no confidence that it is a necessary truth that we are constituted as we are, in the fundamental respects which give rise to our susceptibility to moral considerations. But if we were not so constituted, we should be unrecognizably different, and that may be enough for the purpose of the argument.” (19) “Perhaps the most we can hope is that such principles should apply to us in virtue of particular deep features of our make-up, features which we cannot alter.” (22)

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