University of Reading

Capturing Moral Universality

PhD

Department of Philosophy

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April 2024

Declaration: I confirm that this is my own work and the use of all material from other sources has been properly and fully acknowledged.

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Acknowledgments

For me, at least half the battle was getting on to a PhD programme in the first place. After many failed attempts it was ultimately Philip Stratton-Lake who took me on as his student and for that I am truly grateful. Philip was the supervisor that I needed for the doctorate, someone who could and most importantly was willing to bring me down from my lofty ideas and into academic reality. It took time and a feeling of constant frustration to get accustomed to that reality and I still find myself floating in the air. Had Philip not grounded me in academic reality, I would not be in a position to submit this PhD thesis and for that I am indebted to him.

My time as a doctoral student has been filled with loss and tragedy, the loss of time due to Covid, the loss of my supervisor Philip, the loss of my fiancée and the tragedy of my brother's life-altering accident. Amidst the misfortune, I clung to hope as I have always done, and it is with the support from others have I been able to sustain that hope.

I would like to thank my supervisor Luke Elson whose critical feedback helped my work have the kind of rigor and clarity required in academia. I would also like to thank Luke for stepping up and becoming my primary supervisor in the aftermath of losing Philip. I am grateful for Max De Gaynesford for also stepping in as a supervisor and providing invaluable and firm guidance in the last stages of writing my thesis.

I would like to thank the Philosophy department at Reading for providing a stimulating environment to engage with others both in the research and departmental seminars. I always made it my aim to ask the most engaging and thought-provoking questions and I would like to think that most of the time they were well-received by both the speaker and the audience. In particular I formed close friendships with Zachary Mabee and Lanell Mason which helped alleviate the solitary nature of studying for a doctorate.

I would like to thank the various support mentors that I had during my doctorate such as Sanja and Alison. They helped make studying for a doctorate when dealing with an array of disabilities a manageable one. I would also like to thank my disability advisor Ellen Owens, who helped me throughout my time at Reading university with a number of issues that I had, such as with accommodation and life in general at Reading university.

I don't have many friends but the one's that I do have I can safely say provided support in some way or another whom I am immensely grateful for: Andrew, Kipros and Shantelle.

I would like to thank Ania who showed me perhaps the greatest lesson in life, what it means to love and be loved in return.

I would like to thank my parents and close family in general for supporting me in my studies, despite being of impoverished backgrounds, did not discourage me from pursuing my passion. I thank my aunt and Michael for encouraging me to take the plunge and complete a second Master's degree which was instrumental to getting a PhD place.

Finally, I would like to thank Elsa, my study skills tutor whom without I do not think I would be ready to submit my PhD thesis. The facts speak for themselves: before I started working with Elsa, I had failed my confirmation of registration. Fast forward two years or so and I am ready to submit my thesis and having been accepted at multiple international conferences. Where Philip grounded me in academia reality, Elsa provided a beacon of shining light to guide the way and for that words cannot express my gratitude.

Thesis abstract

My thesis is that capturing moral universality requires mind-independence and the support of ontology. The central question that my thesis will be asking is whether moral universality can be captured in the absence of mind-independence and the support of ontology. There are metaethical theories in contemporary metaethics which attempt to capture moral universality in the absence of mind-independence and the support of ontology. I selectively consider attempts made by T.M. Scanlon, Mark Schroeder, and Julia Markovits, all of which have received significant attention in contemporary literature. I evaluate each theory in their own light by tailoring my arguments to the respective theories in question and argue that those theories are not successful in capturing moral universality.

My contribution to the literature will have attempted to establish what is required to capture moral universality by elucidating why and how previous attempts are unsuccessful. A pervasive theme throughout my evaluation is the extent to which moral norms can bind an agent who rejects such norms in the absence of moral universality. How, for example, we can be morally justified in holding one who rejects moral norms accountable for any transgression of those norms. My thesis aims to show that theories that fail to vindicate mind-independence and the support of ontology will struggle to capture moral universality.

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Introduction

1. Background context of thesis

Moral rules of conduct have significance in ethical theory and beyond. For example, despite the law being widely considered distinct from morality in the western world, it is undeniable that morality has influence over the law.[1] While in our liberal society where we uphold values of equality and fairness, we speak of rights such as the right to vote, right to fair trial and so on. When we speak of these rights we speak inclusively, such rights apply to everyone.[2] Whenever we make a claim regarding an action or behaviour that we deem right or wrong in some general sense[3], we are making a moral claim.

I will not attempt to define what is constitutive of a moral claim mainly because I am using the word moral in the broadest way possible to mean any claim which has ethical content. There will be clear-cut examples of a moral and non-moral distinction and some not so obvious. What I will say is that I do not mean normative which would be inclusive of any evaluative standard that does not involve morality and ethics. For example, to say that one should regularly update their computer software so that the computer runs efficiently is a normative claim but not a moral claim. There are of course some such as Raz who deny that there is a distinction between moral reasons and non-moral reasons for example, but they are a minority.[4] In any case, I lead by uncontroversial examples of moral reasons i.e. that I have a reason to keep a promise is a reason of moral content because it involves the ethical phenomenon of promising which is what makes it a moral reason. In contrast, my reason to wake up early tomorrow does not, at face value, have moral content.

At least one if not the central question in metaethics is whether there are moral codes of conduct which are applicable[5] to everyone. This central question can and has been cashed out in various ways

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[1] The fact that morality can have influence over the law is accepted even by logical positivists who are reluctant to engage in ethics. See: H. L. A. Hart, 'The Concept of Law', in *The Concept of Law* (Oxford University Press, n.d.).

[2] Indeed, the word universal is used with particular affect: United Nations, 'Universal Declaration of Human Rights', United Nations (United Nations, n.d.), https://www.un.org/en/about-us/universal-declaration-of-human-rights.

[3] I say general sense as opposed to a restricted sense of say playing a game whereby a claim of right and wrong actions is in accordance with the rules of that particular game.

[4] Joseph Raz, 'On the Moral Point of View', in *Engaging Reason* (Oxford: Oxford University Press, 2002).

[5] Contrary to Foot, I think it is precisely what moral rules of conduct *apply* to all agent that is of initial concern. Notice that moral rules can still apply to all agents categorically as opposed to hypothetically as with rules of etiquette. Whether those moral rules of conduct then *give* everyone a reason to act or behave morally is a

such as: Are there objective values? Are moral claims factual? Are there moral reasons which everyone has? In contemporary metaethics, people who think that there are moral rules of conduct tend to think in terms of reasons, that everyone *has* certain moral reasons to act or behave in a given way. Realists think that such moral reasons are categorical in the sense that having such moral reasons are independent of attitudes and desires. Though there are differences in both content and terminology in the above questions, there is a linking thread which amounts to a question whether a phenomenon of moral content can be universally applied to and bind all agents. I will be henceforth calling these phenomena *moral universality* – any fact, value or reason and so on of moral content which has both applicability and bindingness, for all agents.

I find myself at odds with contemporary metaethics in more ways than I can describe here and since I do not elaborate or defend these views in the thesis, I will keep it short. First, most moral realists are also normative realists, to such an extent that they focus on speaking of normativity, understood as evaluative standards in general, with the moral or ethical being a subspecies of the normative. I do not think that is the case, I think that certain aspects of moral phenomena are of a completely different ontological kind than normative phenomena. I think saying that the moral is irreducibly normative is at least inaccurate. Second, natural and non-natural realists tend to take normativity and the moral in tandem which is to say that if one is a normative naturalist then they are also a moral naturalist and if one is a normative non-naturalist then one is also a moral non-naturalist. On the contrary, I am open to the possibility that normativity can be naturalised despite thinking that aspects of moral phenomena cannot be naturalised. Third, I think that contemporary metaethics is overly saturated with talk of *reasons* and being confined to talk of reasons is a barrier if one thinks that moral reasons are simply one aspect that constitute our ethical reality. What I do share with moral realists in contemporary metaethics is the importance of capturing moral universality. Moral realists tend to argue for their view, but my thesis is different because it is focused on evaluating alternative non-realist theories which I argue are not successful.

The importance of explaining moral universality comes with vindicating a common-sense understanding of social conduct: on face value, hurting others is bad and is something everyone should abstain from while helping others is good and is something to be praised. In our society, we tend to describe anyone who rejects and outright contradicts such socially entrenched behaviour

separate question and one which comes after whether there are moral rules of conduct which apply to everyone. I return to this distinction in the conclusion. Philippa Foot, 'Morality as a System of Hypothetical Imperatives', *The Philosophical Review* 81, no. 3 (1972): 305–16.

through their attitudes and actions, as a kind of social deviant.[6] The question whether there is moral universality matters even if it is denied that there is any moral universality. For example, Mackie who is one of the most influential sceptics of moral universality in contemporary metaethics, makes clear the common-sense intuitions regarding such moral scepticism:

> "Some will think it is not merely false but pernicious; they will see it as a threat to morality and to everything else that is worthwhile, and they will find the presenting of such a thesis in what purports to be a book on ethics paradoxical or even outrageous."[7]

Though Mackie was careful to distinguish between first-order and second-order views, that is the difference between what values we have and what the nature of those values are, one cannot maintain the same first and second-order distinction when it comes to moral universality. The reason being that vindicating moral universality is to have vindicated a second-order view regarding the nature of moral phenomena. For example, when Mackie said that first and second-order views are not dependent on each other, he gave the example of an agent holding conventional moral values while believing that they are simply a code of conduct held by himself and those of others.[8] In such an example, a claim to moral universality is not being made but what the distinction between first and second-order view means is that one who is sceptical of moral universality can nevertheless still have moral values and not necessarily be a social deviant because they reject moral universality. Like-wise, it certainly does not follow that one who endorses moral universality is some kind of moral saint. It is an open question, however, to what extent moral norms can bind a social deviant in the absence of moral universality in the sense of how we are morally justified in holding the social deviant accountable for any transgression of moral norms and this question will be a pervasive theme throughout my thesis.

It is important to consider why one would reject moral universality despite that it seems to have immediate appeal. The concern is with a second-order view about the nature of moral phenomena and for this we once again consult Mackie, and there is one particular argument that I think has shaped the trajectory for anyone attempting to capture moral universality that came after him:

> "Even more important, however, and certainly more generally applicable, is the argument from queerness. This has two parts, one metaphysical, the other epistemological. If there

[6] The clinical name being anti-social personality disorder: Donald W Black, 'The Natural History of Antisocial Personality Disorder', *Canadian Journal of Psychiatry. Revue Canadienne de Psychiatrie* 60, no. 7 (July 2015): 309–14.
[7] p.15 J. L. Mackie, *Ethics : Inventing Right and Wrong* (Harmondsworth: Penguin., 1977).
[8] Ibid p.16

were objective values, then they would be entities or qualities or relations of a very strange sort, utterly different from anything else in the universe."[9]

Focusing on the metaphysical aspect, I interpret the queerness argument as one which claims that moral universality requires positing entities such as values which are distinct from anything else in the universe which can be captured by facts. One defence of this interpretation is that Mackie alludes to Hume's is/ought distinction and a closely related fact/value distinction:

> "To this Hume could, and would need to, reply that this objection involves the postulating of value-entities or value-features of quite a different order from anything else with which we are acquainted, and of a corresponding faculty with which to detect them."[10]

To capture moral universality, one is required to posit moral phenomena, such as values, which can be said to exist and cannot be equated with any other kind of entity such as facts that we are acquainted with and come to know by science.[11] Whether I follow the inference that it follows from queerness that there is no moral universality is a separate question entirely.[12] Though I will not be discussing the argument of queerness in my thesis, it is what I believe to have shaped contemporary metaethics regarding capturing moral universality which for many[13] has been a deterrent that the queerness of any moral phenomena, whether we talk of moral values, facts, properties or reasons etc, is to be avoided at all costs.

My thesis can be interpreted in an alternative and surprising way: Capturing moral universality requires the positing of queer entities. As far as only this thesis is concerned, I aim to vindicate what Mackie supposes is required to capture moral universality. It is with great irony that I think Mackie was correct regarding what moral universality involves and his work can be credited as offering a template, especially to some in contemporary metaethics who are reluctant of anything remotely queer, to comprehend and ascertain what capturing moral universality requires.

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[9] Ibid p.38

[10] Ibid p.40

[11] It is worth noting that Mackie argues against moral naturalism for lacking categoricity and for a violation of the is/ought distinction. Ibid p.33, p.64.
Notice that even if the moral naturalist attempts to avoid queerness by saying that moral properties simply are natural properties, they are still required to make a distinction between values and facts which is precisely what makes moral properties queer on one interpretation of Mackie's argument.

[12] For an example which rejects such an inference see: Erik Kassenberg, 'Debunking the Argument from Queerness', *Ratio* 34, no. 4 (2021): 312–23.

[13] For the few realists who unashamedly accept the queerness of moral phenomena still acknowledge it as something to be conceded. See p.136 David Enoch, *Taking Morality Seriously: A Defense of Robust Realism* (Oxford, New York: Oxford University Press, 2011).

After Mackie and aside from the argument of queerness, I postulate two additional shifts in thinking in regard to capturing moral universality. One following from the other. The first is the dramatic shift from talking solely of morality to normativity in general and a talk of reasons rather than values that came with it. A proponent of this shift, Scanlon, documents this shift vividly:

> "Contemporary metaethics differs in two important ways from the metaethics of the 1950s and 1960s, and even the later 1970s, when John Mackie wrote Ethics: Inventing Right and Wrong. In that earlier period, discussion in metaethics focused almost entirely on morality: on the proper interpretation of claims about moral right and wrong, and other forms of moral evaluation. Today, although morality is still much discussed, a significant part of the debate concerns practical reasoning and normativity more generally: reasons for action, and, even more broadly, reasons for belief and other attitudes, which are increasingly recognized as normative, and as raising questions of the same nature as those about reasons for action….
>
> It may be tendentious for me to say that metaethics as a field has undergone these two changes. Perhaps they are only changes in my own thinking, or the thinking of those I talk with most frequently. But, whatever may be said about the field as a whole, my approach in these lectures will fall on the second side of each of these dichotomies: my focus will be on normativity in general, treating morality as a special case, and I will be concerned centrally with the idea of a reason—mainly with the idea of a reason for action, although I will have a little to say about reasons of other kinds."[14]

I think Scanlon is correct regarding the shift of thinking about moral universality and metaethics in general. Today, one will struggle, as I have, to fully engage in contemporary metaethics without talking of moral reasons and more often than not, the topic of discussion is regarding normativity in general rather than focusing on ethics broadly construed and morality included.

A further shift that I postulate which follows from the shift from morality and values to talk of normativity and reasons in particular is the emergence of metaethical theories that have traditionally been thought incompatible with moral universality. For example, consider Williams' stance on the internalism of reasons:

> "Suppose, for instance, I think someone (I use 'ought' in an unspecific way here) ought to be nicer to his wife. I say, 'You have a reason to be nicer to her'. He says, 'What reason?' I say, 'Because she is your wife.' He says – and he is a very hard case – 'I don't care. Don't you

[14] p.1-2 Thomas Scanlon, *Being Realistic about Reasons* (Oxford University Press, 2014).

> understand? I really do not care.' I try various things on him, and try to involve him in this business; and I find that he really is a hard case: there is *nothing* in his motivational set that gives him a reason to be nicer to his wife as things are."[15]

According to Williams' Internalism, an agent can be said to have a reason if there is a sound deliberative route from existing motivations and so a moral reason to recycle would not be applicable to an agent who couldn't care less about recycling. However, in contemporary metaethics there are theories according to which all reasons depend on desires which nevertheless attempt to capture moral universality.[16] I can only speculate that it is the shift to talk of reasons which explains why such theories have located an opportunity to attempt to capture moral universality. Evaluating such theories will be the bulk of this thesis wherein I will argue that they all fail in capturing moral universality. As such, in order to engage with contemporary literature, I almost exclusively talk of moral reasons in regard to moral universality. However, the question and aim to explain and vindicate moral universality goes back to at least attempts made by Plato.[17]

2. Thesis statement and questions

My thesis is that capturing moral universality requires mind-independence. I will be using the term moral universality throughout the thesis to simply mean moral reasons which apply to all agents and moral reasons that everyone has. I will be using the term moral reason minimally, to mean any reason that has moral content. A reason is consideration which counts in either favour or against a given attitude, act or behaviour. For example, to say that I have a reason to keep a promise is a moral reason because the content is moral indicated by the notion of keeping a promise. Whereas to say that I have reason to wake up early tomorrow is not obviously a moral reason but simply a normative one. We can have reasons whether we are aware of them or not. For example, I might forget that I have an appointment tomorrow and so I am not aware that I have a reason to wake up early. I will be using the term mind-independence to simply mean independent of attitudes and desires. So, when we put the three terms together, we can say something like this: The moral reason to recycle is mind-independent because the applicability of the moral reason does not depend on our attitudes and desires, therefore, recycling is universally applicable to all agents. My thesis is simply that for all

[15] p.39 Bernard Williams, ed., 'Internal Reasons and the Obscurity of Blame', in *Making Sense of Humanity: And Other Philosophical Papers 1982–1993* (Cambridge: Cambridge University Press, 1995), 35–45.
[16] Two theories that I will be looking at defend some version of this view.
[17] I particularly have in mind 'the form of the Good'. Plato, G. M. A. (George Maximilian Anthony) Grube, and C. D. C. Reeve, *Republic* (Indianapolis : Hackett, c1992., 1992).

agents to universally have moral reasons then we are required to both explain and vindicate the mind-independence of moral reasons and to have achieved this is to have successfully captured moral universality.

I intentionally do not provide substantial definitions for the three terms above, moral universality, moral reasons, and mind-independence, because it is only by using minimal definitions can we evaluate different metaethical theories which will be using either different terms or the same terms with more substantial meaning. For example, if a metaethical theory explains why everyone has a moral reason to recycle then that theory can be said to have captured some aspect of moral universality and it would not be an argument against that view to say that it does not explain moral universality as I have defined it. However, notice that even if a metaethical theory can explain why everyone has a moral reason to recycle, it might not be wholly successful because an aspect of moral universality is not being explained and all of my arguments will focus on the substantive content of what is not being explained. As such, I will be evaluating different metaethical theories to the extent that they can successfully capture moral universality without mind-independence, and I will argue that every metaethical theory that I evaluate in this thesis fails to do this.

The first and most obvious question that I will be looking at is whether moral universality requires mind-independence. The question whether there can be moral reasons which universally applies to everyone without endorsing any notion of mind-independence. Though my thesis is that capturing moral universality requires mind-independence, there is an additional sub-thesis that moral mind-independence requires ontology. What it means for moral mind-independence to require ontology is to claim that moral truths require ontological support, for example, if we grant that there is a moral truth to keep promises then we might say that such truth corresponds to moral properties such as goodness which can be said to exist. Put more straight-forwardly, moral mind-independence requires ontology in the sense that there would still be moral properties had agents never existed, however, without ontological support we cannot make that particular claim regarding mind-independence. Putting the primary thesis that moral universality requires mind-independence and secondary thesis that mind-independence requires ontology together, we have: capturing moral universality requires mind-independence and the support of ontology. There is then a secondary question which concerns what is required to capture mind-independence and whether one can capture moral mind-independence without ontology. Here again, rather than relying on anything more than minimal definitions, my arguments will focus on precisely why mind-independence is not being explained or vindicated and why mind-independence supported by ontology is a requirement for the universality of moral reasons.

My contribution to the field is precisely concerned with what is required to capture moral universality. Though my thesis is negative in the sense that it aims to show how particular metaethical theories are not successful, that in itself points towards what is required to capturing moral universality. Specifically, that a theory which aims to do without mind-independence and the support of ontology will struggle to capture moral universality.

3. Thesis area

As already indicated, the area of research is in metaethics. The view that when we make moral claims, such as x is wrong, is making a factual claim that could either be true or false is associated with moral realism. According to Sayre-McCord, despite that that there are various kinds of moral realisms, we can say that they all share a cognitivism such that:

> "realism involves embracing just two theses: (1) the claims in question, when literally construed, are literally true or false (cognitivism), and (2) some are literally true. Nothing more. (Of course, a great deal is built into these two theses). Correspondingly, there are two ways to be an anti-realist: embrace a non-cognitivist analysis of the claims in question, or hold that the claims of the disputed class, despite their being truth-valued, are none of them true (say, because they all share a false presupposition)"[18]

Though I will not be defending moral realism, my thesis is one which will be shared by many moral realists who take there to be a mind-independent reality which make moral claims true. I understand moral realism as essentially a metaphysical thesis that there is an ethical reality.[19] Constitutive of this ethical reality, moral realists posit that there are moral properties such as *goodness*.[20] As we shall see throughout the thesis, if we go by Sayre-McCord's definition of moral realism, we would be attributing realism to theories that reject moral realism and yet attempt to explain moral universality. In any case, it is not my intention to argue how we should define moral realism, but it is nevertheless important to distinguish what understanding of moral realism my thesis is to be associated with. One target in my thesis are metaethical theories that aim only to capture and argue that moral cognitivism is successful, the view that moral claims are propositional which could be true or false

[18] p.5 Geoffrey Sayre-McCord, 'The Many Moral Realisms', *The Southern Journal of Philosophy* 24, no. S1 (1986): 1–22.
[19] Moral anti-realism then on this view is simply the rejection of this metaphysical thesis that there is an ethical reality.
[20] I particularly have in mind Moore with this statement. George Edward Moore, *Principia Ethica*, ed. Thomas Baldwin (Mineola, N.Y.: Dover Publications, 1903).

and some of which are true. I argue that the sample view considered, fails to capture moral universality precisely because it does not explain or vindicate the metaphysical thesis that there is a mind-independent ethical reality.

Moral realism can be said to be shared by at least two broad camps: naturalism[21] and non-naturalism[22]. Beside the literature on conceptions of these view there is a literature simply regarding how to define and distinguish between them. For example, David Copp has attempted to define and distinguish naturalism and non-naturalism based on a difference in methodology.[23] According to his naturalist view, contemporary conceptions of natural properties generally do not fit particularly well when it comes to moral naturalism. The reason that naturalism has a close affinity to science is that it is our most reliable source of empirical knowledge. Accordingly, Copp proposes that we can define and distinguish natural and non-natural properties by how we understand such properties and have epistemic access to them. According to this view, the naturalist is committed to rejecting the possibility of acquiring knowledge of moral truths about the world independent of our experiences while, the non-naturalist is committed to embracing this possibility. Meanwhile, Cuneo proposes that naturalism and non-naturalism are best understood as stances rather than particular theories or positions.[24] Cuneo maintains that the former prioritises an external accommodation project while

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[21] For a brief illustration, moral naturalism can be divided into reductive kinds such as Jackson's who argues that moral terms can be reduced to natural descriptors.

- Frank Jackson, *From Metaphysics to Ethics: A Defence of Conceptual Analysis* (New York: Oxford University Press, 1998).

Then there are non-reductive kinds that deny such conceptual reduction and what some call the 'Cornell realists' who aim to configure the moral with modern science such as Boyd, Brink and Sturgeon.

- Richard Boyd, 'How to Be a Moral Realist', in *Essays on Moral Realism*, ed. G. Sayre-McCord (Cornell University Press, 1988), 181–228.
- David Owen Brink, *Moral Realism and the Foundations of Ethics*, Cambridge Studies in Philosophy (Cambridge: Cambridge University Press, 1989).
- Nicholas Sturgeon, 'Moral Explanations', in *Morality, Reason and Truth*, ed. David Copp and David Zimmerman, 1984, 49–78.

Finally, non-reduction naturalists who are also neo-Aristotelian because they vindicate some idea of human function such as Foot, Hursthouse and Thompson.

- Philippa Foot, *Natural Goodness* (Oxford University Press, 2001).
- Rosalind Hursthouse, *On Virtue Ethics* (Oxford University Press, 2001).
- Judith Jarvis Thomson, *Normativity*, ed. Russ Shafer-Landau (Open Court, 2008).

[22] All non-naturalists are united in thinking that moral properties are not reducible to natural properties. For an expansive but not exhaustive list:

- Terence Cuneo, *The Normative Web: An Argument for Moral Realism* (Oxford, New York: Oxford University Press, 2010).
- Enoch (2011)
- William J. FitzPatrick, *Ethical Realism* (Cambridge University Press, 2022).
- Russ Shafer-Landau, *Moral Realism: A Defence* (New York: Oxford University Press, 2003).
- Ralph Wedgwood, *The Nature of Normativity* (Oxford, New York: Oxford University Press, 2007).
- Erik J. Wielenberg, *Robust Ethics: The Metaphysics and Epistemology of Godless Normative Realism* (Oxford University Press, 2014).

[23] David Copp, 'Why Naturalism?', *Ethical Theory and Moral Practice* 6, no. 2 (2003): 179–200.

[24] Terence Cuneo, 'Recent Faces of Moral Nonnaturalism', *Philosophy Compass* 2, no. 6 (2007): 850–79.

the latter prioritises an internal accommodation project. Naturalists maintain that ethical theory should be consistent with scientific views and that moral properties do not warrant a privileged status in our world-view. Whereas non-naturalists do not seriously question commonsensical views about ethics and maintain that our metaethical theories should support such views. A difference on what is prioritised therefore reveals a sharp contrast in stance between the naturalist and non-naturalist.

If we understand moral realism as essentially a metaphysical thesis, which is the view I take, then we can say that according to the moral naturalist, both conceptual reductive and non-reductive, moral properties simply are natural properties such as pleasure or some aspect of human nature. Whereas non-naturalists reject the identification of moral properties with natural ones. My thesis will not be taking a stance on or participating in the debate between moral naturalism and non-naturalism. As such, for the purposes of this thesis, the claim that moral universality requires mind-independence and the support of ontology is open to both naturalist and non-naturalist conceptions of moral realism.

In contemporary metaethics and more recent than the naturalist/non-naturalist debate, there is a view that is referred to as 'robust realism'[25] which is contrasted with what some call 'relaxed' or 'quiet realism'[26]. Robust realists such as Enoch claim to take their commitments seriously as opposed to more relaxed realists:

> "But all of these writers – in different ways, and some more clearly than others – think that a fairly robust metaethical and indeed metanormative realism can nevertheless be metaphysically light, ontologically uncommitted, and so also (to an extent) immune to some of the traditional objections to such a view, objections that are (to an extent) based on a misunderstanding of this view. I have no such illusions. My Robust Realism wears its ontological commitment on its sleeve. I believe that if we are to take morality seriously, we must go for such an ontologically committed view, precisely as understood by some of the traditional objections to such a view. The thing for us realists to do, I believe, is not to disavow ontological commitment and pretend that this solves (or dissolves) problems for our

[25] The term 'robust realist' in metaethics originates with Enoch. Ibid p.8 Enoch (2011)
[26] One instance of self-referred quietist is: Mark Warren and Amie Thomasson, 'Prospects for a Quietist Moral Realism', in *Oxford Handbook of Moral Realism*, ed. Paul Bloomfield and David Copp (Oxford University Press, 2023), 526–53.
See Akhlaghi for an in-depth analysis into quietism in metaethics. Farbod Akhlaghi, 'Meta-Ethical Quietism? Wittgenstein, Relaxed Realism, and Countercultures in Meta-Ethics', in *Wittgenstein and Contemporary Moral Philosophy*, ed. Jonathan Beale and Richard Rowland, (Forthcoming).
Enoch calls such views quietism. Ibid Enoch (2011) p.121.

> realism. Rather, we must step up to the plate, and defend the rather heavy commitments of our realism."[27]

I think a robust realist such as Enoch would agree with my thesis, however, it is still an open question whether Enoch's view could satisfy what capturing moral universality requires. Commitment is one thing, but explanation is another. The only association that I'm willing to concede with robust realism then is that a robust realist is more likely to accept my thesis than a relaxed realist would precisely because they are explicit in their ontological commitments. However, in this thesis I do not endorse robust realism for two reasons: firstly, according to Enoch, robust realism rules out moral naturalism[28] whereas my thesis does not which then calls into question what robust realism actually is. Secondly, without an explanation of exactly what is being committed to, it remains an open question whether a robust realist view can capture moral universality.[29]

4. Thesis scope and justification

My thesis will be limited in scope in the following two ways: firstly, the kind of views that will be evaluated and secondly, I will be focusing on individual metaethical theories rather than positions in general.

Firstly, my thesis scope is restricted to moral cognitivism: The kind of metaethical theories that I evaluate endorse some form of moral cognitivism, according to which moral claims at least can be factual ones which could be either true or false. The main reason for this limitation is that non-cognitivist theories tend not to, at least explicitly, aim to capture moral universality. The aim for at least some expressivists, for example, is to provide an account for the nature of moral language. That when we make claims such as x is wrong, this phenomenon is non-cognitivist in nature such that moral claims are not factual statements which could be true or false but rather a statement which expresses a particular attitude or behaviour. Before providing a theory of normative judgment, Gibbard makes the following quite clear:

> "In this book I ask about Socrates' quest. To ponder how to live, to reason about how to live, is in effect to ask what kind of life it is rational to live. I offer no special answer to this question; my first worry is what the question *is*. What does it mean to call an alternative

[27] Ibid p.7
[28] p.4 Enoch (2011)
[29] There is some indication that explanation is starting to be taken seriously, see: John Bengson, Terence Cuneo, and Russ Shafer-Landau, 'The Source of Normativity', *Mind* 132, no. 527 (1 July 2023): 706–29.

> rational, or another rational? That is the puzzle of the book, and my hope is that from working on it, we can learn things worth learning about ourselves and our questions."[30]

Putting hybrid theories to one side, that is theories which attempt to infuse a non-cognitivist theory with propositional content.[31] I understand the primary aim of a non-hybrid and non-cognitivist theories such as expressivism is to provide an account of moral discourse and if there is a non-cognitivist account of moral discourse then that would have already placed a verdict on moral universality: since moral claims are not factual, it is not the aim of moral discourse to capture moral universality.[32]

There is at least one obvious exception, however, that is the case of quasi-realism which explicitly aims to explain realist commitments without any metaphysical commitment. Consider Blackburn's aim when discussing a quasi-realist project:

> "My idea was to domesticate these high-sounding thoughts. Brought down to earth, the question is whether the anti-realist can make sense of thoughts like ' I would like to know whether bullfighting is wrong', or ' I believe that bullfighting is wrong, but I might be wrong about that', or 'Bullfighting would be wrong whatever I or anyone else thought about it'— claims asserting our concern to get things right, our fallibility, and some independence of the ethical from what we actually feel."[33]

It is an open question then whether the quasi-realist can fulfil the requirements to capture moral universality just as whether a contemporary moral realist theory can. Since I do not defend moral realism in this thesis, I think it would be premature to reject quasi-realism. In the same vein, though I do not think that the moral can be naturalised, it is not a claim that I defend in this thesis. Though my thesis is that moral universality requires the support of ontology, capturing universality still requires an explanation from the quasi and moral realist alike. What I will note here is that the very attempt to provide a quasi-realist theory validates the importance of capturing at least some aspects of moral universality.

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[30] p.4 Allan Gibbard, *Wise Choices, Apt Feelings: A Theory of Normative Judgment* (Cambridge, MA: Harvard University Press, 1992).

[31] For an overview of such attempts see: Guy Fletcher and Michael R. Ridge, eds., *Having It Both Ways: Hybrid Theories and Modern Metaethics* (New York: Oxford University Press, 2014).
And for such an attempt, see: Michael Ridge, *Impassioned Belief* (Oxford University Press, 2014).

[32] Nonetheless, universality still matters to the non-cognitivist such as Gibbard who has attempted to explain some realist claims via expressivism. p.62-63. Allan Gibbard, *Thinking How to Live* (Cambridge, Mass.: Harvard University Press, 2003).

[33] p.4 Simon Blackburn, *Essays in Quasi-Realism* (Cary, UNITED STATES: Oxford University Press, Incorporated, 1993).

The second way in which the scope of my thesis is limited is that it focuses on individual metaethical theories rather than type of theories. For example, one of my thesis chapters evaluates Schroeder's Hypotheticalism[34] according to which we can capture moral reasons via desires. Despite the novelty of this view, it is not the only attempt to capture moral reasons through desires, indeed another of my chapters evaluates Markovits' attempts to do just this.[35] However, despite that both Schroeder and Markovits argue that moral reasons can be captured through desires, as you will see, their argumentative strategies differ significantly. As such, an argument which simultaneously targets both views will struggle to engage with the details of the metaethical theories on offer. What this limitation means is that my arguments will be tailored to the metaethical theory in question and as such, I will not simply be arguing against such theories but evaluating them in their own light.

There is a linking thread, however, in the evaluation of the metaethical theories that I consider in that all attempt to capture moral universality and fundamentally, they are not successful precisely for the same reason. All the theories in question do not endorse the mind-independence of moral reasons or what the mind-independence of moral reasons requires. The linking thread is based on what moral universality requires and the pervasive theme regarding what is required to hold a social deviant morally accountable to any transgression of moral norms. Of course, a social deviant can simply be imprisoned one would think but that is not providing an argument as to how we can capture moral universality in such a way that we can say that even the social deviant has moral reasons. Still, though I argue that moral universality requires mind-independence with the support of ontology, that does not explain why metaethical theories which do claim to capture moral universality without such a thesis are not successful. To rely on any master-argument, for example, would be begging the question without engaging in metaethical theories that aim to capturing moral universality without mind-independence with the support of ontology. Again, this explains why my thesis is limited in scope to addressing individual metaethical theories which attempt to capture moral universality. At best, a master-argument based on how to bind a social deviant to moral norms would be a challenge rather than an objection. An objection assumes that there is some problem with the target theory whereas a challenge invites the target theory for something to explain. In any case, a master-argument in favour of a particular view would itself require a positive metaethical theory to refer to and since I do not include such a view in this thesis, I do not develop a general argument in favour for the universality of moral reasons.

[34] Mark Schroeder, *Slaves of the Passions* (Oxford: Oxford University Press, 2007).
[35] Julia Markovits, *Moral Reason*, Oxford Philosophical Monographs (Oxford: Oxford University Press, 2014).

The selection of metaethical theories have been chosen on the basis of familiarity, concision, variety and currentness. I now present my reasons for choosing the metaethical theories that I do and will mention authors who I've come across but decided not to evaluative. For example, when looking at non-ontological moral cognitivism, I decided not to include a chapter on Parfit[36] because I felt that Parfit's view was at least similar to Scanlon's[37] in that both advance a non-ontological moral cognitivism and yet claim mind-independence. However, out of the two, I don't think it's controversial to say that Scanlon is clearer and easier to interpret than Parfit. Some have argued against both Scanlon and Parfit together[38], but I think that is a mistake because an in-depth illustration of their views shows that despite their similarity, there is a difference in their views. Likewise, I acknowledge Skorupski's attempts[39] to provide a non-ontological view which I chose not to evaluate mainly because of the limited secondary literature on his work when compared to Scanlon's. When it comes to Schroeder, I think the ingenuity of his Hypotheticalism and the striking aim to capture moral universality via desires is one that warrants attention which is evident by the amount of secondary literature which discusses his theory. I was tempted to look at Korsgaard's metaethical theory of Kantian constructivism[40], but it had occurred to me that it is similar to a much more recent attempt made by Markovits who compellingly combines internalism and a Kantian view which made it a clearer option out of the two.

5. Thesis layout

Despite there being an intentional structure to the thesis, each chapter can be read independently. However, reading the thesis as a whole and in the order that they are presented will provide the most fulfilling reading experience. What ties all the chapters together is the chief aim to evaluate metaethical theories which attempt to capture moral universality with the linking thread being that each theory is not successful because the mind-independence of moral reasons has not been explained or vindicated. There are two chapters on Scanlon in order to accommodate the extensive secondary literature that discusses his view. That being said, here is the layout of the chapters and a short description of each:

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[36] Derek Parfit, *On What Matters: Volume Two* (Oxford University Press, 2011).
[37] Scanlon (2014)
[38] See Herman Veluwenkamp, 'Parfit's and Scanlon's Non-Metaphysical Moral Realism as Alethic Pluralism', *Ethical Theory and Moral Practice* 20, no. 4 (2017): 751–61.
[39] John Skorupski, *The Domain of Reasons* (Oxford University Press, 2010).
[40] Christine M. Korsgaard, *The Sources of Normativity* (Cambridge: Cambridge University Press, 1996).

- **Chapter 1: Normative Domains vindicating Normative Truths.**

The first chapter illustrates Scanlon's domain view according to which normative truths are particular to a normative domain which is responsible for positing what normative truths there are. According to Scanlon, nothing exists in a general sense and as such normative truths do not have ontological implications. I evaluate secondary literature on Scanlon's domain view and argue that contrary to sceptics, Scanlon can capture realist intuitions because he maintains that normative truths are metaphysically necessary.

- **Chapter 2: Metaphysical Indeterminacy and Moral Relativism.**

In this chapter I argue that Scanlon's domain view results in metaphysical indeterminacy because the view cannot explain or vindicate metaphysical disagreement. Such can be seen in disagreement regarding the existence of God or between religions. The sheer disagreement between religions coupled with metaphysical indeterminacy leads to a religious-relativism whereby any given religion may or may not be true. The problem for Scanlon is that metaphysical indeterminacy leads to relativist implications for morality because if a moral discourse is contingent to a particular religious domain and since we cannot vindicate which religions are correct, the domain view yields moral relativism in those cases and thus failing to capture moral universality.

- **Chapter 3: Capturing Moral Reasons through desires.**

In this chapter I argue that Schroeder's Hypotheticalism falls short in satisfying common-sense intuitions regarding moral reasons and as such fails to capture moral universality. After presenting Hypotheticalism, I focus on two problems which focus on two different parts of Hypotheticalism. The first is the 'problem of agent-neutrality' which questions the weight of moral reasons and the second is the 'problem of isolated desires' which questions how moral reasons are captured. Though both problems can be overcome, I show that they lead to a final problem of the 'Right Kind of Reasons'. I establish a novel objection that Hypotheticalism is not able to capture the Right Kind of Reasons according to conventional morality because according to Hypotheticalism, even moral reasons will always be rooted in self-interest due to reasons always being explained by desires.

- **Chapter 4: Procedural Rationality and Morality.**

Markovits aims to capture universal moral reasons through the formula of humanity, which is to respect the capacity of rational choice of others by treating others as an end and not a mere means. Markovits argues that the formula of humanity can be accounted for by procedural rationality. I argue that procedural rationality alone cannot capture the formula of humanity. According to a thin conception of procedural rationality, what is procedurally rational, can be limited to an agent's

coherent set of reasons which can involve valuing their own humanity without valuing the humanity of others. It is possible then, to fulfil the necessary and sufficient conditions for procedural rationality, while contradicting the formula of humanity. However, if the necessary and sufficient conditions for procedural rationality have been fulfilled then any violation of the formula of humanity cannot be accounted for by procedural irrationality.

- **Conclusion**

My conclusion is focused on what can be drawn from the thesis as whole, specifically I attempt to establish the extent to which a more general master-argument can be derived from the thesis chapters.

Chapter 1: Normative Domains Vindicating Normative Truths

One central debate in metaethics concerns whether cognitivism, the view that normative claims are truth-apt, require ontological support to vindicate normative truths.[41] According to Scanlon, normative truths do not have ontological implications because nothing exists above and beyond the domain in which they belong.[42] The claim that I am contesting in this chapter is whether arguments from the literature that are focused on whether Scanlon can capture realist intuitions without ontological support are successful. I argue that Scanlon can capture those realist intuitions because he can explain why normative reasons are independent of agents which is explained by Scanlon's endorsement that normative truths are metaphysically necessary[43], the view that there is no possible world where normative truths could be false.

1. Non-ontological views

Scanlon is not the only proponent of a non-ontological view when it comes to vindicating normative truths.[44] Before I illustrate Scanlon's domain view in depth, I would like to briefly highlight secondary literature which targets such non-ontological views, particularly Parfit's, that I do not have space to discuss at length in this chapter.[45] The secondary literature begins with the assumption that non-ontological views aim to avoid the argument from queerness with their respective positions. At its most basic, the argument from queerness says that for there to be normative truths, they would be

[41] I will call proponents of the view that normative truths do not have ontological implications and that realist intuitions do not require ontological support, non-ontological realists. In contrast, robust realists who think that normative truths do indeed have ontological implications and that realist intuitions require ontological support.

[42] p.883 Thomas Scanlon, 'Normative Realism and Ontology: Reply to Clarke-Doane, Rosen, and Enoch and McPherson', *Canadian Journal of Philosophy* 47, no. 6 (2017): 877–97.

[43] Ibid. p.895

[44] As examples there are:
Parfit, *On What Matters: Volume Two*.
Ronald Dworkin, *Justice for Hedgehogs* (Belknap Press of Harvard University Press, 2011).
Skorupski, *The Domain of Reasons*.
Matthew H. Kramer, *Moral Realism as a Moral Doctrine* (Malden, MA: Wiley-Blackwell, 2009).
Thomas Nagel, *The Last Word* (Oxford: Oxford University Press, 1997).

[45] For a general criticism of a non-ontological view see: Sarah McGrath, 'Relax? Don't Do It! Why Moral Realism Won't Come Cheap', in *Oxford Studies in Metaethics, Volume 9*, ed. Russ Shafer-Landau (Oxford University Press, 2014), 0.

a strange kind.[46] However, the consensus[47] amongst the secondary literature is that capturing realist intuitions and without endorsing ontological support leads to unintended consequences such that normative truths on non-ontological accounts will inevitably be perceived as queer from a scientific worldview. Queer in this context is any deviation from the normal phenomena of science, the physical. This result is not troubling in itself, but it is troubling if the non-ontological view in general, rests on the hope that it can avoid accusations of queerness in any shape or form.

According to Parfit's non-metaphysical cognitivism:

> "(V) There are some claims that are irreducibly normative in the reason-involving sense and are in the strongest sense true. But these truths have no ontological implications. For such claims to be true, these reason-involving properties need not exist either as natural properties in the spatio-temporal world, or in some non-spatio-temporal part of reality."[48]

Parfit has come under attack from a robust perspective concerning what such normative truths mean for moral propositions. As Niederbacher writes:

> "Not all true moral propositions are true necessarily. There are also contingently true moral propositions. Whenever we claim that a particular action is morally good, bad, obligatory, and so forth, such a claim would, if it were true, not necessarily be true."[49]

Similarly, Mintz-Woo argues that from a Platonist perspective, Parfit's empty ontology can either go two ways, the absence of any truths or one with ontology.[50] Indeed, if the ontology is empty then the central question which is at stake becomes how Parfit can capture the universality of normative reasons. As Mintz-Woo writes:

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[46] Mackie, *Ethics : Inventing Right and Wrong*.

[47] The consensus is at least among the following:
William J. FitzPatrick, 'Ontology for an Uncompromising Ethical Realism', *Topoi* 37, no. 4 (2016): 537–47.
Jussi Suikkanen, 'Non-Realist Cognitivism, Truth and Objectivity', *Acta Analytica* 32, no. 2 (2017): 193–212.
Georg Gasser, 'Normative Objectivity Without Ontological Commitments?', *Topoi* 37, no. 4 (2018): 561–70.
Kian Mintz-Woo, 'On Parfit's Ontology', *Canadian Journal of Philosophy* 48, no. 5 (2018): 707–25.
Krister Bykvist and Jonas Olson, 'What Matters in Metaethics', *Analysis* 79, no. 2 (2019): 341–49.

[48] p.486 Parfit (2011)

[49] p.557 Bruno Niederbacher, 'An Ontological Sketch for Robust Non-Reductive Realists', *Topoi* 37, no. 4 (2018): 549–59.

[50] p.716 Mintz-Woo (2018)

> "In this context, the primary metaethical concern is that, if normative truths are not in any way part of reality, then it is difficult to imagine that they could satisfy the conditions that Parfit desires, such as mind-independence and objectivity"[51].

What is left in the absence of ontology is a view which emphasises a substantial notion of normative truths. Suikkanen argues that the only conception of truth available for non-ontological cognitivist's is *primitivism* according to which Parfit would have to maintain that normative truths are unanalysable and undefinable concepts just as Parfit maintains normative reasons are. There does not seem to be anything incoherent about this view but as Suikkanen shows it makes the primary advantage to prefer a non-ontological view over an ontological one redundant:

> "However, now it seems likely that non-realist cognitivists are committed to an equally queer property of truth that is equally incompatible with the scientific world view. This would mean that the non-realist cognitivists' own argument against metaphysical non-naturalism applies against their own view, and so, we have not been offered any reason to prefer nonrealist cognitivism over metaphysical non-naturalism"[52]

The same sentiments have been built on further[53]: Gasser argues that Parfit must maintain a substantial theory of truth which might be everything Parfit wishes but normative reasons would still inevitably be queer:

> "If non-metaphysical cognitivism was meant to be less queer than non-naturalistic moral realism supposedly is, then we might wonder whether the appeal to primitivism about normative truth succeeds at this aim. The claim that normative statements are true in virtue of irreducibly normative properties is comprehensible, even if it conflicts with our other knowledge about the world and must consequently be rejected. Primitivism about truth, however, is hardly even comprehensible to begin with. It has queerness written all over it."[54]

FitzPatrick similarly writes:

> "What the non-metaphysical view asks us to accept is that there are these irreducibly evaluative or normative properties and facts but that they are no part of reality, instead floating free of the world even as they are about worldly things..".[55]

[51] Ibid p.717.
[52] p.208 Suikkanen (2017)
[53] The view that a deflationary theory of truth among other possible theories of truth available have dire consequences for Parfit can also be seen in Mintz-Woo (2018)
[54] p.565 Gasser (2018)
[55] p.541 FitzPatrick (2018)

In this very brief illustration of secondary literature on Parfit's non-ontological view, the charge is quite clear, if the point of a non-ontological view is to have avoided queerness, then such a view is mistaken because accusations of queerness are nevertheless still there. When it comes to Scanlon, he does indeed claim that his view avoids accusations of queerness. Before we explore Scanlon's domain view, it is important to establish what motivates it. Scanlon develops his view when discussing and responding to what he considers traditional metaphysical objections. Namely the objection that irreducible normative truths commit us to entities which are incompatible with a scientific view of the world. Scanlon interprets Mackie among others to be positing an ontological objection that the idea of irreducible normative truths has implications which is incompatible with 'what there is':

> "An ontological objection to normative truths depends on some restrictive view of this kind. Mackie's objection seems to be based on the view that all of our ontological commitments must be understood as claims about what exists in the physical world of space and time. This world is the "universe" that he has in mind when he says that objective values would involve entities, qualities, or relations "different from anything else in the universe." The same assumption lies behind the frequently-heard charge that the idea that there are irreducibly normative truths is incompatible with a scientific view of the world. This idea, that our ontological commitments should be restricted to things in the physical world of particles and planets that is described by science, may strike many as a sensible naturalism. But it is an idea we should not accept."[56]

As we shall see, the way out for Scanlon is to posit a non-ontological view which on his account, is avoiding a queerness objection interpreted as an ontological one. Whether a queerness argument can still be issued against Scanlon is still an open-question. In any case, since my argument in the next chapter will not be related to accusations of queerness, any discussion of this will be limited.

2. Scanlon's Domain view of Normative Truths

Scanlon defends cognitivism regarding normative reasons and in particular, reasons for action. Moral reasons on this view are simply a particular kind of normative reason. The nature of such normative truths is that they are fundamental:

[56] p.17 Scanlon, *Being Realistic about Reasons*.

> "I will maintain that truths about reasons are fundamental in the sense that truths about reasons are not reducible to or identifiable with non-normative truths, such as truths about the natural world of physical objects, causes and effects…."[57]

In my illustration of Scanlon's view, I am focused on how Scanlon supports his view for normative truths and not on why he thinks that normative truths are irreducible. Still, it is important to highlight that Scanlon does indeed reject any naturalist reduction of normative truths. Before moving on to how Scanlon supports normative truths, we must consider what kind of objectivity Scanlon is aiming to establish.

According to Scanlon, objectivity in regard to what reasons we have is captured by judgments that are judgment-independent and choice-independent.[58] Normative truths are independent of us because we can be mistaken about what reasons we have. For example, just as we may be mistaken in our mathematical calculations, the correct mathematical answers will be judgment-independent. In the same way, normative truths are judgment-independent because such truths do not depend on our judgments about them. Yet, Scanlon acknowledges that such independence can also be captured even by establishing a make-believe game in which its rules are nevertheless independent of what we may mistakenly judge them to be. Such objectivity might fulfil our intuitions regarding social norms where we implicitly recognise that there is some choice in what social norms that we participate in. However, Scanlon also thinks that normative judgments are choice-independent, which is to say that "the standards for assessing such judgments do not depend on what we, collectively, have done, chosen, or adopted, and would not be different had we done, chosen, or adopted something else."[59]

Still, the rules of chess, for example, can also be choice-independent because even though you can choose not to play chess, the rules that are constitutive of playing chess are nevertheless still there and are collectively upheld by those who play chess. We might ask, are such normative reasons capturing the kind of objectivity we expect from moral reasons, for example? Unlike chess, moral reasons can be said to be choice-independent in a more robust sense: on some realist views, unlike the rules of chess, the rules of morality are never created or established by agents. Choice-independence is particularly illuminating because it also sheds light on Scanlon's claim that normative truths are metaphysically necessary which we will discuss in section 4. In any case,

[57] Ibid p.2
[58] Ibid p.97
[59] Ibid p.94

Scanlon is indeed aiming to vindicate a strong form of objectivity in regard to what normative reasons we have.

If normative truths are like mathematical truths in that the correctness of what reasons we have is independent of us, according to what standard are reasons correct or incorrect? Scanlon's answer is simply that the standard to which reasons are either correct or incorrect is a normative standard and the question of what settles and establishes such standards belongs in the normative domain.[60] A domain is to be understood as a subject-matter. To ask what the standard for correctness in regard to what reasons we have are, is a first-order normative question which belongs in normative ethics. Scanlon's answer to that question is contractualist according to which the general principle of whether an action is morally permissible is to ask whether permitting the action is one which anyone could reasonably reject.[61] Though we will not be evaluating Scanlon's contractualist principle here, it is important to highlight what Scanlon's view is to make sense of his view as a whole.

What motivates Scanlon to develop his domain view is a response to perceived metaphysical objections: the objection that irreducible normative truths commit us to entities which are incompatible with science. Scanlon interprets Mackie among others to be positing an ontological objection: irreducible normative truths have implications which are incompatible with 'what there is' in the physical world and therefore is prone to the queerness of normative truths.[62] As such, Scanlon's domain view emerges as a response from a perceived ontological objection that normative truths are incompatible with what he takes to be the domain of science, the physical world.

On one hand, Scanlon defiantly says that the criterion of existence should not be determined by the physical world[63] and yet on the other hand, acknowledges that science can indeed have priority when a domain does come into conflict with the physical domain.[64] According to Scanlon, it does not make sense to question whether the content of certain subject matters exist in the physical world. Take numbers for example, it would be odd to say that numbers exist in the physical world just as mountains and people do: there is, at the very least, a need for explanation to make any sense of what it means for numbers to exist in the physical world. Likewise, it is intuitive for Scanlon that science has some priority over its own domain which is the physical domain. At the very least, science does help us to understand and navigate the physical world.

[60] Ibid p.19
[61] Ibid p.96
[62] Ibid p.17
[63] Ibid p.18
[64] Ibid p.22

Scanlon's answer to the ontological objection is simply to deny that normative truths have any ontological implications ordinarily understood. As such, the normative domain does not involve claims that would come into conflict with the physical domain. On the domain view, we can imagine numerous domains such as the mathematical, physical, and normative. There are true and false statements involved in a given domain and what settles questions about that domain will be from within the domain itself. There are principles which govern a domain but the particular reasoning within a domain such as reflective equilibrium, which involves taking a judgment we take to be correct and then forming a general principle which can account for that judgment[65], can lead to internal changes to principles within a domain. For example, reasoning about what is right and wrong may lead us to change which moral principles we should accept. However, such questions are within and to be settled in the normative domain.[66]

Scanlon's domain view brings about many questions, regarding not just the normative domain but domains in general.[67] In a reply to critics, Scanlon provides vital clarification over his domain view. He invites us to consider the following:

> "Is there a prime number between 17 and 23? Yes, 19 is a prime number greater than 17 and less than 23. I can settle this by doing some multiplication, establishing that there are no two numbers smaller than 19 that, when multiplied together, yield 19. This entirely settles the question whether there exists such a prime number. The existence of such a number is merely a matter of the arithmetic relations between it and certain other numbers."[68]

The example above does not settle a question of existence in some general sense because the arithmetical correctness does not settle the question of the existence of numbers which a platonist and fictionalist about mathematics disagree on. The platonist contends that numbers exist in some general sense and the fictionalist disagrees but where both agree is that the arithmetic example presupposes the existence of numbers in some general sense, fictional or not. However, rather than presupposing the general existence of numbers, Scanlon thinks that both the platonist and the fictionalist are mistaken about what is being presupposed because there is not a meaningful sense a fictionalist can deny that numbers exist and the platonist affirm that numbers do exist. For there to be a general sense in which numbers exist they must have content, but any meaningful content is

[65] Scanlon adopts a Rawlsian view, see Ibid p.77
[66] Ibid p.20
[67] It has been argued that Scanlon cannot explain how specific moral facts can be determined by general facts. However, this ignores that Scanlon can explain general moral facts via specific moral facts through reflective equilibrium. In addition, that Scanlon claims normative truths a metaphysically necessary is also ignored. See: Wouter Floris Kalf, 'Quietist Metaethical Realism and Moral Determination', *Ratio* 34, no. 3 (2021): 248–56.
[68] p.877 Scanlon (2017)

already provided by arithmetic relations.[69] Scanlon agrees with Carnap then that there is no meaningful external question whether numbers exist.[70]

However, Scanlon claims to depart from Carnap by thinking of domains in terms of what is involved in their particular subject matter and avoiding a linguistic framework which would focus on the meaning of the words used in those subjects.[71] Scanlon acknowledges that it would be ad-hoc to say that only normative claims are settled in a normative domain and to avoid this, maintains a more general view of ontology by advocating a domain view in general.[72] According to Scanlon, reasons and numbers are abstract entities and because they are abstract, such entities are indeed prone to excess because there is an unrestricted number of domains and sub-domains. Yet, such entities are not prone to conflicts with other domains such as the physical domain. What is denied is that abstract entities such as numbers and reasons are part of a more general reality which includes the physical world but is not limited to it:

> "Abstract entities do not fail to exist in an ontological sense because they lack some property that other things have. Nothing exists in an ontological sense if existing in this sense means being part of a larger reality of the kind I have mentioned. Not even physical objects exist in this sense. Physical objects exist as part of the natural world. They do not, because of this, also exist in a further 'ontological' sense. What is involved in existing is always a purely domain-specific matter."[73]

In denying that anything exists in a broader metaphysical reality, Scanlon is not denying that there is a subject of ontology but rather that questions of ontology and metaphysics more generally are domain-specific. Each domain internally establishes what its fundamental entities are and what is required within that given domain. Scanlon acknowledges that it is puzzling to say that numbers exist in a non-ontological sense[74] but can be understood as the view that numbers exist in the domain of mathematics without existing in any broader metaphysical reality.[75] There are different ways of existing and the ways in which entities exist will depend on the domain in which the said entity belongs. Reasons and numbers do exist, but this existence claim is domain specific because there is no way in which *any* entity can exist more generally.

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[69] Ibid p.879
[70] Carnap calls assertations of existence in some general sense 'pseudo-statements'. p.38 Harold Morick, *Challenges to Empiricism* (Belmont, Calif., Wadsworth Pub. Co., 1972).
[71] Ibid p.29-36
[72] p.880 Scanlon (2017)
[73] Ibid p.883
[74] This is a claim made by Parfit p.481 Parfit (2011)
[75] p.885 Scanlon (2017)

Given my illustration of Scanlon's domain view, Scanlon is not simply a 'quietist' because he thinks that normative reasons are not required to exist in some general sense, rather Scanlon is quite explicit that *nothing* exists in a general sense. However, perhaps strikingly, entities do indeed exist within whatever domain they may be located in. I think Scanlon has successfully answered his perceived ontological objection to irreducible normative truths: To say that normative reasons exist, even ontologically, is not to come into any conflict with science because questions of ontology are to be determined by the domain in question. And since there is no broader way in which anything can exist above and beyond a given domain, there simply can be no conflict or disagreement between normative and scientific domains regarding irreducible normative truths which are abstract since science only has jurisdiction over the physical domain.

3. Autonomous domains and creating reasons out of thin air

Scanlon's domain view has received a wide response, and the linking thread is that it has not been entirely clear what the implications of the view are.[76] Scanlon's clarifications have gone some way to fill those gaps, but further questions remain. I will now continue to elaborate Scanlon's domain view while considering objections in the literature which I will argue are now dampened given the resources and explanation Scanlon has most recently laid bare. The overarching aim is to establish what the implications of Scanlon's view actually are.

One question regarding Scanlon's domain view is what of mixed-claims that span across multiple domains. According to Scanlon, there are mixed statements which are claims that involve more than one domain, in which case the truth value of such a statement cannot be determined by one domain.[77] Normative claims that involve the physical world would be an example of mixed statements because they involve not just the normative but also scientific domain. For example, the claim that it is wrong to boil lobsters alive because they would be in agony. Whether lobsters feel pain is an empirical question to be determined by the domain of biology perhaps and that the pain lobsters experience makes boiling them alive wrong is a moral claim to be determined by the normative domain.[78] Scanlon does not deny that mixed-normative statements can come into conflict

[76] See especially David Enoch and Tristram McPherson, 'What Do You Mean "This Isn't the Question"?', *Canadian Journal of Philosophy* 47, no. 6 (2017): 820–40.
[77] p.21 Scanlon (2014)
[78] I credit Philip Stratton-Lake for this example.

with the physical domain and acknowledges that ascertaining the natural facts can also determine what the normative facts of a given situation are.

Only what Scanlon calls pure statements can have truth values which are settled within particular domains:

> "These are claims that have been 'purified' by eliminating any dependence on non-normative, or non-mathematical claims. In the case of normative claims of the form R(p, x, c, a) it involves eliminating dependence on whether p is in fact the case and whether the agent is in fact in circumstances c, by shifting to: Were it to be the case that p and that x is in circumstances c, then p would be a reason for x to do a.' So it would seem that pure claims, by definition, have no dependence on truths about other domains (or at least not about the natural world.)"[79]

It can be questioned whether there are any pure normative claims at all.[80] Most normative claims are mixed claims that involve the natural world because when we say that an agent has a normative reason, that reason is often in relation to something in the world such as the normative reason to not litter. In any case, normative truths at least can be purely normative even if limited to the disjunction above. Since we are ultimately interested in pure normative claims, I will be talking of normative truths much more than normative reasons.

Scanlon acknowledges that at least some domains are not autonomous and there might be domains which come into conflict:

> "this domain-centred view does not hold that first-order domains are entirely autonomous, and that nothing beyond the (evolving) standards of a domain can be relevant to the truth of statements within it."[81]

Even pure statements in one domain can still entail particular truths within another domain. For example, the principle that all physical events must have a physical cause might be a pure statement according to the domain of science which entails truths on any domains that may involve non-physical entities. When this conflict occurs, either they can be reconciled, or one might be abandoned. For example, if there is a superstitious belief that seems to contradict science then the said belief can attempt to reconcile the superstition within the domain of science. Yet, Scanlon maintains that if such claims do indeed conflict, then this conflict provides a decisive reason to reject

[79] p. 884 Scanlon (2017)
[80] James Lenman, 'Book Review: Being Realistic about Reasons', *Economics and Philosophy* 32, no. 1 (March 2016): 143–49.
[81] p.21 Scanlon (2014)

the belief that comes into conflict with the empirical sciences. However, the fact that science has some priority in cases of conflicting beliefs does not mean that science necessarily has priority more generally. Rather, if the physical domain belongs to science, then science will have some jurisdiction over what can be said to exist in the physical domain. It is important to understand that Scanlon is required to make this move because if domains are *entirely* autonomous, it should not matter to Scanlon if normative truths are considered queer, that is, an entity which does not fit in a scientific view of the world. However, Scanlon accepts that if normative truths were to somehow exist above and beyond the normative domain then that would indeed be queer.

Accepting the above, however, does not stop domains from being autonomous in their own right. Domains are autonomous to the extent they can decide and determine what exists within their own domain. There are implications brought out by the literature that can be dealt with in light of a greater understanding of what Scanlon's domain view involves such as how to make sense of fictional domains.[82] Consider the following by Enoch and McPherson:

> "But suppose that we have an adequately regimented way of thinking about magical elves, understood as existing in a wholly causally isolated partition of the universe. On the liberal interpretation of Scanlon's view, it seems that these conditions entail that it is true that the elves exist. But this would not be good news for Scanlon. Accepting such magical elves into one's ontology strikes us as hard to swallow, to put it mildly. And that makes it hard for us to believe that there are no domain-independent constraints that restrict the scope of what it is reasonable to believe exists, and indeed, of what exists."[83]

As mentioned, Scanlon accepts a profusion of domains and asking whether a domain of elves exists is not a problem for Scanlon to also accept but this should not be difficult for anyone to swallow if understood correctly. It does not follow that elves exist even if there is regimented way of talking about them, only a reason to believe that elves exist and that is only because there is no reason to the contrary. Enoch and McPherson are careful to maintain that the elves are causally isolated, meaning that the domain of elves would not come into conflict with the domain of science. However, there is a very good reason on the contrary to believing that elves exist because causally isolated or not, elves are still said to exist within the physical world which Scanlon takes to be the domain of science.

[82] John Skorupski, 'Being Realistic About Reasons, by T. M. Scanlon. Oxford: Oxford University Press, 2014.', *European Journal of Philosophy* 23, no. S2 (2015): e8–12.
[83] p.825 Enoch & McPherson (2017)

Scanlon has replied by saying that elves existing in a causally isolated portion of the universe is ambiguous.[84] If the elves did have a spatial location in the universe, then that would indeed make them a part of the physical world and so the existence of elves does seem to be in conflict with the domain of science. Enoch and McPherson mention 'magical' elves presumably meaning that the elves at least potentially have the ability to do magical things. So even if the elves are causally isolated, to claim that Elves who are magical exist in the physical world does not only involve the domain of elves but is rather a mixed claim and so also involves the domain of science. By merely existing in the physical world and even without 'doing' anything, any being is part of the causal world and therefore within the domain of science. Now, Enoch and McPherson may dispute that the physical world is the domain of science but an argument for that claim would not be targeting Scanlon but taking on a much broader view which only takes us off on a tangent. In short, elves capable of magic implies that they have non-physical attributes such as creating entities out of thin air and so to argue that such is possible, one would first need to argue that physicalism, the view that everything is reducible to the physical, is false.[85] If the elves are not magical then I think the force of the example is lost because the absurdity of magical elves existing is no longer there.

Simply having a regimented way of talking about elves does not allow them to exist unless we are talking about a domain of fiction which Scanlon accepts that there is. Indeed, if elves exist in the domain of fiction and since nothing exists above and beyond a given domain, there are no ontological implications to be worried about. Now, if one were to say that elves do not exist in the domain of fiction but in 'real life' then we will have a conflict with what is permitted to exist in the physical domain. Therefore, the domain of elves would no longer be an autonomous one and the belief in elves would either need to be reconciled with science or be relinquished as a matter of consistency regarding mixed-claims which involve more than one domain.

Putting fictional domains to one side, Wodak has argued that if domains are only required to be internally consistent and not conflict with other domains then it is possible to establish a domain of reasons, such as a form of etiquette, whereby we create reasons out of thin air. In this case, reasons turn out to be a conventional phenomenon.[86] Wodak argues that if it is possible to establish a domain of reasons to X that conflicts with moral reasons to Y then it is not clear why the reasons to X which are created out of thin air are superseded by moral reasons to Y.[87] In any case, it is

[84] Footnote 4, Scanlon (2017)
[85] p.1 Andreas Elpidorou, 'Introduction: The Character of Physicalism', *Topoi* 37, no. 3 (1 September 2018): 435–55.
[86] P.2800 Daniel Wodak, 'Why Realists Must Reject Normative Quietism', *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition* 174, no. 11 (2017): 2795–2817.
[87] Ibid p.2806

nevertheless possible to establish a domain of reasons which does not come into conflict with the normative domain. Take an established and newly formed social etiquette with its own rules and behaviours for example.

Creating reasons out of thin air is not necessarily a problem, either for Scanlon or more generally. Scanlon acknowledges that there can be a profusion of domains, so it is certainly possible for there to be a sub-domain of the normative which establishes new reasons. Imagine that I create a game, and in this game, there are rules and if I am playing this game, then I clearly have a reason to obey these rules. In creating the game (G) I have also created reasons to follow rules X, Y and Z. Reasons X, Y and Z have certainly been created out of thin air, but having created these reasons out of thin air itself is not a problem. I would certainly not have had the normative reasons to follow rules X, Y and Z prior to creating the game nor would those specific reasons even exist for anyone prior to me creating the game. It was the game or, rather myself because I created the game, which created the normative reasons out of thin air. Likewise, it is conceivable and intuitive that one day in the future, there *will* be new forms of social etiquette which seemingly create reasons out of thin air. Contrary to Wodak, it seems that any theory about reasons should be able to vindicate how reasons at least can be a conventional phenomenon because this reflects human social and living reality.

Wodak might reply by saying that if we accept that reasons can be a conventional phenomenon then we are accepting a kind of relativism which threatens Scanlon's attempt to capture objectivity. Yet, this reply is an overstatement. Even if reasons can be a conventional phenomenon that does not mean that *all* reasons must be a conventional phenomenon. As I mentioned, it is a merit of a theory if it can vindicate that sometimes it is indeed possible to create reasons out of thin air, such as in the case of creating a game for example. However, the view that such reasons are a conventional phenomenon is still compatible with the view that some reasons are not. For example, a theory of reasons can say that moral reasons are mind-independent and do not depend on creation while still allowing for the sensible view that some reasons simply are a conventional phenomenon as in the case of etiquette.

What then is Wodak actually arguing for? Wodak, of course, has a deeper worry in mind. After all, Wodak's argument is that a realist should reject Scanlon's view and that Scanlon's commitment to mind-independence means that Scanlon cannot vindicate his own realist commitments about reasons.[88] Though Wodak surprisingly does not spell it out, his argument against Scanlon seems to rest on the idea that Scanlon's domain view does not yield independent conditions which can verify the correctness of reasons. If reasons are created out of thin air and reasons are a conventional

[88] Ibid p.2815

phenomenon then this would apply to moral reasons too, for example. Yet, Wodak does not succeed in finding a point of purchase against Scanlon simply on the view that reasons can be created out of thin air. However, Wodak does touch upon a separate issue which concerns how Scanlon can vindicate that there can be a correct answer in light of disagreement or conflict between two equally coherent systems of values which provide contrasting reasons for action.

4. Normative and moral disagreement

Narrowing in on the objection of normative disagreement concerns what would differentiate two sets of normative reasons that oppose each other. Enoch and McPherson invite us to imagine a situation where there are two distinct communities which have established domains of 'reasons' and 'schmeasons' respectively.[89] The objection is that Scanlon has no way to account as to how we can determine that the community who believe in 'schmeasons' are mistaken.

Scanlon has replied to this objection by saying that there is nothing more the robust realist, one who does take normative reasons to exist above and beyond the normative domain, can say more. If each community are making claims about what they are taking to be reasons, then they are at least agreeing about the subject matter, the normative domain. Indeed, for there to be genuine disagreement between two communities who disagree on what reasons we have, they must agree on what the reasons actually are even if they use different names. If both communities have each established an internally coherent system of reasons, one community could nevertheless still be mistaken under reflective equilibrium. For example, perhaps one of the communities can come to realise that their starting points were mistaken. While, if each of the community's path to equilibrium is equally sound, Scanlon writes:

> "… this would support the conclusion that there is no fact of the matter about the claims on which they disagree. This possibility is the same on my view and on the more 'robust' view that Enoch and McPherson call Modest. On the latter view we would be concluding that 'normative reality' is indeterminate. But adding the word 'reality' makes no difference."

Where there is a key difference is between accepting that there is no fact of the matter and saying that the facts cannot be determined. Consider: There is no fact or truth to the matter vs There is a fact or truth to the matter but neither of us know/cannot know it. However, this is not a problem

[89] p.835 Enoch and McPherson (2017)

for Scanlon because if there is a fact of the matter which of the two communities have the correct reasons, Scanlon can say that the facts cannot be determined as opposed to saying that the facts themselves are indeterminate, which is to say that yes both communities can agree that one of them are wrong but equally agree that there is simply no way to determine which of them is correct. On this verdict, the robust realist cannot elaborate any further. Whereas, if there is no fact of the matter regarding exactly what is being disagreed upon then the correct reasons will genuinely be indeterminate in the sense that there are no facts to be determined. However, in this case, there is no genuine disagreement because the communities cannot agree on what it is that they are disagreeing about. In this case, the correct reasons will be indeterminate simply because there are no facts of the matter.

It might be argued that saying that the correct reasons will be indeterminate again leads to a kind of relativism but once again, any theory must accept that sometimes the facts simply will be indeterminate. There is a difference between saying that correct reasons are indeterminate because there are no facts of the matter and saying that *sometimes* the correct reasons are indeterminate because there are no facts of the matter. For example, let's say that I like the taste of pineapple, but you don't. I have reason to purchase pineapples because there is a fact that I like pineapple and you have a reason to not purchase pineapples because there is a fact that you don't like pineapple. In the pineapple case where liking pineapples is concerned, there are no correct reasons that unanimously apply to both of us. It is correct for me to have a reason to purchase pineapples but not for you, we each have an agent-relative reason. However, when we consider whether agents in general have a reason to purchase pineapples the correct reasons are indeterminate because there are no facts of the matter. However, there are no facts of the matter because there are no such thing as correct reasons in the pineapple case that unanimously apply to everyone. It is simply odd to say that there is an agent-neutral reason regarding liking pineapples because we think of it as a matter of individual preference. It would be a demerit for any view to claim that there are correct reasons in the pineapple case and that need not lead to any kind of relativism on a larger scale. A sensible theory of reasons should aim to vindicate that on the one hand and in some cases, such as reasons to purchase pineapples, there is potentially indeterminacy due to there being no correctness and on the other hand, in some cases such as reasons to not torture children there is no indeterminacy due to there being correctness of reasons involved.

Enoch and McPherson, like Wodak, have narrowed in on the heart of the problem at least from their realist perspective. In a strikingly similar vein, Veluwenkamp has argued that Scanlon's domain view does not capture realist intuitions but on this objection, a view of what those realist intuitions might be is identified. Veluwenkamp claims that capturing realist intuitions involves explaining:

> "*Non-perspectival mind-independence*: Normative standards are correct or incorrect, if they are, from all possible perspectives."[90]

However, when it comes to moral disagreement between two sets of moral standards, Veluwenkamp argues that Scanlon is not able to capture realist intuitions by vindicating that one set of standards are correct. Scanlon cannot vindicate moral correctness because the domain view cannot explain non-perspectival mind-independence. It is argued that since Scanlon relies on reflective equilibrium, the hope is that diverging starting points can converge and it being the case that humans could not have developed in a way in which they would have different starting points that overlap. As such, Veluwenkamp claims that Scanlon can at best hold the view that it is historically impossible that agents would have different evaluative tendencies that would result in different moral starting points that lead to different reflective equilibriums.[91] However, what Scanlon cannot explain is that it is metaphysically impossible that we had different starting points.[92] According to Veluwenkamp, capturing metaphysical necessity is what can explain non-perspectival mind-independence and in turn, realist intuitions.

Veluwenkamp invites us to imagine moral disagreement with another society, a society whose moral beliefs we find morally abhorrent such as the value of human sacrifice. In order to maintain non-perspectival mind-independence, we are required to say that this other society is mistaken in its moral beliefs. If both societies had the same moral starting points, then we might suppose it is possible that this other society has made a mistake in their normative deliberation. However, imagine now that this other society has a different evolutionary history to our own which resulted in different evaluative tendencies to our own. The problem now is that there is moral disagreement with each side having differing evaluative tendencies and each society can claim that they are right. As such, historical necessity does not sufficiently capture mind-independence because different societies from different evolutionary backgrounds will have their own normative standards without necessarily being mistaken in their normative deliberation.[93]

The problem for Scanlon according to Veluwenkamp is that the domain view cannot determine that when there is moral disagreement, one side is mistaken in a way that captures realist intuitions. More specifically, reflective equilibrium does not provide an explanation when there are diverging starting points, a criticism made by others.[94] Reflective equilibrium could work if all moral starting

[90] p.753 Veluwenkamp, 'Parfit's and Scanlon's Non-Metaphysical Moral Realism as Alethic Pluralism'.
[91] Ibid p.758
[92] The idea of fixed moral points is also argued in Terence Cuneo and Russ Shafer-Landau, 'The Moral Fixed Points: New Directions for Moral Nonnaturalism', *Philosophical Studies* 171, no. 3 (2014): 399–443.
[93] p.759 Veluwenkamp (2017)
[94] See Lenman (2016)

points are considered but this would also fail to satisfy realist intuitions according to Veluwenkamp. If we consider a much larger society with immoral beliefs, Veluwenkamp thinks that we would either have to assimilate such beliefs with ours or to weigh the strengths of moral convictions, but this implies that the strongest convictions will dictate what is morally right and wrong. Thus, applying reflective equilibrium to all starting points also fails to capture realist intuitions.[95]

I will now show how Scanlon can respond to Veluwenkamp's argument.

Veluwenkamp's overarching argument can be simplified as follows:

1) Capturing realist intuitions requires explaining non-perspectival mind-independence.
2) Capturing non-perspectival mind-independence requires explaining metaphysical necessity.
3) Scanlon cannot explain metaphysical necessity and therefore cannot explain non-perspectival mind-independence.
4) Conclusion: Scanlon fails to capture realist intuitions.

Although I think Veluwenkamp has got to the heart of what the problem the robust realist has with Scanlon's domain view, I do not think the argument is successful because all 3 premises of the argument can be questioned and dealt with on Scanlon's view, especially given Scanlon's most recent illumination.

Concerning premise 1, Scanlon sets out the kind of mind-independence which he aims to capture as illustrated in section 1. The question is whether Scanlon's notion of judgment and choice-independence is enough to satisfy realist intuitions. Veluwenkamp would think that it is not because the anti-realist, one who thinks that there are no mind-independent normative truths, could also account for judgments and choice-independence. After all, the point of identifying non-perspectival mind-independence for Veluwenkamp is that it rules out the anti-realist.[96] However, it should not trouble Scanlon what views can capture realist intuitions so long as those views are ultimately the incorrect ones. For example, Scanlon can acknowledge that a form of normative naturalism can capture realist intuitions but nevertheless think the view is mistaken because normative truths are irreducible.

In regard to premise 2, the claim is that metaphysical necessity will somehow vindicate correctness when there is moral disagreement and thus capture non-perspectival mind-independence. Though I don't doubt this claim, it is not especially a problem for Scanlon. It is not clear, for example, how the

[95] p.760 Veluwenkamp (2017)
[96] Ibid p.753

robust realist explains metaphysical necessity other than claiming that normative truths are metaphysically necessary. Consider again a case of moral disagreement and one which gets right to the point:

Imagine that intelligible aliens visit our galaxy and have decided to raid our earth to capture us as slaves, this is morally praiseworthy according to their religious beliefs. We have no idea of what their rational agency consists of, we only know that they are sophisticated enough to have sent an intelligible letter to us explaining that their moral duty requires them to destroy the earth and capture us humans as slaves. We humans are clearly in moral disagreement with the aliens. Our realist intuitions tell us that only one of us can be correct which Scanlon can explain because both moral claims are within the same normative domain. Despite that we humans and the aliens may have different starting points, if normative truths are metaphysically necessary then there are nevertheless correct normative reasons. The problem, however, is how to solve the disagreement. Even if we assume that moral standards are metaphysically necessary, how does that actually help disagreement? Scanlon can already explain why there can be a fact of the matter if there is a moral disagreement between us and the aliens so what is the trouble? Veluwenkamp writes:

> "In all of these cases, we would end up with moral views that seem obviously wrong, merely because we encounter a group of people with a different moral outlook. Of course, we can sometimes learn from other cultures and travel broadens the mind, but morally abhorrent views should be denounced rather than adopted."[97]

I understand the trouble to be that views which we determine are immoral, we should be able to denounce in realist fashion. We should be able to say that the aliens are wrong and immoral and that's not just our perspective, it's a fact. Yet, Scanlon can claim all this because all claims in the normative domain can be correct or incorrect unless they are of course genuinely indeterminate because there is no fact of the matter. As in the case of creating reasons of etiquette out of thin air and reasons to purchase pineapples case, there will indeed be indeterminacy because there simply is no fact of the matter. However, sometimes, the facts cannot be determined not because there is no fact of the matter but because we acknowledge that we cannot determine how to become aware of what the correct reasons are. Realist intuitions when it comes to moral dilemmas for example, fall on the view that the dilemma is one of epistemic access and so apparent epistemological indeterminacy rather than moral indeterminacy.

[97] Ibid p.760

If what the aliens are doing, capturing humans as slaves, is a clear-cut case of where facts of the matter can indeed be determined then we can denounce the alien viewpoint in realist fashion. Capturing realist intuitions is not tied to the view that every case of moral disagreement must involve facts that can be determined, that is plainly false because it is possible to disagree on what the correct reasons are but agree that there are correct reasons in the first place. As mentioned, in such a case any indeterminacy is epistemological rather than moral. For example, if the aliens really do think that capturing us humans as slaves is their moral duty and also believe that there are correct reasons to be discovered then the moral disagreement has lapsed into epistemological indeterminacy. More to the point, we are not required to say that normative truths are metaphysically necessary to say that it is a fact that the aliens are wrong, we are simply required to identify both moral claims to be settled in the normative domain which we hope are correctly reasoning about. And if the aliens are more sophisticated than us, seeking out reflective equilibrium with both views might actually be our best bet. A sensible realist view is that *some* normative reasons involve a fact of the matter as to what the correct reason are and then a fraction of *those* reasons can indeed be epistemologically determined.

Concerning premise 3, it is important to point out that Scanlon has more recently endorsed the view that normative truths are indeed metaphysically necessary.[98] However, Scanlon does not claim this because he thinks it's required to explain some form of mind-independence but rather something which reflects a more common-sense intuition regarding metaphysical supervenience: that there is no world where slavery exists and it is not morally condemnable. Of course, the question is whether metaphysical necessity fits in with Scanlon's domain view. Yet, Veluwenkamp has not shown or successfully argued that metaphysical necessity does not fit in with the domain view, only argued that metaphysical necessity is required to capture mind-independence which in turn is required to capture realist intuitions.

It is clear to me that Scanlon does indeed capture realist intuitions. Any claims that are made in the normative domain will be truth-apt. If there is a fact of the matter to begin with, then in cases of moral disagreement, one can be correct and the other mistaken. If there was an attack on our moral standards, Scanlon's view can account for it in the same way that we can account for our standards in mathematics: We have reasons to think that we are correct by reasoning within the domain of mathematics and we can safely say that the fact that 19 is a prime number is mind-independent to the extent that it does not depend on anyone's perspective. Yet, unlikely as it sounds, if an alien race were to come to us with their own way of reasoning about the mathematical domain and thinking

[98] p.895 Scanlon (2017)

that 19 is not a prime number then we would find ourselves in genuine disagreement. Now, if mathematical truths are metaphysically necessary then that would mean that it can be determined whether we or the aliens are correct, assuming of course that there is no epistemological indeterminacy. Scanlon can say that there is still correctness to be discovered in regard to normative truths because he does think that normative truths are metaphysically necessary.

5. Normative truths as metaphysically necessary

A central question is whether Scanlon can claim to capture metaphysical necessity so easily. Rosen has argued that Scanlon is faced with the problem of explaining why pure normative truths, such as the disjunction, (if p and that x is in circumstances c, then p would be a reason for x to do a), are metaphysically necessary.[99] A normative truth is metaphysically necessary if there is no possible world in which the non-normative facts are the same, but the normative facts are different. The intuition can be captured by the claim that there is no possible world where the natural descriptors involved in torturing babies are not supervened by or tied with the normative fact that it is wrong to torture babies. The concern for Rosen then is more generally about metaphysical supervenience and how that can be explained but we are only interested in why Rosen thinks that Scanlon cannot explain metaphysical necessity.

Rosen argues that it does not follow from the fact that normative truths are not contingent on more fundamental truths that normative truths are then metaphysical necessary. He gives the example of basic laws of nature such as physical principles that are prior to and explain the very patterns we give them. The basic laws of nature are unexplained and that's why they are basic, just as axioms in mathematics have no explanation but are rather assumed. Such truths then are not contingent on other truths due to their basicness, but it does not follow from their basicness that such truths are metaphysically necessary.[100] For example, imagine again the aliens who have their own system and theory of mathematics. They take an alternative axiom of mathematics as basic to us which they also assume without explanation. In such a case, we have a case where two differing sets of axioms are assumed as basic and it still being entirely possible and likely that neither set of axioms are metaphysically necessary. After all, if it is possible to build a coherent system of mathematics based on an alternative set of axioms then that casts doubt on whether mathematical truths even require

[99] p.860 Gideon Rosen, 'Scanlon's Modal Metaphysics', *Canadian Journal of Philosophy* 47, no. 6 (2017): 856–76.
[100] Ibid p.862

metaphysical necessity. There is then at least one potential disanalogy here between mathematics and the normative, our mathematical systems potentially do not require metaphysical necessity whereas a realist understanding of our normative systems potentially do.

One way that we might think that normative truths are metaphysically necessary is to think that it follows from what normative truths are. For example, a mathematical axiom of set theory is necessary because it flows directly from what sets are which is to say that the very notion of sets involves relevant axioms. However, Rosen argues that the analogous move in the normative case would be to say that pure normative truths are built into the nature of the reason relation, but this is not open to Scanlon. Scanlon explicitly denies that the property of being a reason has any further explanation that could be given and that the reason relation is fundamental.[101]

Rosen suggests that Scanlon relinquishes metaphysical necessity and accept a weaker normative necessity instead which he defines as such:

> "For p to be normatively necessary, on my account, just is for p to be a true proposition that would still have been true no matter how the non-normative facts had been. Truths that have this status are modally resilient in the following sense: they would still have been true no matter how hard we had tried to falsify them, no matter what we had done or thought, no matter how the contingent history of the natural world had unfolded, and so on."

Rosen is suggesting like Veluwenkamp, that Scanlon's domain view can vindicate a weaker view which falls short of metaphysical necessity. Metaphysical necessity would involve worlds where normative truths could not possibly be false, normative truths would be applicable to all possible worlds. According to normative necessity, there are metaphysically possible worlds where pure normative truths are false. However, normative necessity would nevertheless vindicate that if there were a pure normative truth p, it is not contingent on any non-normative fact. For example, if there is a normative truth that it is wrong to torture babies that is metaphysically necessary then there is no possible world where torturing babies is not wrong. However, if there is a normative truth that it is wrong to torture babies that is normatively necessary then there could be a possible world where the normative truth does not apply but, in this or our world it could not possibly be the case that it is wrong to torture babies.

[101] Ibid p.865

In an explicit reply to Rosen, Scanlon acknowledges that he has previously not been clear about the kind of necessity he supposes pure normative truths have but is inclined to think that they are indeed metaphysically necessary. He writes:

> "I confess that I find it difficult to conceive the possibility of a world in which the pure normative facts are different from those in our world. It is difficult to conceive, for example, of a world that was like our world in all non-normative facts but in which pain was something we had a reason to seek rather than a reason to avoid."[102]

Scanlon claims that the metaphysical necessity of pure normative truths can be explained by the nature of the reason relation itself. So though Scanlon is endorsing the basicness of the reason relation as discussed earlier, he is also maintaining that the reason relation can explain metaphysical necessity. However, he acknowledges that he is unsure as to how the reason relation could be explained:

> "When I said, in my book, that I did not believe that the property of being a reason had any further explanation beyond that given by the concept of the reason relation, what I meant to exclude was a further explanation of the normativity of the reason relation, not an elucidation of its content - of the things to which it applies - which is what is now at issue.
>
> That said however, I do not see how the nature of what it is to be a reason could be filled out in a way that would specify its content in this way. So I do not see how to account for the metaphysical necessity of pure normative truths about reasons in this way even though, as I said, I cannot conceive how worlds could differ in these basic normative facts."[103]

I think the debate, as it stands, is at a standstill because Rosen has argued that Scanlon is required to relinquish metaphysical necessity chiefly because it conflicts with Scanlon's commitment that the nature of the reason relation cannot be explained[104] which Scanlon denies. Scanlon has clarified his position as seen in the above quote by saying that he did not mean to exclude any explanation of the content of the reason relation and yet is unsure as to how to do this. What we take forward is that for Scanlon's domain view to work, he is required to at least assume normative necessity if not metaphysical necessity. To move the debate forward, we take into consideration what the implications of taking on such necessity are.

[102] P.895 Scanlon (2017)
[103] Ibid p.895
[104] p.865 Rosen (2017)

6. Conclusion

To conclude, in this chapter I have argued and shown that through an elucidation of Scanlon's domain view, the domain view can capture realist intuitions despite arguments to the contrary. The fundamental and distinguishing feature of the domain view is the metaphysical view that nothing exists above and beyond a given domain and so nothing exists in a general sense. Existence claims can only be licenced by the domain in which the relevant existence claims are made. Scanlon's defence from arguments in the literature, specifically whether normative truths can be vindicated and normative disagreement explained rests heavily on the view that normative truths are metaphysically necessary which Scanlon explicitly endorses.

Chapter 2: Metaphysical Indeterminacy and Moral Relativism

In this chapter, I argue that Scanlon's domain view ultimately leads to relativist implications which is a problem for Scanlon because those implications also have relativist implications for morality. First, I argue that Scanlon cannot make sense of metaphysical disagreement whether it concerns the existence of God or between different religions due to his metaphysical commitments, which I argue results in metaphysical indeterminacy. I understand metaphysical indeterminacy as the view that there are simply no metaphysical facts.[105] The sheer disagreement between religions which I show via illustration coupled with metaphysical indeterminacy leads to a religious-relativism whereby any given religion may or may not be true. The problem for Scanlon is that metaphysical indeterminacy leads to relativist implications for morality because if a moral discourse is contingent to a particular religious domain and since we cannot vindicate which religions are correct, the domain view yields moral relativism. Though Scanlon endorses metaphysical necessity for normative truths, his domain view does not support it. I conclude that Scanlon's domain view cannot vindicate all normative truths and as such fails to capture moral universality.

1. The problem of metaphysical disagreement

As illustrated in the first chapter, according to Scanlon's domain view, nothing can be said to exist above and beyond the domain in which an existence claim is made. Scanlon acknowledges that there can be a profusion of domains and sub-domains within each domain and so I'll talk of any domain and categorise domains where it is appropriate to do so.[106] What the profusion of domains means is that what domains there are and how we categorise domains is not of primary import simply because a domain can be as small as being limited to the domain of a fictional story or an all-encompassing domain of 'entities' and of course, everything in between. What matters to Scanlon in this regard is what could reasonably be a domain, how useful the domain is and whether it is coherent. A domain is identified by its subject matter and each domain gets to decide its own existence conditions. For example, if we grant that the physical world is the domain of science, then

[105] For an analysis see p.105 Elizabeth Barnes and J. Robert G. Williams, 'A Theory Of Metaphysical Indeterminacy', in *Oxford Studies in Metaphysics: Volume 6*, ed. Karen Bennett and Dean W. Zimmerman (Oxford University Press, 2011), 0.
[106] p.882. Scanlon, 'Normative Realism and Ontology'.

the subject matter of science can determine what the existence conditions are for an entity to exist in the physical world.

My problem with the domain view begins with the argument that it cannot make sense of metaphysical disagreement that involve claims of general existence. The problem of metaphysical disagreement is not centred on whether there can be autonomous domains so long as they are coherent, rather is focused on the very possibility of metaphysical disagreement. Consider: if there are indeed no metaphysical facts then there cannot be genuine metaphysical disagreement over what the facts are. The problem can also be coined as to how the domain view can explain how there are metaphysical facts because for at least some metaphysical facts to be true, we need to say what exists in a general sense.

What makes the problem of metaphysical disagreement different to the problem of autonomous and regimented domains licensing the existence of entities, such as Enoch and McPherson's elf example, is that my problem is not primarily centred on whether an entity can be said to exist, rather is centred on what is required to make sense of when there is disagreement over whether an entity exists. As such, the elf example can indeed be adapted so that there is a question of how to settle disagreement over whether elves exist. However, since the elf problem concerns whether a domain of elves can avoid conflict with the scientific domain and since the example is ambiguous as discussed in the previous chapter, it makes sense to avoid using this example.

Instead, I will focus on the debate over the existence of God. My focus on this debate is pragmatic and my aim is not to argue that the God debate is structurally unique from other debates regarding the existence of a given entity. Yet, the God debate serves as a prime illumination of the problem at hand, where I will argue that both sides of the debate aim to show that God either exists or does not exist in a general sense and in what sense God does or does not exist is of primary import. Indeed, even Scanlon chose to discuss an example of theism over the elf example.[107] However, as we shall see, the God debate is a special case, and my illustration of various religions serves the purpose of showing how religion can be tied to normative beliefs. As such, for illustration purposes, I discuss the debate over the existence of God because it is staple in analytic philosophy today and has significance in the history of western philosophy.

2. Explaining the God debate through domains

[107] Ibid. Footnote 4.

Attempting to explain the God debate through domains involves various questions such as: how can the domain view explain the debate itself? Must each side of the debate step out of their own domain and into another one? What is the domain or subject matter of the debate? I will address each question in turn and see how Scanlon might reply.

The debate over the existence of God in philosophy is one where there are at least two positions one can take, that the God of the Abrahamic religions, for example, does exist and that such a God does not exist. To maintain simplicity, we will call the belief that an omnipotent God exists, theism, and the denial that such a God exists, atheism, while acknowledging that these terms are potentially ambiguous.[108] However, one does not need to be either a theist or atheist to make sense of the debate, one only needs to understand what the matter of disagreement is. Likewise, a theist or an atheist may simply avoid the debate of the existence of God altogether. As a matter of simplicity, we will also acknowledge but put to one side that one can be agnostic in the debate in the existence of God which is to say that one is not sure, undecided, or side with neither a theistic nor atheist position. To make sense of the debate of the existence of God, traditionally understood, is to make sense of what it means for God to exist. If nothing can exist above and beyond the domain in which a given claim belongs to, then Scanlon's domain view can only make sense of the debate over the existence of God by maintaining that the debate belongs to a specific domain in which the debate takes place.

The next question is whether a theist and atheist are required to step outside of the domain in which they argue from. A position in the debate over the existence of God may come from a particular domain such as Christianity which might be challenged, and a debate emerges when an atheist argues from the domain of science for example. However, though a position in the debate over the existence of God may come from a particular domain, it is sometimes necessary that any debate between the two domains step away from their given domain in order to have a debate in the first place. For example, if a Christian argued that God exists and pointed only to scripture as evidence and likewise an atheist pointed only to scientific theories regarding the origin of the universe as evidence, there would not be debate because each position would simply be talking past each other since there is not a shared criteria regarding the correct standards for existence. The debate then would be delegated to the more general debate of what existence conditions are.

The need for a common domain then is vital as Scanlon's domain view would fail to make sense of the debate without a central domain, because on this view nothing exists above and beyond the

[108] See Bruce Milem, 'Defining Atheism, Theism, and God', *International Journal for Philosophy of Religion* 85, no. 3 (1 June 2019): 335–46.

domain in which a claim is made. A theist would not be content with the view that, the claim that God exists is constrained to the domain of Christianity for example but cannot make the claim that God exists above and beyond the domain of Christianity. Likewise, an atheist would not be content with the view that God exists outside of time and space and therefore does not interfere with any causal order. An atheist might claim that it is not enough for God to not exist in the physical domain, God cannot exist at all. Each position in the debate over the existence of God aims to say that God either exists or does not exist and this existence claim is not particular to any domain unless that domain can license general existence claims. And so, it is especially vital for Scanlon's domain view to say that there is a common domain in which the debate over the existence of God takes place in order to make sense of the debate itself.

One reason to support the idea of a central domain which substantiates the debate over the existence of God is that it is not required to be aligned with a particular domain in order to hold a position in the debate. For example, one can be a theist and think that there is some God without that claim belonging to any religious domain in particular. An agent, without being aware of any of the literature for the arguments of the existence of God, might intuitively think that something must have created the universe which leads them to non-religious theism. Likewise, one can be an atheist for purely non-scientific reasons and therefore not arriving at atheism from the domain of science. For example, an agent might believe their previous religious beliefs were mistaken and now believes that a benevolent God would not fail and forsake them and having lost their faith and their belief in God, decides to be an atheist for that reason. In both cases, the agent may not be aware of what domain that they are making their existence claim when they affirm or deny the existence of God. In any case, the existence claim can be substantiated if there is a central domain in which every agent partakes when holding any position on the existence of God.

If a central domain is required to make sense of the debate over the existence of God, what might that domain be? The debate over the existence of God in philosophy is typically understood as a debate in the philosophy of religion[109]. For my purposes, what I'm interested in, is when for example a theist is positing a cosmological argument which revolves around the idea that God is the fundamental cause that ultimately led to the creation of the universe, what kind of claim is being made when their conclusion is that God exists. I understand the claim as an ontological one because it posits the existence of an entity but the domain in which the claim is made must be a metaphysical one to make sense of the God debate. As mentioned earlier, it cannot be a specific religious domain

[109] For an introduction see: Yujin Nagasawa, *The Existence of God: A Philosophical Introduction* (London: Routledge, 2011).

because the claim is not that God exists according to Christianity, for example. Leftow's interpretation of Descartes' ontological argument for the existence of God, that it is part of God's nature that he exists, I understand as an ontological claim in the domain of metaphysics.[110] Likewise, when Sobel criticises such ontological arguments and argues that the existence of God cannot be derived from a concept, he himself is making an ontological claim by saying that such arguments fail to show that God exists.[111] Whatever the argument for or against the existence of God is, an ontological claim is made and that claim is made in the domain of metaphysics, with no domain such as theology or science having any priority which is precisely what allows the debate to thrive. A central domain of metaphysics also makes for a fair arena for the debate on the existence of God between the theist and atheist while preventing an impasse showcased between Richard Dawkins and his critics, for example.[112]

If Scanlon holds the view that nothing can exist above and beyond a domain in question, a question which is raised for the domain view is whether there is something like the domain of metaphysics which Scanlon supposes that there is:

> "In denying that existence claims of this broader kind have content, I am not denying that there is such a subject as ontology. My claim is rather that questions of ontology, and metaphysics more generally, are always domain-specific".[113]

To say that questions of metaphysics are domain specific means that to make the ontological claim that God either exists or does not exist is specific to the domain of metaphysics. However, the above can be interpreted in two ways: if it is interpreted as ontological claims are truly specific to the metaphysical domain and are somehow not applicable to other domains such as the physical world then it is clear that Scanlon's domain view does not make sense of the God debate or the domain of metaphysics in general traditionally understood because ontological claims pertain to what exists in a general sense. However, if we interpret Scanlon as saying that ontological claims are specific to the metaphysical domain while acknowledging that the metaphysical domain does involve claims which have implications for other domains then Scanlon can make sense of the domain of metaphysics. For example, that there are metaphysical truths such that normative truths are metaphysically necessary which is a claim that Scanlon does make.

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[110] p.101 Brian Leftow, 'The Ontological Argument', in *The Oxford Handbook of Philosophy of Religion*, ed. William J. Wainwright (Oxford University Press, 2007), 0.
[111] p.35 Jordan Howard Sobel, *Logic and Theism: Arguments for and against Beliefs in God* (Cambridge: Cambridge University Press, 2003).
[112] See p.166-68 Paweł Bloch, *Richard Dawkins' God Delusion* (Wydawnictwo Flavius, 2011).
[113] P.884 Scanlon (2017)

Notice that the second interpretation is still compatible with the view that normative and mathematical existence claims are only required to be licensed by their own respective domains. Understood in this way, standards of existence are not imposed on domains but the other way round, domains can make metaphysical claims. However, those metaphysical claims do not involve claims of general existence. The question then, is to what extent Scanlon thinks that a domain of domains can play the role of metaphysics. Here, Scanlon is affirming that there is at least a domain of domains in the sense that we can say what domains there are. He writes:

> "The domain of domains would be the subject matter dealt with by claims about which domains there are and about relations between them. Since I have just been making claims of this kind, I can hardly deny that there is such a subject matter. And my more general remarks about domains imply that there is such a domain, as long as the concept of a domain has content and is coherent. But recognizing such a domain of domains would not, in itself, have any implication that I need deny."[114]

By acknowledging a domain of domains, Scanlon can make sense of the subject matter of metaphysics in the sense that the domain of domains can say what there is by saying what domains there are but cannot make sense of what the domain of metaphysics involves when pertained to general claims of existence. For example, general ontological claims such as God either exists or does not exist. The problem for Scanlon is that if he accepts that metaphysics can license existence claims in a general sense then this outright contradicts the view that general claims of existence cannot be made. Scanlon acknowledges that a domain of domains is not the kind of subject matter which by itself determine existence conditions:

> "If there were, contrary to what I maintain, contentful criteria of 'existence' that are broader than the domain-relative criteria I recognize, then a claim of the kind I have just mentioned, within the domain of domains, could be a claim about existence of this broader kind. But recognizing a domain of domains does not in itself give content to such criteria of existence."[115]

Although it is true that simply recognising the domain of domains does not by itself provide existence conditions, metaphysics can involve establishing existence conditions. For example, if a theist argues that God exists because it is in God's nature to exist and an atheist replies that the same can be said of a fictional God, the very disagreement concerns existence conditions of a certain kind. In this example, the atheist is denying that the theist's argument is fulfilling the existence

[114] Ibid p.885
[115] Ibid p.885

conditions the theist is aiming for. The theist will not be satisfied if God only exists as a fictional entity and must instead argue that God exists not as a fictional entity but in a broader sense which is above and beyond any domain. A reply might be that it is part of the domain view that all disputes take place in a domain and claims in that domain do not break out of the barriers of that domain even if that domain concerns the existence of fundamental beings. Again, here would be a case where the God debate, for example, could be accommodated structurally on the domain view where the theist and atheist are able to make ontological claims but the domain view would still fail to make sense of the God debate because an atheist, for example, may very well argue that God does not exist in any domain and have arrived at this conclusion from the domain of science. We might question the atheist, but we cannot sensibly say that the atheist is not making an intelligible claim.

The problem for Scanlon is that even if there is a domain of metaphysics, it is in the business of metaphysics that it can involve making general ontological claims and this comes into direct conflict with the view there is not a meaningful sense in which something can exist in general. A theist coming from a religious domain or an atheist coming from a scientific domain do not have this problem because although they derive their existence conditions from their respective domain, they are not committed to taking the view that religion or science cannot make general ontological claims. On the contrary, a theist does argue that God exists over and above any domain and an atheist denies that God exists above and beyond any domain. Scanlon could say that both the theist and atheist are simply wrong, but the point here is that it would not be making sense of the debate where the issue at hand is one of general existence. If one does take a Carnapian view that metaphysics involves 'pseudo-statements'[116] and that the God debate rests on a mistake then there is no issue here but as we shall see, for anyone wishing to capture moral universality, there is indeed a problem.

In summary, Scanlon's domain view can facilitate inter-domain debate and endorse the structure of the debate over the existence of God by accepting a domain of domains. Nevertheless, Scanlon's domain view fails to capture the essence of the God debate because it cannot make sense of the disagreement between a theist and atheist precisely because Scanlon denies that anything can exist in a general sense. Notice that if Scanlon did accept that it is possible for anything to exist in a general sense then this puts his endeavour of limiting ontological claims that are normative in nature to the normative domain in a pickle. The question will be asked, do normative properties exist in a general sense and it would be defeating for Scanlon to answer either yes or no to that question as

[116] p.38 Morick, *Challenges to Empiricism*.

discussed in the previous chapter. Scanlon's domain view relies heavily on the idea that nothing exists in a general sense.

3. Metaphysical Indeterminacy and religious-relativism

Why is it such a problem if Scanlon cannot make sense of the God debate? One may simply bite the bullet and say that the debate over the existence of God is a fruitless one. In any case, if not being able to explain the God debate is the only problem with Scanlon's domain view, then that might not be so bad overall. However, failing to make sense of the God debate is a cause for concern because it leads to further concerns for Scanlon. Ultimately, what is at stake is that in not making sense of the God debate, Scanlon cannot make sense of metaphysical disagreement where the disagreement is centred on what exists in a general sense. And failing to make sense of this metaphysical disagreement is failing to capture objectivity in metaphysics because neither the theist nor the atheist can be vindicated. Scanlon's domain view then, leads to what I'll call:

Metaphysical Indeterminacy – There are no metaphysical facts that pertain to matters of existence.

There is a question of what specifically *metaphysical* facts are when referring to indeterminacy[117], however, I think that the example of God either existing or not is a prime example of what would be a metaphysical fact which can indeed be claimed to be indeterminate if one does think that nothing can exist in a general sense. In any case, 'ontological indeterminacy' would work just as well and sidesteps the conflicting literature on what can be considered a metaphysical fact because we know that ontological claims narrow in on questions of existence.

Now, if normative disagreement was tied to metaphysical disagreement, then that would be a serious problem for Scanlon because we would not be able to vindicate who is correct due to metaphysical indeterminacy and that does cast doubt on whether the domain view can capture normative objectivity. Scanlon understands metaphysics and the normative as two separate domains which are not required to overlap and if they do come into conflict, he has some response:

> "A theist, for example, might engage in this kind of reflection about the relation between her religious beliefs and other things that she believes. Suppose she begins from a position of treating her theological beliefs as an autonomous domain, conclusions about which are defended or revised on the basis of interpretive judgments about scripture, various

[117] p.106 Barnes and Williams (2011)

> authoritative teachings, and perhaps her own religious experience. This mode of thinking might come under pressure from reflection of two kinds. On the one hand, if the theist is also a scientist, or at least accepts the methods and conclusions of science, there is a question of whether her idea of God, as a conscious being that is aware of her and other human beings and has effects on the world of some kinds, is compatible with her scientific beliefs about how the natural world operates and about how claims about it should be assessed. This may lead her to revise her idea of God and God's relation with the natural world, or she may decide to live with the conflict, as many people seem to do.
>
> It is, one might say, up to each person to decide what to do in such a case."[118]

Scanlon is essentially saying that in a case on conflicting views of say science and religion, it is up to the individual to weight their reasons when deciding what to do. However, to say that it is up to the individual to decide what to believe in is sidestepping what is at stake when there are conflicting views, that there is disagreement between individuals. If we take belief in an afterlife as an example, there is disagreement among individuals of what an afterlife involves and there is disagreement over whether there is any afterlife at all.

As a matter of illustration[119]: when it comes to disagreement about what an afterlife involves, there is disagreement between and within Abrahamic religions such as particular Judaic beliefs, Islam, and Christianity, according to which some versions there is an immaterial soul which has the possibility of going to heaven after death, and Dharmic religions such as Hinduism according to which there is also an immaterial soul but one that is reincarnated after death. There is of course, some similarity in both Christian and Hindu traditions for example, one's deeds in life will determine the immaterial soul's outcome after death. According to some versions of Christianity, good deeds merit going to heaven which is bliss and bad deeds merit going to hell, which is torment and according to Catholicism, if one has wronged less severely, they will be sent to purgatory which is a temporary punishment and an opportunity to purify the soul so that it can enter heaven.[120] In Hinduism, as in other Dharmic religions such as Buddhism and Jainism, there is a belief in reincarnation, that there is *samara,* a continuous cycle of life, death and rebirth. All share a principle of karma which is the idea that our current and past thoughts, intentions, and actions are collectively causes will have effects on

[118] p.886 Scanlon (2017)
[119] For a comprehensive Illustration see: Angela Sumegi, *Understanding Death: An Introduction to Ideas of Self and the Afterlife in World Religions* (Somerset, United Kingdom: Wiley, 2013).
[120] At this junction, it is worth mentioning that there is another fold of disagreement regarding the afterlife between Catholics and Protestants: whether there is a purgatory.

the cycle involved in reincarnation.[121] According to Jainism, for example, an individual with negative karma resulting from many bad deeds can expect to be reincarnated as an insect for example, whereas an individual with a very positive karma resulting from many good deeds may be reincarnated even as divine-like beings.[122] Yet, there is disagreement amongst Dharmic religions over what the principle of karma amounts to. For example, in Buddhism the accumulation of karma does not involve an immortal soul which transmigrates death and rebirth as they do in some Hindu and Jain traditions.[123] The end goal in Buddhist teaching is not the accumulation of karma but to be free from it, having reached *Nirvana* whereby there is no self, as in personal identity, and since there is no self, the cycle of death, rebirth and suffering has ended.

It is fair to say that religious domains inevitably come into conflict, for example: either good deeds will lead to heaven, or they will lead to positive reincarnation. We might think that different religions are all part of the same domain which can have its own standards of correctness but even if that is how we categorise domains, it would still be one riddled with disagreement. More broadly, an afterlife either exists or does not exist. Of course, an atheist will find both Abrahamic and Dharmic conceptions of an afterlife, perhaps equally, puzzling. One question for Scanlon is that if domains are autonomous, does that mean each religion is free to decide what exists in their domain so long as it does not come into conflict with science? As in the case of Enoch and McPherson's example of the causally isolated elves discussed in the previous chapter, since there is only a one-way causation with the soul going to heaven, the religious domain is causally isolated and cannot be said to interfere with an causal order which comes into conflict with the domain of science.[124] Of course, I argued that causal isolation does not prevent the confliction of domains and likewise, an atheist who is also a scientist could still find grounds to argue that the mere existence of souls within the physical world is enough to come into conflict with a scientific world view because souls are not empirically verifiable. In any case, as in the God debate, the atheist would not be arguing that purgatory does not exist according to Catholicism for example, they would be arguing that purgatory does not exist in a general sense.

Even if we put atheism and the scientific domain to one side, there is plenty of disagreement between individuals and religions over what the afterlife involves. Not just between whether there is

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[121] See p.1-9 for an introduction: Bruce R. Reichenbach, 'Introduction', in *The Law of Karma: A Philosophical Study*, ed. Bruce R. Reichenbach, Library of Philosophy and Religion (London: Palgrave Macmillan UK, 1990), 1–9.
[122] p.75-76 in Sherry E. Fohr, 'Karma, Austerity, and Time Cycles: Jainism and Radical Life Extension', in *Religion and the Implications of Radical Life Extension*, ed. Derek F. Maher and Calvin Mercer, Palgrave Studies in the Future of Humanity and Its Successors (New York: Palgrave Macmillan US, 2009), 75–84.
[123] p.204 Sumegi (2013)
[124] I credit Luke Elson for this example.

a heaven or reincarnation, but disagreement is also a lot more fine-grained within religions such as disagreement between Catholic and Protestant Christians whether there is a purgatory. Now, whatever the disagreement is between different religious domains, the question is not concerning what exists according to a given domain, that would be a theological issue of interpreting of religious scripture. For example, the question of what purgatory involves in Catholicism would indeed be a question that is internal to the domain of Catholicism.[125] The question whether purgatory exists according to Christianity more generally is a theological dispute over how to interpret the Bible and whether deuterocanonical books are followed. However, the disagreement whether such a place as purgatory exists is also a metaphysical disagreement, not too different to a theist believing that heaven does exist and an atheist believing that heaven does not exist.

It is difficult to imagine how we could facilitate inter-religious debate if adherents only consulted scripture within their own domains. On this point, Scanlon's view that what could reasonably be a domain and how useful and coherent the domain is, is at least pragmatic. The kind of disagreement is a metaphysical kind because it is centred on what exists or rather is the case when we die. As such, Scanlon cannot explain such disagreement and nor can he vindicate who is correct when it comes to metaphysical disagreement because nothing can be said to exist in a general sense. As discussed in section 2, Scanlon can facilitate metaphysical disagreement by endorsing a metaphysical domain, but that domain cannot have correctness conditions which pertain to vindicating what exists in a general sense. For example, for it to be true that reincarnation is correct, it must be the case that reincarnation can be said to exist in a general sense and not according to a particular domain. To deny this would be to concede metaphysical indeterminacy.

When faced with such indeterminacy and simultaneously faced with a plethora of religions, some of which have large chunks of the human population as adherents, one intuitive conclusion is religious-relativism, the view that whether a religion is correct depends on and is relative to the community or society that believes in a particular religion.[126] However, there is also another sense of relativism that follows directly from metaphysical indeterminacy which I call:

Indeterminate Religious Relativism – It is indeterminate whether any religion is true.

According to metaphysical indeterminacy there are no metaphysical facts and when coupled with first-order religious relativism according to which religious practice depends on a domain of

[125] For a comprehensive analysis of Purgatory according to Catholicism see: Diana Walsh Pasulka, 'Introduction: The Problem With Purgatory', in *Heaven Can Wait: Purgatory in Catholic Devotional and Popular Culture*, ed. Diana Walsh Pasulka (Oxford University Press, 2014), 0.
[126] p.35 Philip L. Quinn, 'Religious Pluralism and Religious Relativism', in *Relativism and Religion*, ed. Charles M. Lewis, Library of Philosophy and Religion (London: Palgrave Macmillan UK, 1995), 35–51.

adherents, we have an indeterminacy whereby any religion may or may not be true. Since Scanlon takes the view that a conflict of religious beliefs is for the individual to decide by weighing the relevant evidence, there is little in the way of connecting the domain view to indeterminate religious-relativism. On the contrary, Scanlon's domain view can be used to support such relativism: since each religious domain is autonomous to decide what exists within that domain and what its adherents believe, the truth will always be relative within that domain. If nothing can exist above and beyond a religious domain in question, then it is possible for many religious domains to be correct, albeit relatively.

4. Objections and replies

I previously mentioned that how we understand domains is not of import because Scanlon acknowledges that domains can be understood and organised in any coherent way. However, the ambiguity of what domains there are also offers a potential objection to the view that the God debate, and metaphysical disagreement more generally cannot be explained on a domain view: that there is conceivably a domain which can make sense of the God debate. Scanlon could argue that the God debate takes place in a 'domain of deities' or the 'domain of the supernatural' for example and that such a domain has its own standard of correctness, internal to that domain, whatever they may be. The same can be said of other possible metaphysical disagreements, such as whether there are abstract objects, there could be a domain of abstract objects which has its own standards of correctness which can determine whether such abstract objects exist. For example, one standard might be whether the abstract object in question is non-causal and whether they are indispensable, two qualities which we do think abstract objects have.

Though I think that the objection does not succeed, it is not unreasonable to think that that are domains such as one which involves deities and one which involves abstract objects. In fact, topics of deities and abstract objects are indeed topics in metaphysics. Yet, such topics are thought of as sub-domains of the domain of metaphysics. Now it might be argued that the domain of deities, for example, is not simply a topic of metaphysics because the domain involves what deities can be said to exist. However, the objection would still not succeed. The domain of deities could go two ways: if on one hand, we simply take the domain of deities to be inclusive of what deities there are then we simply have indeterminate religious-relativism on the plate: every deity according to every religion can be found and said to exist in the domain of deities. If on the other hand, we wish to distinguish between what deities can be said to exist and what deities cannot be said to exist, it begs the

question as to how the domain of deities can hope to explain such disagreement. After all, why would some deities get preference over others? And if the standards as to what deities exist is internal to the domain of deities itself, what could that possibly be? Whatever it might be, the standard must distinguish between what deities can be said to exist and what deities cannot be said to exist. So, the reply might be that the deities which can be said to exist, exist within the domain of deities and the ones that do not exist are fictional entities. However, the moment we enter the atheist we have a big problem. What happens when an atheist thinks that a deity which does exist within the domain of deities does not really exist? To deny that one cannot be an atheist in this case is nonsensical because the question is centred on what can be said to exist. Unless we were dealing with fictional deities in the first place because in that case it does not make sense to be an atheist about a deity which is not believed to exist. However, if that were the case then we cannot differentiate between the domain of fiction and the domain of deities.

There are of course, other ways the domain view might try to categorise domains so that it can explain the God debate but even if that particular debate is one which the domain view struggles to explain, another objection is that it does not necessarily result in metaphysical indeterminacy, that no metaphysical facts can be determined. For example, there could be a 'domain of modality' where there can be metaphysical facts such as whether modal propositions are true or false. In response to this objection, I clarify that my position is not to extend metaphysical indeterminacy to metaphysical facts more generally because Scanlon does not deny that there are any metaphysical facts, indeed, he endorses that normative truths are metaphysically necessary for example. I will grant then that the domain view may be able to explain *some* metaphysical facts, just not the metaphysical facts that involve general existence claims such as whether God exists or not because when one makes the claim that God either exists or does not exist, one intends to make a general existence claim. For one to say that either side is not making a claim of general existence is failing to make sense of the God debate ordinarily understood.

A counter-response might be that existence claims are not claims of general existence but simply *just* what can be said to exist and what either side of the God debate are partaking in is an emphasis on what can be said to exist. However, I think this is misunderstanding what the debate about the existence of God involves. It is not like the Enoch and McPherson's elf example where the disagreement concerns whether a domain can license the existence of elves because when a theist or atheist say that God either exists or exists, implicit or not, the position is that God either exists or does not exist in a particular way. The theist view simply is that God exists above and beyond any domain and the atheist view simply is that God does not exist above and beyond any domain. Scanlon is right in thinking that the elf example is ambiguous because it is not clear what is meant by

the claim that elves exist. A helpful analogy to the God debate is to again think about what we might call the domain of abstract objects. The platonist view is not that there are abstract objects which exist according to and within Plato's heaven, it is the view that there are abstract objects[127] and when it is claimed that there are abstract objects, it is implicit that such abstract objects exist above and beyond any domain.

However, notice that when we ask the question in what sense do numbers exist, the domain view has a clear alternative and the example that Scanlon leads by is that the question of whether a prime number exists, for example, is settled by doing mathematics.[128] Since Scanlon sidesteps the debate concerning the existence of mathematical objects, it is implicit in his view that mathematical objects are not indispensable because if they were in fact indispensable then the existence of numbers could not be settled by simply doing mathematics. For example, if the question whether a prime number exists can be settled within the domain of mathematics as Scanlon supposes that it can, the supposed abstract object of being a prime number is dispensable. Nevertheless, to say that numbers do not exist in a general sense, as abstract objects for example do, is still making sense of what it means to say that numbers exist because an alternative is proposed. The same, however, does not work with the God debate or with the existence of abstract objects more generally because the relevant claims simply are ones that are general and not restricted to their respective domains. For example, the question whether God or abstract objects exist cannot be settled simply by consulting theology or Platonism. Instead, they involve a general sense of existence which can only be settled in the domain of metaphysics and as discussed in section 2, the domain view can only facilitate the structure of a metaphysical domain but not its correctness conditions because that involves claims of general existence.

What becomes apparent is that claims such as 'x exists' is prone to ambiguity and because of that ambiguity one can attempt to explain that claim by saying that 'x exists according to domain y'. And so, when one is explicit and clear in their view that 'x exists in a general sense and more specifically above and beyond any domain', the domain view can only deny the explicit view and denying the explicit view is also failing to make sense of that claim. What the explicit view tells us is that claims such as those made in the God debate cannot be accounted for by a domain which cannot license claims of general existence and so the domain view results in metaphysical indeterminacy in those cases.

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[127] Despite being credited with the term 'abstract objects' Quine used the term 'abstract entities' p.33 Willard V. Quine, 'On What There Is', *The Review of Metaphysics* 2, no. 5 (1948): 21–38.
[128] p.877 Scanlon (2017)

5. When Indeterminate religious-relativism is fundamental to moral-relativism

It is not apparent why or even if being saddled with indeterminate religious-relativism is a problem for Scanlon. In fact, for some, first-order religious-relativism is at least an intuitive result. What is a problem for Scanlon is that he cannot make sense of metaphysical disagreement and that is what yields indeterminate religious-relativism in the first place. The serious problem emerges when the verdict of relativism is applied to normative disagreement, we can see this when normative reasons can be said to be directly derived from religion.

In order to show that indeterminate religious-relativism is fundamental to moral-relativism, it must first be shown that metaphysical disagreement is or at least can be fundamental to normative disagreement. The latter is possible by highlighting religions whereby the normative reasons of agents are derived from the religion that they adhere to. I describe henceforth the phenomenon of placing one's ethics, morals, moral reasons and so on collectively as *values* on religion and so it can be said that an individual derives their value-set from a religion. Now, if a religion where value itself is derived from, is tied to God then it can be said that a Christians' values for example, depend on if God exists. Of course, one objection here is that in practice, one would not be so pliable that the falsity of any mind-independent reality, whether that be in the form of religion or not, would suddenly turn agents into immoral deviants. In any case, it is at least possible for a religious agent that their entire value-set is derived from their religion. So as to say that the value-set of that agent depends entirely on the existence of the deity of their religion. Consider now that such an agent is in moral disagreement with another agent who is an atheist who does not believe in that deity. If there is metaphysical disagreement over whether that deity exists, and Scanlon is required to accept indeterminate religious-relativism then it seems that he must also accept the moral-relativism that emerges because the metaphysical disagreement is fundamental to the moral disagreement. To show how this impending relativism has troubling concerns for the domain view, consider the following example which reflects human history:

When the Vikings first invaded England and arrived at Lindisfarne in 793, the Vikings were not sure what to expect, if anything, they expected to fight. What the Vikings did find in Lindisfarne was a monastery of monks who were helpless to the invasion and were quickly captured as slaves.[129] Why was fighting so important to the Vikings? According to Old Norse religion, showing fierceness and

[129] John D. Niles and Mark Amodio, 'Introduction: The Vikings and England', *Scandinavian Studies* 59, no. 3 (1987): 279–83.

bravery in battle would bring favour with the gods and if they happened to die in battle, they believed that Valhalla awaits, heaven for the Vikings where they would dine with the Norse gods such as Odin.[130] We can imagine that for the Viking, who derived their value-set from Old Norse religion and believed that fighting and killing were commendable, would be puzzled by the perceived passiveness and meekness of the Christian Monks. While the Monks lived frugally and dedicated their lives to worship believing that a moral life in this sense would take them to heaven. There is then moral difference and disagreement over how to live and fundamental to this moral disagreement is where each derive their value-set, from their religion. Yet, what separates their religion is a metaphysical difference. The difference whether there is one God or gods and if the God of the Bible exists or if the gods of Old Norse religion exist. The Viking has normative reasons to kill in battle precisely because he believes that it will bring him favour with the gods and potentially bring him to Valhalla. If the Norse gods exist, then the Viking does indeed really have that normative reason. The Christian Monk believes that in desecrating the monastery and enslaving God's worshipers, the Vikings will be punished and so have a normative reason to keep praying even though the Vikings are entering Lindisfarne. The question whether the Vikings or the monks had the correct normative reasons will depend on, if any, either the Christian God exists or if the Norse gods exist. Notice that given their respective value-sets, their normative reasons are both prudential and moral in accordance with their beliefs.

Normative realists think that there are normative reasons because there is a mind-independent reality. What that reality consists of need not have ontological implications and so Scanlon, for example, is still a normative realist on the view that he thinks that normative truths are mind-independent. There is a recent literature which discusses the relation between normative reasons and a mind-independent reality. One objection, which I'll call the moral objection, says that thinking normative reasons require a mind-independent reality is making a moral mistake, in fact, it is morally objectionable.[131] For example, to say that genocide would not be wrong if there was no mind-independent reality seems to ignore that intuitively we think that genocide is wrong because it involves pain and suffering.[132] The relevance here is that if it is morally objectionable to place the correctness of normative reasons on an independent reality then this would also be applicable to a case where one has normative reasons tied to their particular religious beliefs.

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[130] p.116 Anders Andrén, 'Behind "Heathendom": Archaeological Studies of Old Norse Religion', *Scottish Archaeological Journal* 27, no. 2 (2005): 105–38.
[131] Max Khan Hayward, 'Immoral Realism', *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition* 176, no. 4 (2019): 897–914.
[132] Melis Erdur, 'A Moral Argument Against Moral Realism', *Ethical Theory and Moral Practice* 19, no. 3 (2016): 591–602.

Although one can respond to the moral objection[133], the objection does not affect the case at hand where the matter is of normative disagreement. Whether one's reasons for having normative reasons are morally objectionable is not relevant to a case where one does not think they are morally objectionable at all because the primary problem concerns disagreement over exactly what is morally objectionable. For example, as outsiders we may issue the moral objection to the Viking who is riding his value-set, which involves killing others, on the belief that the Norse gods exist. However, the problem is that the Viking simply disagrees with us that his value-set is morally objectionable and so the problem is actually one of moral disagreement. The moral objection primarily applies to agents who take positions in metaethics given that they already have particular moral sensibilities and not to every case where an agent who has normative reasons tied to their religious beliefs. Afterall, if one's normative reasons do depend on one's religious beliefs and if indeed those religious beliefs turned out to be true then that would at least solve any normative disagreement that those normative reasons came into conflict with. Whether the view is morally objectionable is irrelevant at least when the question is first centred on whether correctness can be determined or not. In the case I am concerned with, any moral objection then will be reduced to the problem of moral disagreement because the moral objection assumes that there is some agreement as to what moral sensibilities are the correct ones. For example, to issue the moral objection to the Vikings and say that it is wrong to kill on the basis of their beliefs in Old Norse religion is to beg the question. The retort is that it is not wrong to kill but in fact commendable and Valhalla awaits for those who thrive in doing so. If the moral objection is reissued, then the cycle of moral disagreement simply continues.

We said that when faced with metaphysical disagreement whether God exists or regarding different conceptions of an afterlife, Scanlon is required to accept indeterminate religious-relativism because the domain view cannot vindicate whether anything exists in a general sense. However, this has serious problems for Scanlon because in the case of the Vikings and Monks, the correctness of the respective value-sets is determined by the respective religious beliefs. If the Viking value-set is correct for Vikings and the Christian value-set is correct for Christians, coupled with indeterminate religious-relativism, then what follows in this case is a first-order moral relativism whereby the correct values are issued by any given community of adherents. Scanlon can accept that value-sets may be relative to a community but what Scanlon cannot accept are the implications that may follow from first-order moral relativism: that there are no correct value-sets because that would mean that there are no correct normative reasons and Scanlon does think that normative reasons are mind-

[133] David Enoch, 'Thanks, We're Good: Why Moral Realism Is Not Morally Objectionable', *Philosophical Studies* 178, no. 5 (1 May 2021): 1689–99.

independent. What Scanlon cannot accept is second-order or metaethical relativism, according to which value-sets *depend* on a given community, because that would mean that normative reasons are not mind-independent. Yet, if we cannot determine which value-set is the correct one because we cannot determine which religious view is correct, we are required to accept metaethical relativism, at least when it relates to religion, due to metaphysical and therefore religious indeterminacy. We have then what I'll call:

Indeterminate Religious Moral relativism: It is indeterminate whether any value-set derived from religious beliefs is true.

For either the Viking or Christian value-set to be wrong, we must be able to claim that either or both religious views are false because an integral aspect of those religious views fail to exist. As discussed in the previous chapter, Scanlon can escape Veluwenkap's argument that the domain view cannot explain normative disagreement by endorsing the metaphysical necessity of normative truths. Scanlon then, can explain the kind of mind-independence which Veluwenkamp thinks is required to capture realist intuitions. However, in this case, claiming that normative truths are metaphysically necessary simply highlights the problem even further. In order to determine if either the Viking value-set or the Christian value-set are metaphysically necessary we are required to say what exists in a general sense, God and Christian heaven or Norse gods and Valhalla. Due to metaphysical indeterminacy, either or neither the Viking and Christian value-set can be metaphysically necessary which again leads to indeterminate religious moral relativism: any value-set may or may not be true. Since Scanlon cannot account for what exists in a general sense, his domain view is prone to a moral-relativism which casts doubt on his commitment to the mind-independence of normative truths.

6. A Trilemma for the domain view

It might be argued that depending on how we categorise domains, that the Viking value-set and the Christian value-set belong to the same domain, say the 'domain of religious-ethics'. If so, the domain of religious-ethics plausibly would have a set of standards which do indeed determine which normative reasons are the correct ones if there is conflict. And it need not be that the domain vindicates either that Christianity is true, or that Old Norse religion is true. The domain of religious-ethics only need claim that when there is conflict between different religious value-sets, *some* correctness can be determined. I think that this is a strong objection because a moral realist, for example, would aim to explain such divergence in a similar way: On one hand, explain the obvious relative implications that there are indeed conflicting value-structures and on the other hand, explain

how there could at least be some objective evaluation of the conflict. It might be argued, for example, that the conflict shows that both the Vikings and the Monks lived and died authentically and in accordance with their beliefs. The Monk could have given into desires of self-preservation by attempting to escape and leaving the monastery behind, but their beliefs instead gave them the moral reason to instead pray to God. Likewise, the Viking approaching Lindisfarne might have been filled with fear approaching an unknown land not knowing what to expect and yet the Viking had a moral reason to be brave due to their beliefs. Alternatively, the standard of the domain of religious-ethics might say that it is always wrong to impose one's belief on others and so the Vikings were wrong to slaughter and enslave the Monks who did not share the kind of value-set which places value on battle.

Whatever the correct standard might be according to a domain of religious-ethics, the problem for Scanlon is that metaphysical indeterminacy is not avoided. There are two options, but each would not work. Either Scanlon says that that the domain of religious-ethics can involve metaphysical determination whereby some religious beliefs can indeed be falsified but that would involve claims of general existence in the explicit sense mentioned in section 3, which undermines the central tenet of the domain view. Or Scanlon says that the domain of religious-ethics accepts metaphysical indeterminacy, and that the correctness is determined by something other than a mind-independent reality. The problem with the latter is that Scanlon would then be relinquishing normative mind-independence which is another central tenet of his view while leaving metaethical relativism a distinct possibility.

It might be argued that there is a false dilemma here between accepting moral-relativism and endorsing a notion of general existence, both of which Scanlon cannot accept due to his commitment to the mind-independence of normative reasons and the view that nothing exists in a general sense, respectively. The objection is that there must be a middle ground option: Scanlon could say that the domain of religious-ethics for example, has correctness conditions that are within only the domain of religious ethics. Such correctness conditions need not involve making claims of general existence on one hand and on the other hand need not accept any relativist implications. When it comes to normative disagreement, one way Scanlon might pursue this third option is by saying that there can be a reflective equilibrium among conflicting religions[134] and that is how one could avoid the moral relativism that emerges from metaphysical indeterminacy. In the case of

[134] Scanlon at least seems to suggest this: "It is a process of seeking reflective equilibrium among all of our commitments, whatever domain they belong to. But the support for the particular commitments that are being reconciled, which needs to be reassessed in deciding whether and how to revise these commitments, is always specific to one or another particular domain" p.886 (2017)

religious-ethics, reflective equilibrium would involve taking the various practices and values among different value-sets that arise from religion and locating a general principle which could account for them. Scanlon acknowledges that especially in the normative case, we might not discover what the correctness conditions are but what matters is the commitment to the view that there is correctness to be discovered and commitment to reflective equilibrium.[135]

In cases where there is a conflict of value-sets and where each route to reflective equilibrium is sound, which is to say that each side of the conflict can understand what leads to a difference in value-sets, there is genuine disagreement because each value-set began with different starting points. For example, if the starting point towards reflective equilibrium was Christianity for the Monk and Old Norse religion for the Viking then there is genuine disagreement under reflective equilibrium so long as each understands that they begin from different starting points and can understand why as a result of their starting points they hold the value-sets that they do. In such a case of genuine disagreement, Scanlon claims that reflective equilibrium requires both sides to relinquish their beliefs that their respective value-set are the correct ones.[136] In the context of the domain of religious-ethics, reflective equilibrium might lead to the result that it is wrong for the Viking to impose his beliefs on the Christian Monks and should instead suspend their beliefs that battle and killing are commendable. The idea is that when there is disagreement or conflict, one should at least temporarily suspend their beliefs on one hand, while on the other hand, remain committed that reflective equilibrium can provide determinate answers to questions where there is disagreement. As to why one should suspend beliefs and why one should endorse reflective equilibrium, Scanlon thinks that it is rationally justified to do so.[137]

Putting the domain of religious-ethics to one side, why *should* the Viking endorse reflective equilibrium? Scanlon seems to equate 'should' with rational justification but then seems to think that rational justification can be equated with reflective equilibrium but that does not seem to be the case with the Viking. In a similar vein as the moral objection discussed earlier, any call for reflective equilibrium simply falls on deaf ears. And the Viking cannot be irrational at least in the sense that given his beliefs, the Viking does indeed have a normative reason to fight and kill in battle. Scanlon himself would agree that given the beliefs that the Viking has, it is not irrational but actually reasonable for the Viking to have a reason to fight and kill in battle.[138] Where the Viking stops being reasonable according to Scanlon is if the Viking does not take the interests of the Monks into account

[135] p.71 Scanlon (2014)
[136] Ibid p.80
[137] Ibid p.81
[138] p.25 Thomas Scanlon, *What We Owe to Each Other* (Belknap Press of Harvard University Press, 1998).

and so ceases to be what Scanlon calls 'ideally rational'.[139] Let's say that the Vikings did follow reflective equilibrium in the way Scanlon supposes and when confronted with the Christian Monks, decide to suspend their beliefs and miraculously question whether Old Norse religion is true. The Vikings question their value-set because they are rationally required by reflective equilibrium which they somehow take to be rationally justified in itself. Now let's say that Odin along with the other Norse gods really do exist, and that Old Norse religion turns out to be true. Rationally justified or not, the Vikings would have made a grave mistake and their decision to suspend their beliefs in Old Norse religion means that they will no longer enter Valhalla. Based on this possibility alone, the Vikings do have a normative reason to ignore reflective equilibrium and continue to exercise their value-set.

Now, it might be argued that in the case of the Vikings and the Monks, Scanlon's reflective equilibrium provides an intuitive answer: from an outsider's perspective it seems like avoiding conflict, whereby the Vikings refrain from killing and enslaving the Monks, is the right thing to do. Afterall, it's not the kind of disagreement where the Vikings and Monks simply disagree on what deity to worship, in this case each can hold onto to their beliefs with no harm done. Reflective equilibrium might pragmatically provide the correct result because it would facilitate an end to conflict. Afterall, if either one of us could be wrong then it's probably not a good idea to kill each other. If we change the example for a moment and imagine a psychotic agent who believes in killing others because a voice told him to do so, we can all agree that this agent needs to be stopped and that he needs mental help. However, in this case, two things are occurring simultaneously: the prevention of conflict and rejecting the psychotic agent's normative reason to kill. What is implicit is that the resolution of any disagreement between society and the psychotic agent is that the psychotic agent's normative reasons are simply ignored on account of irrationality and soundness of mind. Now, going back to the case at hand, we cannot simply reject or ignore the Vikings normative reasons to kill the Monks. We can say that yes with righteousness, it is wrong for the Vikings to kill the Monks, but we cannot deny, on account of some irrationality as we do the with the psychotic agent, the Vikings their normative reasons for believing that battle, even if it involves killing, is commendable. Notice that even if reflective equilibrium can provide an intuitive answer to dissolve conflict, it does not have any bearing on disagreement. Even if the Vikings lay down their weapons, they still nevertheless have a normative reason to kill and enslave the Monks, despite whether as outsiders we may think they were mistaken.

The problem for Scanlon is that if we do not know what the correctness conditions are in a domain of religious-ethics then how can we know if there are any correctness conditions altogether? The

[139] Ibid p.33

answer boils down to how we can vindicate mind-independence in such a way that we could say yes, as a general principle, killing on account of one's religious beliefs are wrong. It is expecting too much from reflective equilibrium that it can somehow vindicate that there are not only correctness conditions but mind-independent ones. The Viking who does not endorse reflective equilibrium is not a problem for reflective equilibrium as a *methodology*, as we have seen it can at least help to resolve conflict, but it is a problem for Scanlon who seems to think that reflective equilibrium can somehow help to solve a normative disagreement where a mind-independent reality needs to be vindicated.

Still, even if reflective equilibrium does not by itself require the Viking to endorse it, it might still be argued that the domain of religious-ethics does have correctness conditions which avoids any dilemma of endorsing general existence or endorsing moral relativism. Endorsing reflective equilibrium might simply be how we can become aware of what the correctness conditions are but what explains the commitment to there being mind-independent existence conditions is something else. Namely, when Scanlon endorses the metaphysical necessity for normative truths which is what can vindicate that there are correctness conditions of a mind-independent variety. The trouble is that this brings us round in a circle because despite that both the Christian and Viking value-set are within the barriers of the domain of religious-ethics, vindicating that either the Christian God exists or that the Norse gods exists is one that will involve a claim of general existence. Now, it might be said that the claim of existence is made within the domain of religious-ethics but that is not the case, the claims that are made in the domain of religious-ethics is whether the Christian or the Viking value-set are correct. The claim that either the Christian God exists, or the Old Norse gods exist are claims outside of the domain of religious-ethics and into the domain of metaphysics and in order to vindicate which God or gods exist, that does require a claim of general existence as discussed as section 2. To claim that God, or any gods for that matter, exist simply is to make a general existence claim.

There is then a trilemma for the domain view. Either Scanlon endorses a general sense of existence but that contradicts his commitment that nothing exists in a general sense or, Scanlon endorses the relativist implications that arise from metaphysical indeterminacy but that is in conflict with the view that normative truths are mind-independent. Or and what makes it a trilemma, Scanlon thinks that there is middle ground option whereby a given domain can have correctness conditions without endorsing a claim of general existence. The problem with the third option is that the question becomes why think that there are correctness conditions at all and how do we settle disagreement about what those correctness conditions are. Any supposed internal correctness conditions of coherence, for example, would still turn to a question of why and how coherence is required. Scanlon

might think that there is a mind-independent reality that can determine correctness conditions, but the domain view does not support this when we look at disagreement that cannot be settled without endorsing what exists in a general sense as in the case with the Vikings and the Monks. For there to be a reflective equilibrium of religious value-sets, it would still require some vindication of what exists in a general sense because the religious value-sets and disagreements between them are fundamentally metaphysical disagreements that can only be solved by claims of general existence. One alternative to resorting to any religious domain is to hold the view that there is a moral reality such as moral properties which are also a good candidate for being metaphysically necessary, but that is not an option for Scanlon due to metaphysical indeterminacy. When moral realists say that there are moral properties, they say that meaning moral properties can indeed be said to exist in a general sense.

One response might be that why is Scanlon's domain view susceptible to moral relativism whereas other moral realist theories are not? The answer I think is partially that historical as well as theoretical challenges of relativism will always be a problem for any realist theory. There is, however, especially a problem for the domain view which aims to capture the mind-independence of normative truths. One could hold the view that there are and always have been moral truths and such truths are independent of any domain precisely because we can say that moral properties such as *goodness* exists in a general sense. On this realist view, one is not required to answer any questions about religion at all, unless of course, they did believe that moral truths were tied to a particular religion. Yet, for the moral realist who is not religious for example, is not necessarily required to resort to either religious-relativism or atheism. The moral realist has the option of religious-pluralism, which is the view that ultimately all world religions are correct to an extent, but each offer a different and partial perspective of reality.[140] On this view, the moral realist might say that moral truths can be discovered by all religions and that what religions share is of importance and not what makes them different. However, despite that Scanlon endorses the view that normative truths are metaphysically necessary, Scanlon cannot accept such an interpretation of religious-pluralism because one would have to say that such moral truths correspond to properties which exist in a general sense and that is what makes them applicable and discoverable by different religions. Imagine the difference between using a programme to put together a jigsaw, it might help to figure out how to conceptually put the jigsaw together, but it cannot, and it is a different question altogether whether and how to physically fit the jigsaw together. Similarly, it is simply beyond the machinery of reflective equilibrium for it to be able to claim that metaphysical claims can converge

[140] p.36 Quinn (1995)

because the question is not simply whether they can conceptually within a domain but whether they *do* metaphysically-speaking. The latter involves claims of general existence which is not open to a non-ontological view.

7. Conclusion

To conclude, the issue for the domain view is that it ultimately leads to relativist implications which follows from metaphysical indeterminacy. Such relativist implications are especially a problem for Scanlon due to the implications of moral relativism that come along with it which is indeed a barrier to capturing moral universality. Scanlon has defined his domain view on the idea that nothing can be said to exist above and beyond a given domain which has allowed Scanlon to deny that normative truths have any ontological implications and thus escaping accusations of queerness. I have argued, however, that the price for making that claim does not pay off. Denying that anything can exist in a general sense is what leads Scanlon into metaphysical indeterminacy as my discussion of the God debate shows. Metaphysical indeterminacy leads to indeterminate religious-relativism because there is no way to determine which if any religion is correct. Finally, if one ties normative truths to religion, which many religious adherents do, then Scanlon cannot make sense of normative disagreement any more than he can make sense of metaphysical disagreement. Despite that Scanlon claims that normative truths are metaphysically necessary, his vindication of this view is incompatible with his commitments. In the end, Scanlon is left with a moral relativism which casts doubt on the very endeavour of vindicating normative truths through normative domains. The susceptibility to moral relativism then is why Scanlon's domain view fails to capture moral universality.

Chapter 3: Capturing Moral Reasons Through Desires

1. Hypotheticalism

A Humean theory of reasons aims to explain the nature of reasons by one's psychological features such as Schroeder's Hypotheticalism, defended in *Slaves of the Passions*[141]. Given that Hypotheticalism holds that all reasons can be explained by desires, it makes it all the more striking that Schroeder's Hypotheticalism aims to provide a complete theory of reasons. A complete theory of reasons will include reasons which are descriptively moral in nature. There are various uncontroversial examples of moral reasons[142]: that X has reason to help those in need or to keep a promise.[143] For example, to say that John has a reason to call the fire brigade upon encountering a burning school with children inside, is on face value a moral reason due its content.

However, I defend the view that it is not enough to simply have reasons of moral content because a justifiable moral reason is one which one has for the *right kind* of reasons. In contrast, if one has the wrong kind of moral reasons then one cannot be said to have a *justifiable* moral reason. A justifiable moral reason is non-instrumental, meaning that it is a reason that one has for its own sake. For example, an agent who has a reason to save a drowning child can be said to have both a prudential reason and a moral reason.[144] According to Crisp, a prudential reason is one which justifies an action in relation to one's well-being. For example, if there is a reward involved then an agent has a prudential reason to save the drowning child. A moral reason is one which can only be stated in irreducible moral terms and one which justifies an action in relation to there simply being that moral reason.[145] Such an analysis of moral reasons remains neutral in regard to accounts of what morality involves. An agent who recognises that there is a moral reason to save the drowning child, whether or not there is an additional prudential reason, has the right kind of reasons for saving the drowning

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[141] Schroeder, *Slaves of the Passions*.

[142] Though I myself do not provide an argument as to how to define moral reasons, there have been attempts: Stephen Darwall, 'What Are Moral Reasons?' (The Amherst Lecture in Philosophy 12 (2017): 1–24., 2017), <http://www.amherstlecture.org/darwall2017/>.
Willem van der Deijl, 'Moral Reasons', in *Business Ethics: A Philosophical Introduction*, ed. Wim Dubbink and Willem van der Deijl (Cham: Springer Nature Switzerland, 2023), 67–86.

[143] Raz argues that there is no simple way of distinguishing between moral and non-moral reasons. As such, I am not presuming here that moral reasons can be distinguished in such a way but assuming that there are uncontroversial examples of moral reasons. Raz, 'On the Moral Point of View'.

[144] See: Roger Crisp, 'Prudential and Moral Reasons', The Oxford Handbook of Reasons and Normativity, 7 June 2018.

[145] Ibid p.2

child. It is an unanswered question as to how well Hypotheticalism can satisfy such common-sense intuitions regarding moral reasons.[146]

I will argue that Hypotheticalism does indeed fall short in satisfying common-sense intuitions regarding moral reasons because at least some of those moral reasons will not be justifiable. After presenting Hypotheticalism, I focus on two problems sourced from the literature which focus on two different parts of Hypotheticalism. The first is the 'problem of agent-neutrality' which questions the weight of moral reasons and the second is the 'problem of isolated desires' which questions how moral reasons are captured. Though both problems can be overcome, I show that they lead to a final 'problem of the Right Kind of Reasons'. I establish a novel objection that Hypotheticalism is not able to capture the Right Kind of Reasons which are justifiable moral reasons according to conventional morality because according to Hypotheticalism, even moral reasons will always be rooted in self-interest due to reasons always being explained by desires. Failing to capture justifiable moral reasons is failing to capture moral universality.

1.1. From Desires to Reasons

Schroeder's key example is that Ronnie and Bradley are both invited to a dancing party, but Ronnie likes to dance while Bradley doesn't. The fact that there will be dancing at the party is at least one reason for Ronnie to go and a reason for Bradley not to go. Ronnie has a reason to go dancing because it is something that he enjoys. It is intuitive to think that their reasons differ due to their respective psychologies, namely the base of their desires.[147]

Hypotheticalism aims to explain normative reasons which are considerations or facts that count in favour of acting in a certain way. For example, why even without knowing there will be dancing, there is a reason for Ronnie to go to the party and a reason for Bradley not to go. Schroeder calls these 'objective normative reasons' which he contrasts with 'subjective normative reasons'.[148] The objective reasons are independent of what the agent believes, for example, the fact that there will be dancing is an objective reason for Ronnie given what he desires.[149] However, subjective reasons depend on what an agent believes, for example, if Ronnie believes that there will be dancing at the

[146] I acknowledge that my thesis begins with moral presumptions, and I do not maintain that they are unquestionable, only that that they are uncontroversial and that questioning them is beyond the scope of this chapter. For the relation between morality and common-sense, see: Marcus George Singer, 'Ethics and Common Sense', in *The Ideal of a Rational Morality: Philosophical Compositions*, ed. Marcus George Singer (Oxford University Press, 2003), 0.
[147] p.1 Schroeder (2007)
[148] Ibid p.12
[149] More recently Schroeder has maintained that objective reasons are less objective than we think they are. Mark Schroeder, 'Getting Perspective on Objective Reasons', *Ethics* 128, no. 2 (2018): 289–319.

party whether or not there actually will be, counts as a subjective reason for Ronnie to go to the party. Notice that if the belief underlying the subjective reason were true then it would also count as an objective reason which is precisely how Schroeder understands the relationship between reasons: subjective reasons are to be understood in terms of objective reasons. Motivating reasons, on the other hand, are assertions regarding subjective and explanatory reasons. For example, there being dancing at the party is the motivating reason for why Ronnie went to the party if there being dancing at the party was a subjective reason for Ronnie to go to the party and thus also constitutes an explanatory reason for why Ronnie went to the party.[150]

According to Hypotheticalism, agent-neutral claims are reducible to agent-relative claims. A relation that is agent-relative has a three-place relation between; the reason, the agent, and the action that the agent has a reason to do. An agent-neutral relation is a two-place relation between only the reason and the action all agents have a reason to do. Schroeder writes:

> "This natural view is that the agent-neutral relation is to be analysed as a universal quantification into the agent-place of the agent-relational relation." – "For R to be a reason to do A is for R to be an agent-relational reason for all of us to do A."[151]

Agent-neutral reasons are said to be reasons agents 'have in common' yet, a tighter definition contrasts agent-neutral reasons with agent-relative ones. According to McNaughton and Rawling, the distinction is purely structural and in regard to reasons, a reason is agent-relative if the reason has an essential pronominal back-reference to the agent for whom it is a reason.[152] For example, '*I* have a reason to save *my* children in the burning building' vs 'There is a reason to save the children in the burning building'.

According to Hypotheticalism, what explains why there is a reason for Ronnie to go to the party, whether he knows about it or not, is that dancing promotes Ronnie's desires.[153] However, Schroeder makes a distinction between reasons and background conditions which explains *why* something is a reason:

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[150] p.14 Schroeder (2007)
[151] Ibid p.18
[152] p.33 David McNaughton and Piers Rawling, 'Value and Agent-Relative Reasons', *Utilitas* 7, no. 1 (1995): 31–47.
[153] More recently, Schroeder has argued why something is a reason for someone only if it is related to their desires in the right way. He calls this the methodological principle according to which if we want to understand reasons in general then we should pay special attention to specific cases which are agent-relative. However, since this work largely departs from making any attempt to explain moral reasons, I do not dwell on it further here.
Mark Schroeder, 'The Humean Theory of Reasons', in *Explaining the Reasons We Share* (Oxford: Oxford University Press, 2014).

> "In general, according to Hypotheticalism, the objective normative reasons for X to do A are the things which help to explain why X's doing A *promotes* P, where P is the object of one of X's desires. And the fact that R helps explain why X's doing A promotes P isn't part of the reason – only R is the reason".[154]

For example, the fact that there will be dancing at the party is a reason to go to the party but what makes it a reason for Ronnie to go dancing is a background condition, namely the promotion of Ronnie's desires. The background condition, which is Ronnie's desire, is a fact about Ronnie's desires and though it may explain why Ronnie has a reason to go to the party, it is not part of the reason. Only the fact that there will be dancing is the reason for Ronnie to go to the party. Particular desires may not always explain reasons, for example, if Ronnie enjoys dancing, then that does not mean Ronnie only has a reason to go to the party because Ronnie just as well may have a reason to dance in his garden.[155] Yet, background conditions naturally explain why we have reasons that we do because they are the promotion of an agent's desires.

According to Schroeder's developed account of desires, it is a psychological state which is motivationally efficacious and that when motivated in the right way, counts as acting for a reason.[156] Desires direct our attention to considerations that are instrumental to promoting or fulfilling a desire in question. These desire-directed considerations are *salient* and explain what counts as a reason without appealing to reasons in the analysis of desires. The objects of one's desire explain how particular actions are salient because they draw our attention.[157] For example, if we desire to drink some water, we might be reminded that the filter in the water jug needs to be replaced, which will then prompt us that we ought to change to filter so that we can fulfil our original desire. The reason to change the filter in the water jug, which is salient, is therefore explained by the original desire involving drinking water.

1.2. Weighing Reasons

Schroeder anticipates two objections. One is that Hypotheticalism accounts for *too many reasons*[158], which says that reasons are overgeneralised, resulting in there being non-intuitive reasons. For example, the desire for John to save the children can generate reasons which even remotely promote the object of Johns desires i.e., John has a reason to complete a day of fire training before

[154] p.29 Schroeder (2017)
[155] Ibid p.31
[156] Ibid p.149
[157] Ibid p.156
[158] Ibid p.84

he goes into the burning school so that he is prepared and thus more likely to succeed in saving the children. Another objection is that Hypotheticalism accounts for *too few reasons*[159], which says that if reasons depend on desires, an agent must have the relevant desire to have the reason which is intuitively problematic. For example, if John has no desire that is furthered in any way by saving the children, then he has no reason to do so.

Hypotheticalism rejects *proportionalism* according to which the strength of the relevant desires correlates with and determines the strength of the relevant reasons. More specifically, the weight of a reason depends on the proportion of how well that action promotes the desires which explain it.[160] Furthermore, according to proportionalism, if there is no relevant desire, then it will not provide a reason. Schroeder's solution is to deny proportionalism.[161] He concedes that it is very easy to promote a desire, however, denying proportionalism is also instrumental to explaining why we have reasons regardless of what we seemingly desire. The result is that reasons are massively overdetermined:

> "They are reasons for anyone, no matter what she desires, simply because they can be explained by any (or virtually any) possible desire."[162]

In rejecting proportionalism, Schroeder is faced with providing an account of weighing reasons. There is a clear sense in which it is plausible that reasons can be weighed. For example, if John has a moral reason to save the children and has a personal reason to save the children inside a burning school in particular because he is a thrill-seeker then surely these two separate reasons can seemingly add up to make a weightier reason for John to save the children. Yet, there is a sense in which it makes no sense that reasons can add up simply because they are, what Schroeder calls, of incomparable weight. For example, the reason John has to save the children is incomparable to the reason John has to go on holiday in the summer, there is no way to begin trying to compare the weight of such individual reasons.[163]

Schroeder's answer to accommodate both intuitions concerning weighting reasons is to say that it is not reasons which have weights but only sets of reasons and more specifically, only sets of reasons

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[159] Ibid p.104
[160] Ibid p.122
[161] It has been questioned whether Schroeder can do without Proportionalism, see: David Enoch, 'On Mark Schroeder's Hypotheticalism: A Critical Notice of Slaves of the Passions', *Philosophical Review*, 2011.
Evers also questions whether Schroeder is successful in refuting proportionalism and argues for *preferentialism* which is the view that you can have a reason if the agent prefers it rather than the desire being stronger. This view clearly has advantages over proportionalism according to Evers. Daan Evers, 'In Defence of Proportionalism', *European Journal of Philosophy* 22, no. 2 (2014): 313–20.
[162] p.109 Schroeder (2017)
[163] Ibid p.125

for an agent in regard to a particular action.[164] Moving to sets allows an agent to keep reasons within context such as a set of reasons for and against a particular action in a particular circumstance. For example, it explains how John's set of reasons can be comprised of all his reasons to save the children vs the set of reasons for John to not save the children. It also explains how the set of reasons for John to save the children is simply incomparable to the set of reasons John has to go on holiday in the summer. The motive behind moving to sets of reasons seems to be that it helps to compare sets of reasons when deciding what to give weight to, that deliberation is at least not always a matter of one reason to X and another reason not to X but all the reasons together to X vs all the reasons together not to X.[165]

1.3. Deliberation and the Right Kind of Reasons

The weight of a set of reasons is defined by a *weightier-than* ordering meaning that for one set of reasons to be weightier than another set of reasons is to make a normative claim such that it is appropriate or *correct* for that set of reasons to carry more weight in deliberation. According to Hypotheticalism, the weight of reasons as sets explains the relationship between an agent's reasons and what she *ought* to do.[166] For example, if John has a cluster of reasons to save the children and this set of reasons outweighs the set of reasons John has not to save the children then this analysis tells us two things: that it is correct for John to place more weight on the set of reasons to save the children and because it is correct, John ought to place weight on saving the children in deliberation.

Notice that John may not be aware of all the reasons that are available to him. For example, John may not be aware that the building is in such a fragile state that it would collapse if anyone attempted to enter and killing everyone in the process, himself and the children included. In light of this, John might have a weightier set of reasons to not enter the building. To accommodate the full range of reasons, Hypotheticalism says that what an agent ought to do is a result of correct deliberation from full-information.[167] The account of weighing reasons is then complete when an agent is completely aware of their reasons when deliberating what they ought to do.[168]

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[164] Ibid p.126

[165] Despite the importance reasons being sets has in Hypotheticalism, Schroeder does not mention the idea either in his precis or in his reply to critics. Mark Schroeder, 'Précis of Slaves of the Passions', *Philosophical Studies* 157, no. 3 (2012): 431–34.

[166] P.129-130 Schroeder (2017)

[167] Ibid p.131

[168] I have not gone into particular details regarding the positive account of weighing reasons according to Hypotheticalism, for example, regarding undercutting defeaters.

Correctness is a normative property which is to say that, like ought, is related to favouring a particular attitude or action. According to Hypotheticalism, correctness can only be accounted for by the *right kind of reasons*.[169] Both correctness and the right kind of reasons depend on a given activity.[170] The difference is that correctness is relative to an activity such as correct and incorrect moves in chess which are first-order reasons within activity of chess, whereas the right kind of reasons are in reference to an activity such as the reasons to win the game which are second-order reasons involved in participating in the activity itself. The right kind of reasons are shared by everyone engaged in a given activity which explains why each agent has those reasons, such as everyone who is playing chess has a reason to follow its rules. We can contrast the right kind of Reasons with the *wrong kind of reasons* but to do this we must first determine the activity because according to Hypotheticalism, correctness is always correctness within an activity and so are the right kind of reasons.[171]

If the activity is saving the children inside the burning school, it is correct for John to place weight on the set of reasons which promote the likelihood of saving the children, such as the set of reasons to first call the fire brigade. Since anyone who is involved in the activity of saving the children inside the burning school also has a reason to call the fire brigade, this makes John's set of reasons the right kind of reasons. Now, imagine that John is a thrill-seeker, and he places weight on saving the children because it is an opportunity to fulfil a fantasy. It is incorrect for John to place weight on any set of reasons not directly related to saving the children. John's set of reasons is *idiosyncratic*[172], which means that they are not reasons that everyone would have when saving the children. Therefore, John's set of reasons are the wrong kind of reasons.

According to Hypotheticalism, agent-neutral reasons are captured through the activity of deliberation in which every agent is naturally engaged.[173] Since every agent places weight on reasons, the right kind of reasons to place weight on a set of reasons are agent-neutral. For example, imagine that Ronnie comes across the burning school with indifference and places weight on the set of reasons to go dancing rather than saving the children. Hypotheticalism maintains that there is an agent-neutral reason for Ronnie to save the children because placing weight on this set of reasons are the right kind of reasons for everyone who comes across a burning school with children inside.

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[169] Ibid p.134
[170] There is a question whether this leads to infinite regress which Schroeder is keen to point out and offers a remedy Ibid p.136-139
[171] Ibid p.135
[172] This idea is expanded on most in Mark Schroeder, 'Value and the Right Kind of Reason', *Oxford Studies in Metaethics* 5 (2010): 25–55. and is Schroeder's solution to the 'Wrong kind of reasons' problem.
[173] p.142 Schroeder (2017)

If John and Ronnie both have the reason to save the children, why is John motivated by it and why is Ronnie indifferent? Schroeder's answer is that despite reasons being universal, no matter what they desire, that connection may be *remote.*[174] Remoteness is when the connection between one's desires and one's reasons are so weak that they fail to motivate. Just as considerations will strike us as salient depending on what we desire, the virtuous agent would reliably notice and be motivated by her moral reasons.[175] For example, if John desires to be a virtuous agent, then he will notice and be motivated by his moral reasons. Ronnie might not notice his moral reasons because his desires revolve around dancing which makes the connection between his moral reasons and desires so remote that they fail to motivate.

1.4. Capturing Moral Reasons

Finally, it is important to examine how Schroeder explicitly attempts to capture moral reasons:

> "Hypotheticalism holds that it is reasonable to hope that all genuinely agent-neutral reasons—including those accepted by conventional morality—can be explained in this way. But I am not going to offer such explanations of particular moral reasons here…. If that is right, then there should be many ways in to explaining the agent-neutrality of the moral reasons."[176]

By capturing agent-neutral reasons, Hypotheticalism claims to have also captured reasons which are *universal*. According to Schroeder, a universal reason is one which everyone has:

> "unlike typical utterances of, 'the fact that there will be dancing at the party is a reason to go there', this claim about Katie seems to imply that it is a reason for anyone to help her. Call this the universality of the reason to help Katie."[177]

If Hypotheticalism can successfully account for why an agent has a reason to help those in need, a paradigm moral reason, then how moral reasons apply to everyone can also be accounted for. However, Schroeder acknowledges that capturing the universality of moral reasons as he does, falls short of satisfying our moral intuitions:

> "Agent-neutrality of ascription, universality, and the weak modal status are relatively straightforward to account for, at least logically speaking, but what needs to be understood

[174] Ibid p.168
[175] Ibid p.177
[176] Ibid p.115
[177] Ibid p.105

is how desire-dependent reasons could have the strong modal status or be of equal weight for everyone."[178]

The distinction between weak-modal and strong-modal status according to Hypotheticalism is that the former is captured when a moral reason is simply not contingent to a particular desire and the latter is captured when any moral reason can be captured no matter what particular desire an agent has. The weak modal status of a reason is captured when a reason is not contingent on any agents who just so happen to have that reason.[179] For example, John may have a reason to save the children inside the burning school because he values bravery. However, strong modal status requires that John having the reason to save the children is not contingent on his values or desire to promote such values. That there would be a moral reason for John to save the children regardless of what values he holds. The strong modal status is captured when for any desire, an agent would have a reason even if the agent did not have that desire.[180] However, Schroeder claims to capture the strong modal status of reasons by arguing that reasons can be explained by *any* desire.[181] For example, even if at the time John desired to do some Yoga, John would still have a reason to save the children. Notice that Hypotheticalism can acknowledge that there may not be a single desire which explains why each person has a reason to save the children.

To conclude; Schroeder has provided a striking Humean theory that aims to capture moral reasons. Yet, many have cast doubt on the success of Hypotheticalism and its limitations.[182] Schroeder has offered a reconstrual of categoricity according to which moral reasons do not depend on any *contingent* desire we may or may not have.[183] However, the success of this reconstrual of categoricity will largely depend on the question whether Hypotheticalism can satisfy common-sense intuitions regarding moral reasons.

2. Problems with Hypotheticalism

[178] Ibid p.108
[179] Ibid p.105
[180] Ibid p.106
[181] Ibid p.109
[182] p.427 Enoch (2011)
p.575 in Maria Alvarez, review of *Review of Slaves of the Passions*, by Mark Schroeder, *Analysis* 69, no. 3 (2009): 574–76.
[183] For a definition which says that categorical reasons are independent of *all* desires, see: Russ Shafer-Landau, 'A Defence of Categorical Reasons', *Proceedings of the Aristotelian Society* 109, no. 1pt2 (2009): 189–206.

I shall now discuss two objections that have been prominent in the literature which are instrumental to establishing my own problem in the following section. Though neither of the problems I discuss in this section are wholly successful in rebutting Hypotheticalism, they are instrumental to formulating what I argue is a more pressing problem.

2.1. The Problem of Agent-Neutrality

One problem for Hypotheticalism according to Evers is the over-determination of agent-neutral reasons.[184] If agent-neutral reasons follow from placing weight on reasons in any case of deliberation, this means that the right kind of reasons will always be agent-neutral because they are reasons everyone will have when engaged in a particular activity. Yet, it is intuitive to think that there are reasons which are supposed to be idiosyncratic simply because those reasons are agent-relative, and it does not follow that they are reasons of the wrong kind because they are simply not the kind of reasons which everyone will have due to the particular activity in which they are engaged. For example, if John woke up in the morning and deliberated whether to wear either green or red socks then it is intuitive to think that for *him* to place weight on either reason is simply a matter of preference and certainly not one which everyone must have. Hypotheticalism yields the implausible implication that since everyone is engaged in the activity of deliberation, the right kind of reasons to place weight on reasons must be agent-neutral. As such, Evers' argues that it is false to claim that reasons to place weight on reasons must be agent-neutral because placing weight on agent-relative reasons seems like a good reason to place weight on reasons if it is appropriate for the activity concerned.[185]

The deeper worry is with the activity of deliberation in general which Evers is quick to point out[186]: First, Schroeder says that correctness and the right kind of reasons are determined by the activity an agent is engaged in, but it is not always clear how to determine what that activity is. For example, if John is deliberating over whether to wear red or green socks he is seemingly engaged in the activity of deliberation *and* engaged in the activity of deliberating over what socks to wear. Everyone is engaged in the former but not the latter. Second, it is unclear whether the right kind of reasons are determined by either or both the activity of deliberation and the activity of deliberating over what socks to wear. Third, it is at least unclear how deliberation by itself allows an agent to weigh one set of reasons over another unless there is a clear objective, such as which set of reasons fulfils one's

[184] Daan Evers, 'Humean Agent-Neutral Reasons?', *Philosophical Explorations* 12, no. 1 (2009): 55–67.
[185] Ibid p.62
[186] Ibid p.63

desires. Yet, Schroeder defines deliberation simply as an activity everyone is engaged which is simply the activity of deciding what to do.

The unclarity in regard to the activity of deliberation leads Evers to assert that placing weight on reasons does not guarantee that moral reasons are necessarily weighty for everyone.[187] Still, unclarity is one thing, it is another if the over-determination of agent-neutral reasons leading from the activity of deliberation can be shown to result in implausible outcomes if any agent-neutral reason can trump any agent-relative reason. If there is a conflict between agent-neutral and agent-relative reasons, then the right kind of reasons will always be agent-neutral according to Hypotheticalism:

Consider the following passages:

> "But the activity of placing weight on reasons is just the activity of deciding what to do. So it is simply the activity that every agent is engaged in. So the right kind of reasons with respect to the correctness of placing weight on reasons are precisely the class of agent-neutral reasons". [188]
>
> "If it turns out to be indefensible, what Hypotheticalism would need from some other account is that it turns out that all and only agent-neutral reasons are of the right kind, when it comes to placing weight in deliberation".[189]

It is clear from the above that according to the activity of deliberation, which is placing weight on reasons, the right kind of reasons must be agent-neutral, despite agent-relative reasons to the contrary.

Building from Evers' objection we have:

> *The problem of agent-neutrality:* According to Hypotheticalism, the activity of deliberation determines that the right kind of reasons are agent-neutral when they come into conflict with any agent-relative reasons.

The issue raised by the problem of agent-neutrality is most transparent when we consider a case where an agent is presently engaged in an activity which provides an agent-neutral reason but comes into conflict with an intuitively weightier reason, despite that reason being agent-relative. Consider the following:

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[187] Ibid P.63
[188] p.142, Schroeder, *Slaves of the Passions*.
[189] Ibid. p.194.

Suppose that John is on his way home playing online chess on his mobile and after careful deliberation, has conceived of a strategy to win the game. However, John comes across a burning school knowing that his nephew is inside. John especially has an agent-relative reason to save his nephew because he is very fond of his nephew. John can save his nephew simply by calling the fire brigade, however, in doing so John is forced to quit and therefore lose his online chess game. According to Hypotheticalism, placing weight on the set of reasons to continue playing chess is for the right kind of reasons and is agent-neutral because it is one which all agents have while playing chess. John's reason to save his nephew is agent-relative because it is not a reason which everyone has. Automatically placing weight on the agent-neutral reason follows from the activity of deliberation because this is an activity in which everyone is engaged.[190] Moral presuppositions aside, Hypotheticalism's result is implausible because John ought to give weight to the set of reasons to quit the chess game and call the fire brigade.

The objection is clear: the set of reasons to quit the game should be weightier than the set of reasons to continue playing, despite that the former reason is agent-relative and the latter agent-neutral. A way out for Hypotheticalism is to say that despite it being correct to place weight on the set of reasons to continue playing chess, John should give weight to the set of reasons to quit the chess game in so far as he is now engaged in another important activity. The chess case only seems problematic because there is something controversially wrong about deciding to play chess despite there being a burning school with children inside. There is a moral reason for everyone to call the fire brigade if they come across a burning school with children inside but there is especially an agent-relative reason for John because his nephew is inside. It is uncontroversial to say that John has a duty to call the fire brigade because John is there. [191]

Hypotheticalism can provide a solution by separating the relevant activities. If John has a moral duty to help others where he possibly can then John is engaged in the specific activity of saving his nephew from the burning school which provides John an agent-relative reason to call the fire brigade. However, John can also be involved in other activities such as playing chess. Now that John is involved in multiple activities, the activity of deliberation no longer automatically makes continuing to play chess the right kind of reasons because the correctness of placing weight on each set of reasons is relative to the given activity: playing chess or saving children from a burning school.

[190] A version of this objection has been formulated by Stratton-Lake and its subsequent analysis stemming from our discussion of it.

[191] Schroeder's solution to the 'Wrong kind of reasons' problem in Schroeder (2010), can be exemplified in the example of continuing to play chess in spite of moral obligations and supports what I see as a way out for Schroeder. The activity of playing chess becomes idiosyncratic and because the activity is relative to the agents involved, it would be superseded by any moral activity which everyone can share.

It seems now that we need a way to weigh different activities and here Hypotheticalism can say that in any conflict between the activity of playing chess and saving children from a burning school, regardless of whose child it is, everyone has an agent-neutral reason to save the children over playing chess.[192] The question is how this can be explained and accommodated in Hypotheticalism.

One might clarify Hypotheticalism in the following way: the right kind of reasons is not simply giving weight to reasons when engaged in the general activity of deliberation but giving weight to reasons when engaged in a specific activity.[193] On such a clarification, the problem of agent-neutrality is no longer there because the activity of deliberation no longer provides an agent-neutral reason if there is a conflict between two separate activities which both provide the right kind of reasons.[194] The right kind of reasons are determined by the specific activities that an agent is involved, and weighing set of reasons simply aids the agent in deliberating over what they ought to do. Specific activities provide the right kind of reasons to place weight on reasons which are correct in accordance with the standards of relevant activities, whether it be chess or saving children. The activity of deliberation allows an agent to be aware of their reasons across multiple activities. Although being involved in the activity of playing chess provides John the right kind of reasons to continue playing, if John is also involved in the specific activity of saving the children, then this also provides the right kind of reasons.

What makes it correct to place weight on the set of reasons to quit the game can simply be determined by the nature of the relevant activities involved: that it gives *all* agents an agent-neutral moral reason to quit the game and call the fire brigade. Whether such moral reasons give definitive weight will still depend on any other reasons to the contrary. We might say that embedded within the activity of a moral nature, one understands that it carries special weight due to its categoricity. For Hypotheticalism, the weight of moral reasons can simply be captured by agents who are involved in any activity of a descriptively moral nature. Specific *moral* activities carry a special weight in that the right kind of reasons are beyond the context of the activity itself.[195] For example, if there are any moral reasons then they are ones which everyone has by default whereas non-moral activities tend only to provide the right kind of reasons which are contingent on the activity and agents involved, John and his chess opponent.

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[192] By rejecting Proportionalism, Hypotheticalism is not committed to the view that John would place weight in accordance with the strength of his desires.

[193] This clarification is one which Schroeder has implied. Schroeder (2010) p.13

[194] The solution to the sock example is trivial: the right kind of reasons is decided by the activity, which makes it correct to place weight on a matter of preference.

[195] By *moral activity*, I again assume an uncontroversial and common-sense understanding such as, promising, fulfilling obligations, giving aid and so on.

As it stands, the problem of agent-neutrality is not insurmountable. As we have seen, it is intuitive to think that agent-relative reasons can override agent-neutral reasons in deliberation, especially when the agent-relative reason is a moral one. Schroeder can accommodate this, given that what we ought to do is determined by what specific activity an agent is engaged in.[196] Yet, the question is how desires can capture moral reasons. Since Schroeder claims that everyone has moral reasons, it is necessary to examine how this is possible.

2.2. The Problem of Isolated Desires

If the nature of moral reasons can be captured under Hypotheticalism, then there is a question as to how these moral reasons are generated. I now present the problem of isolated desires which exposes that Hypotheticalism is committed to the view that a single non-instrumental desire can only lead to moral reasons if instrumental desires are generated. I will show that though the problem is not insurmountable, it certainly leads to further concerns.

According to Hypotheticalism, any single desire potentially grounds any moral reason.[197] Regarding the virtual quantifier which can mean that any reason can be explained by *almost* all desires I call into question otherwise Hypotheticalism must concede that even in theory there are some moral reasons that cannot be explained by a desire and if that is the case, Hypotheticalism fails to provide a complete theory of reasons.

I work with the view that according to Hypotheticalism, every desire we have *can* hypothetically, by itself, generate every moral reason. Hypotheticalism is not committed to the claim that there *could* be an agent who has just one desire, especially if it could be any desire, and so is not committed to this possibility.[198] Still, putting practical possibilities aside, isolated desires can still lead to troubling outcomes for Hypotheticalism. In particular, it is at least puzzling how, even hypothetically, just any desire could generate reasons to act morally. Shafer-Landau argues that it is not clear how an agent lacking moral desires and possessing only evil ones could have any desire that would promote moral

[196] I only maintain here that agents *can* be automatically involved in moral activities, however, it is beyond the scope of this paper to examine whether this is always the case.
[197] Schroeder is explicit that this is one commitment that Hypotheticalism endorses: "You can't have any reasons to act if you don't have any desires." p.180 Schroeder (2007)
More so that: "They are reasons for anyone, no matter what she desires, simply because they can be explained by any (or virtually any) possible desire." Ibid. p.109.
[198] Kahane, for example, argues that it is difficult to imagine how it would even be possible for there to be an agent with basic desires. p.343 Guy Kahane, 'If Nothing Matters', *Noûs* 51, no. 2 (2017): 327–53.

behaviour.[199] He maintains that Schroeder has not explained how a single desire can explain any reason. Yet, it is not clear precisely why Hypotheticalism cannot do this.[200]

We can conduct a test by considering desires in isolation, without imaging that there could be an agent that has only one isolated desire. To consider desires in isolation, we may distinguish between instrumental and non-instrumental desires. If a desire is instrumental, then we have this desire for the sake of something else. For example, if I desire a glass of water, it is *because* I desire to quench my thirst. On the other hand, non-instrumental desires are independent in that we can desire something for its own sake. For example, if I desire to be content then I might desire contentedness for contentedness itself. We can have numerous instrumental desires which may contribute to satisfying a non-instrumental desire that we may have. For example, we may have the instrumental desire to go for a walk, talk to a friend, eat cake etc. all because we have the non-instrumental desire to be content. If we are going to test isolating desires which could generate moral reasons, it is plausible to isolate non-instrumental desires because it is at least theoretically possible for there to be just one non-instrumental desire. In light of the above, we can ascribe the following thesis to Hypotheticalism:

> *(D) – In theory: Any non-instrumental desire can explain any moral reason through instrumental desires.*[201]

As Shafer-Landau points out, there seems to be a problem with Hypotheticalism if our non-instrumental desire to X seemingly opposes a moral reason not to X. We can call this:

> *The Problem of Isolated Desires* – Desire Y cannot *always* explain both a reason to X and not to X.

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[199] p.438 in Russ Shafer-Landau, 'Three Problems for Schroeder's Hypotheticalism', ed. Mark Schroeder, *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition* 157, no. 3 (2012): 435–43.

[200] In reply, Schroeder has acknowledged the view that moral reasons are reasons for just any agent, as opposed to a moral agent, is in fact misdescribed. Instead, Hypotheticalism can endeavour to explain how moral reasons are shared only by those who are capable of recognising such reasons, such as moral agents. Mark Schroeder, 'Reply to Shafer-Landau, Mcpherson, and Dancy', *Philosophical Studies* 157, no. 3 (2012): 463–74.

The problem with Schroeder's reply is that it begs the question if we simply assert that moral agents share moral reasons because they are moral agents. Despite Schroeder conceding that moral reasons may only apply to moral agents, Schroeder is nevertheless committed to the view that any single desire grounds any moral reason and to deny this is to undermine Hypotheticalism altogether.

[201] Shafer-Landau also proposes a reverse principle that "(P) For every agent and for every action that fulfils a moral requirement, that action will promote at least one of that agent's desires" p.438 Shafer-Landau (2012). This is endorsed by Schroeder himself p.469 Schroeder (2012)

Hypotheticalism must deny this problem, but the question is how. We can illustrate the problem by specifying a relevant non-instrumental desire. Taking a play on Williams' famous example,[202] imagine that John has only one non-instrumental desire which is to be horrible to his wife. Being the kind of person John is, who only has the desire to be horrible to his wife, it is difficult to imagine John having a genuine reason to be nicer to his wife because the desire and reason seem to indicate opposite things. If John indeed only has the desire to be horrible to his wife, then he has no reason to be nice to his wife provided the reason must be generated from that same desire. It follows that the desire to X cannot generate the reason to not X, in this example. It at least *seems* paradoxical how John could have an instrumental desire which would lead him to have a reason to be nicer to his wife.

Yet, Hypotheticalism is just required to show that among the various instrumental desires that may emerge, it is entirely possible for one instrumental desire to lead John to have a reason to be nicer to his wife. For example, John may realise that in truly being horrible to his wife, he has a reason to be nicer to her so that he can lull her into a false sense of security. Through such manipulation, John is in fact being horrible to his wife while also having the reason to be nice to her. We may try to specify the example further to nullify counter-examples but the more specified the example gets, the less plausible it becomes and warrants similarly extravagant counter-examples. Considering potential loopholes together with the fact that Hypotheticalism does not endorse the possibility of there actually being an agent with an isolated desire, the objection is not wholly successful.

Despite loopholes, we might still think there are logical concerns that arise from the problem of isolated desires. These logical concerns stem from violating what Snedegar calls the *exclusivity principle*: "For all facts r, agents s, and actions A, if r is a reason for s to A, then it's not the case that r is also a reason for s not to A."[203] However, this is not obviously true, as Snedegar points out that different theories of reasons can still posit that contradictory reasons can still emerge from the same fact if different objectives are arising from different desires. The fact that there is vinegar on the table, can give us both a reason to reach for it and to distance ourselves from it, which can be explained by distinct objectives such as desires. For example, if we like the taste of vinegar but dislike the smell, these separate desires can both give us a reason to act in opposing ways regarding the same fact.

However, according to Snedegar, the same objective or desire cannot explain why the same fact is both a reason to do and not to do the same action. Even though exclusivity may be false in some cases, such as the vinegar case where there is more than one objective such as multiples desire, we

[202] Williams, 'Internal Reasons and the Obscurity of Blame'.
[203] p.29 Justin Snedegar, *Contrastive Reasons* (Oxford: Oxford University Press, 2017).

can posit a weaker principle of *Restricted Exclusivity*: "For all facts r, agents s, actions A, and objectives o, o cannot explain both why r is a reason for s to A and why r is a reason for s not to A".[204] For example, if there is only one desire, the desire for vinegar and there is vinegar on the table, then the fact that there is vinegar on the table cannot give a reason to and not to reach for the vinegar.[205]

The question then is whether Schroeder violates this weaker principle of restricted exclusivity. Let us try to exemplify the principle with the example used before. There is a fact that John only has the desire to be horrible to his wife, such that John has one objective which is a non-instrumental desire to be horrible to his wife. Assuming we are dealing with the same and single fact, John's non-instrumental desire to be horrible to his wife cannot explain both why John has a reason to be horrible to his wife and a reason to be nice to his wife. Thus, there is a violation of the principle in supposing that a single desire can generate opposing reasons, unless of course two separate instrumental desires are generated which leads to two objectives.

Notice that Hypotheticalism is not affected by the principle because it says that any non-instrumental desire can generate any moral reason, not that the same desire can explain why the same fact can provide a reason to do and not to do the same action. What can explain the reason for John being horrible to his wife is the non-instrumental desire and what might explain the reason John has to *not* be horrible to his wife is some instrumental desire which is generated along the way. This means that it is an associated instrumental desire which grounds the moral reason, rather than the non-instrumental desire. If anything, the restricted exclusivity principle shows that it would be incoherent for Hypotheticalism to maintain that opposing reasons can be generated from the very same desire, but Hypotheticalism does not violate this principle. The principle would only be violated if the reason for John not to be horrible to his wife emerged solely from the non-instrumental desire. However, it is implausible to think that is even possible because we cannot imagine John being nice to his wife in any non-instrumental way if the only non-instrumental desire John has is to be horrible to his wife.

[204] Ibid p.31

[205] Though the restricted exclusivity principle is plausible, it is just as important to keep it in context. It is unlikely, for example, that such a principle is unequivocally true. For example, in defending a theory of minimal probabilism of promotion, Elson argues that this theory does not violate restricted exclusivity if there are no background conditions such as in isolated cases. However, if we consider background conditions, then this itself calls into question the plausibility of the principle. Luke Elson, 'Probabilistic Promotion and Ability', *Ergo* 6, no. 34 (2019).
Saying that, I think as the vinegar example shows, this is an isolated case where the principle is plausible.

To conclude, it is not enough to say that Hypotheticalism is implausible because it potentially violates restricted exclusivity since Hypotheticalism can maintain that instrumental desires generated by a non-instrumental desire explain any moral reason. In light of this, we can see how Schroeder has departed from the traditional internalist such as Williams: despite what motivational set John may have, Hypotheticalism can say that John does have a reason to treat his wife better. What we can retain going forward is that the view that the *same* desire can yield opposing reasons exposes Hypotheticalism's commitments. The problem that we are left with, is not whether or how desire Y can explain both a reason to X and not to X but how successfully it can.

3. Can Hypotheticalism capture Moral Universality?

There are plenty of problems that are or can be, attributed to Schroeder's Hypotheticalism[206] and my aim has not been an attempt to survey these problems but to make a verdict on whether

[206] For example:
- Enoch's argues that Hypotheticalism strays too far from Humean views. Enoch (2011)
- Dancy has questioned why a unified theory of reasons is required in the first place in Jonathan Dancy, 'Response to Mark Schroeder's Slaves of the Passions', *Philosophical Studies* 157, no. 3 (2012): 455–62..
- McPherson raises epistemological concerns as to how beliefs promote desires in Tristram McPherson, 'Mark Schroeder's Hypotheticalism: Agent-Neutrality, Moral Epistemology, and Methodology', *Philosophical Studies* 157, no. 3 (2012): 445–53.
- Shackel has argued that Hypotheticalism to be, at best, incomplete. Nicholas Shackel, 'Still Waiting for a Plausible Humean Theory of Reasons', *Philosophical Studies* 167, no. 3 (2014): 607–33.

Furthermore, there is recent work which questions some of the ideas Hypotheticalism perhaps takes for granted, for example, whether proportionalism is true:
- Evers (2009)
- Travis N. Rieder, 'Why I'm Still a Proportionalist', *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition* 173, no. 1 (2016): 251–70.

Also, in regard to theories of promotion:
- Nathaniel Sharadin, 'Problems for Pure Probabilism about Promotion (and a Disjunctive Alternative)', *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition* 172, no. 5 (2015): 1371–86.
- Jeff Behrends and Joshua DiPaolo, 'Probabilistic Promotion Revisited', *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition* 173, no. 7 (2016): 1735–54.
- Elson (2019)

For short books reviews amongst many others, see:
- Alvarez (2009)
- Alex Gregory, 'Slaves of the Passions? On Schroeder's New Humeanism', *Ratio* 22, no. 2 (2009): 250–57.

Shafer-Landau (2012) and Alvarez (2009) have stated that Schroeder does not explain how desires can explain moral reasons which I take to be the most striking claim Hypotheticalism has to offer. It is the purpose of this chapter to show that Hypotheticalism is not successful in capturing moral reasons.

Hypotheticalism can capture moral reasons. It is not a rebuttal to simply state that Schroeder does not sufficiently explain how moral reasons can be explained by desires nor pointing to more general problems with Hypotheticalism. Despite the wide response and criticism Hypotheticalism has received, it has yet to be shown precisely why Hypotheticalism is unable to satisfy common-sense intuitions regarding moral reasons. The aim of this final section is to present a problem which aims to do the above by building from problems already attributed to Hypotheticalism.

3.1. The Problem of the Right Kind of Reasons

This section aims to combine the previous problems to form a more pressing 'problem of the Right Kind of Reasons'. Putting the two previous problems together: there is a question as to how Hypotheticalism can yield justifiable moral reasons. There are two separate questions which can be asked when evaluating Hypotheticalism. The first is a question as to how universal moral reasons can be explained under Hypotheticalism. The second is a question as to how Hypotheticalism can explain the weight we place on moral reasons. If it can be shown that Hypotheticalism does not satisfactorily explain the first question, then the second question is naturally not explained because if universal moral reasons are not successfully explained then neither will be the weight of those reasons because the weight of those reasons will not be applicable to everyone.

As such, the focus of my argument is the first question and I argue that since moral reasons are not adequately explained then neither is moral universality. The chief explanation as to why Hypotheticalism fails to capture universal moral reasons is due to what the right kind of reasons are according to Hypotheticalism namely that the right kind of reasons to place weight on reasons depend on the activity in question. Consider the following textual evidence:

> "The right kind of reasons, I think, need to be understood by reference to the relevant activity.
> So how do we do this? I think that the answer is simple. The right kind of reasons involved in any activity are the ones that the people involved in that activity have, because they are engaged in that activity."[207]

> "There are also reasons that everyone who is playing chess shares but are of the wrong kind. For example, everyone who is playing chess has moral reasons. But moral reasons are of the

[207] p.135 Schroeder (2007)

wrong kind, because it is not the fact that they are playing chess that explains why they have those reasons"[208]

"The right kinds of reasons to do A are reasons that are shared by everyone engaged in the activity of doing A, such that the fact that they are engaged in doing A is sufficient to explain why these are reasons for them."[209]

"According to this account, the distinction between the right and wrong kind of reasons is relative to an 'activity'. This is because the point of the distinction between the 'right' and 'wrong' kinds of reasons, is that only the 'right' kind contribute to standards of correctness, and standards of correctness are relative to activities."[210]

"The requirement that the right kind of reasons be shared by anyone who is engaged in an activity rules out idiosyncratic reasons as being of the wrong kind."[211]

From the above, it is a fair to say that according to Hypotheticalism, the right kind of reasons to place weight on reasons is relative to the activity in question. Putting moral universality to one side, Hypotheticalism aims to capture those reasons which can explain conventional morality. It is not my intention to argue that Hypotheticalism fails to capture moral universality because the right kind of reasons are relative to activities because this would beg the question as to what conventional morality Hypotheticalism is aiming to capture. Still, there are some aspects of conventional morality which I am going to take as common-sense. Namely, that when one has a justifiable moral reason, the Right Kind of Reasons are at least *possibly* independent of the activity an agent is engaged in. More specifically, I take it to be uncontroversial that there are at least *some* moral reasons which are not self-regarding in the sense that such reasons cannot simply be instrumental to some self-interested goal.[212] Furthermore, it only takes being able to show one case where a justifiable moral reason cannot be captured to show that Hypotheticalism is not successful in capturing common-sense morality.

[208] Ibid p.135
[209] Ibid p.135/194
[210] p.13 Schroder (2010)
[211] Ibid P.13
[212] Singer argues that there is a normative standard built into the very conception of common sense whereby one acts in a way that is not simply based on self-regarding desires p.111 Singer (2003)

The right kind of reasons according to Hypotheticalism does not by itself seem to be troublesome but we can see why it is if we isolate desires again and by doing so, we can see how it is entirely possible to also isolate activities that an agent is engaged in. According to Hypotheticalism, it is correct to place weight on reasons so long as they are of the right kind in reference to the activity in question. Consider the following textual evidence:

> "B is the correct way to A just in case the set of all of the reasons to do B that are of the right kind with respect to activity A is weightier than the set of all of the reasons to not do B that are of the right kind with respect to activity A."[213]

> "The main lesson that I would like to draw, however, is that there are multiple ways in which it could turn out that an activity gives rise to shared reasons, and hence to a shared standard of correctness."[214]

> "But nothing about my solution to the Wrong Kind of Reasons problem requires that the relevant activity be morally permissible, and intuitively, that is right – there are standards of correctness even for activities that it is impermissible to participate in."[215]

However, in order to see what it is correct to place weight on in reference to activities we must first isolate activities and to do that we are required to establish exactly how activities provide the right kind of reasons:

If the right kind of reasons are correct in reference to particular activities, more needs to be said as to how general and specific activities can be separated. The right kind of reasons will depend on the particular activity in question, which can be understood in two ways: the generic and specific activity. The generic activity provides the context for specific activities, so generic activities could be playing chess, going for a walk, or they can be more general still but are activities of a particular kind nonetheless: such as moral, sexual, educational etc. A specific activity will necessarily be part of the generic activity and thus what the specific activity is will depend on the generic activity, which can take the form of rules of that generic activity. There is no strict rule of what is and is not a generic and specific activity because this first and second-order distinction can always be shifted i.e., the generic activity is playing a game, and the specific activity is playing chess. The point, however, is that there can always be a distinction between a generic kind of activity and a specific activity within any particular activity. If the generic activity is playing chess, then the specific activity will be within the context of playing chess; it could be situational such as playing chess in the garden, or it can be

[213] p.14 Schroeder (2010)
[214] Ibid p.16
[215] Ibid p.20

rule-based such as regarding castling the King and Rook. If the generic activity is more general such as a moral activity, which is any activity that is moral in nature, then the same still applies. Any specific activity such as saving children will be a specific moral activity, which can also be situational and rule-based. The rule-base of specific activities is especially important because it is the rule-base which exemplify the correctness of particular activities. The correctness of a specific activity is correct following the generic activities in question. So, the right kind of reasons to place weight regarding specific activities are right in virtue of the correct standards relative to the generic activities in question.

We can now formulate the problem as follows:

> *The problem of the Right Kind of Reasons* – It is correct to place weight on reasons relative to a generic activity an agent is engaged in and a specific activity that is essential to fulfilling an isolated desire will therefore necessarily determine what the right kind of reasons are.

3.2. The Right Kind of Reasons are Justifiable Moral Reasons

Imagine again John who has the isolated non-instrumental desire to be horrible to his wife. Yet, we said that despite it being difficult to imagine how someone like John could have a reason to be nicer to his wife, John can indeed generate an instrumental desire which gives him this reason. Recall that John may realise that in truly being horrible to his wife, he has a reason to be nice to her so that he can lull her into a false sense of security. Through such manipulation, John is in fact promoting his desire to be horrible to his wife while also having the reason to be nice to her.

Yet, John's reason to be nicer to his wife is certainly not morally justifiable because the moral justifiability of John's reason concerns the reasons John has to be nicer to his wife regardless of whether John does have a reason to be nicer to his wife. What I take to be entirely uncontroversial is that for John's reason to be nicer to his wife to be morally justifiable is for him to have that reason certainly *not* so that he can ultimately manipulate her. The specific activity that John is involved in is manipulating his wife, which makes John have the right kind of reasons to place weight on having a reason to be nicer to his wife which is determined by the generic activity of being horrible to his wife. However, we would think that placing weight on the reason to be nicer to his wife just so that he can manipulate her is certainly not a justifiable moral reason. Now that in itself is not a decisive problem but it is a decisive problem for any theory which claims to capture conventional morality. And this is the problem of the Right Kind of Reasons, that at least in some cases, the actual *Right*

kind of Reasons do not depend on the activity in question nor the self-regarding desires an agent may have.

The problem of the Right Kind of Reasons is not simply that moral reasons will always be rooted in self-interest, after all there are various moral theories such as a Hobbesian social contract theory which attempts to explain morality through a system of co-operation among self-interested individuals.[216] There is also a genuine question whether any moral reason is not in some way rooted in self-interest. The problem that especially emerges for Hypotheticalism is in the way it attempts to explain how all agents have moral reasons, not through some principle of cooperation but plainly on the basis of desires. The objection is that justifiable moral reasons are at least sometimes non-instrumental. For example, the reason that one has to be nice to their wife is only morally justifiable when it is non-instrumental, when one is nice to their wife for its own sake and is not instrumental to some self-regarding goal.

Of course, one may argue that all reasons are in some way instrumental to something else. For example, if one has a moral reason to be nice to their wife because it is instrumental to a happy marriage. However, in this case, the moral reason is nevertheless still justified and the concern here is not whether moral reasons *must* be non-instrumental but whether they can be morally justified in a way in which vindicates common-sense morality. Even if the reason to be nice to one's wife turns out to be instrumental, for example instrumental to a happy marriage then that reason is still morally justified because we would think that the non-instrumental desire, a happy marriage, is at least potentially morally praiseworthy.

Now, we might think that being nice to one's wife just to satisfy the desire to maintain a happy marriage is prudential at best. However, the verdict of the reason being prudential assumes that the *only* reason that one is nice to their wife is just so that it is instrumental to a happy marriage. Yet, a reason can simultaneously be both a moral and prudential reason. If one is nice to their wife because they genuinely do care *and* desire to maintain a happy marriage, then that is still a justified moral reason. Putting any potential cultural differences aside: a good and clear-headed husband is one who sees the value in being nice to his wife for *her* sake while simultaneously understanding that such actions are prudential because they are instrument to a happy marriage which is in *his* self-interest. We might say that possessing such understanding is itself morally praiseworthy.

If we ask John why he has a reason to be nice to his wife and he replies that it is instrumental to his desire to be horrible to her then common-sense morality is being thrown out the window, let alone

[216] David Gauthier, 'Symposium Papers, Comments and an Abstract: Hobbes's Social Contract', *Noûs* 22, no. 1 (1988): 71–82.

being vindicated. It is not simply that John's reason is instrumental which is morally objectionable, John's reason is morally objectionable precisely because it fails to vindicate common-sense morality and that is what is at stake when it comes to capturing moral universality. Hypotheticalism being able to capture categorial reasons, such as a reason for John to be nice to his wife, become a fruitless outcome as far as capturing moral universality is concerned.

One objection might be that the reasons John has are idiosyncratic since it is only John who has a reason to place weight on being nice to his wife just so that he can be horrible to her, and it is simply wrong to engage in the activity of manipulating his wife. For example, Hypotheticalism still has the activity of deliberation at play. One could say that since deliberation is an activity everyone is engaged in; it is perhaps the most general activity there is and therefore it is deliberation that determines the correct set of standards for everyone. However, it is not only John who has the reason to be nicer to his wife so he can manipulate her because if that were the case then there would be no problem. The problem is precisely that according to Hypotheticalism, everyone who desires to be horrible to their wife and is involved in the specific activity of manipulating their wife has the right kind of reasons to be nicer to their wife for the purposes of manipulating their wife. According to the activity of deliberation, which is simply placing weight on reasons according to Hypotheticalism: it can make you aware of all the desires and reasons that you do have but the activity of deliberation would not be able to give an agent a reason if the relevant desire was not there to support it, that is, a justified moral reason for John to be nicer to his wife.

It might be objected that trying to isolate desires does not work for two reasons, first Hypotheticalism is not committed to there actually being an agent with an isolated desire and secondly, even if we isolate desires, surely there are more activities that an agent is going to be involved in, i.e., breathing, eating, sleeping etc. I do think that the above example is merely stipulative but the problem for Hypotheticalism is a general one even if we do not consider desires or even activities in isolation. John's reasons to be nicer to his wife are self-regarding because they are explained by the desires that he has. So even if we were able to change his desires, John's reasons will still be self-regarding according to Hypotheticalism. The problem here is that this means all of our moral reasons are susceptible to being explained by some kind of self-interest, which might be an appealing view for some and readily accepted by Humeans.[217] However, whether such a view can claim to capture common-sense morality is a separate matter and Schroeder does explicitly claim that Hypotheticalism aims to capture conventional moral reasons.[218] It is intuitive to think that

[217] According to Lin, any Humean must accept that one can lack any reason to act morally. Eden Lin, 'Prudence, Morality, and the Humean Theory of Reasons', *Philosophical Quarterly* 65, no. 259 (2015): 220–40.
[218] p.115 Schroeder (2007)

there are at least some moral reasons which are supposed to be selfless, even if it can nevertheless be explained that they are somehow rooted in self-interest. Conventional morality is one where it is at least possible for there to be reasons in which one has no apparent self-interest and since Hypotheticalism cannot vindicate such common-sense morality, it fails to capture moral universality.

4. Conclusion

Hypotheticalism can maintain that it is possible to generate any moral reason, but those reasons are not morally justifiable unless they really are for the Right Kind of Reasons. Moral reasons are expected to be pursued for their own sake, rather than instrumental and pursued for the sake of fulfilling a desire. It is not enough then to simply acquire the descriptive content of a moral reason through some associated instrumental desire. Schroeder has reconstrued categoricity as reasons which have equal weight for everyone, but this notion does not carry weight unless justifiable moral reasons are accounted for.

It follows from such moral concerns that Schroeder's Hypotheticalism cannot vindicate common-sense morality. *If* any first-order ethical view is correct that some actions, even if only in specific instances, are right and wrong in accordance with the standards of some ethical theory, then the Right Kind of Reasons are determined by these standards. For an action to be right and wrong following a set of standards which are impartial to an agent means that the set of standards are irrespective of the attitudes and desires of that agent. It does not automatically follow from our understanding of first-order morality that desires are not involved in how moral reasons function, but it does follow that moral reasons are independent of individual desires, which Schroeder may accept. Yet, moral reasons must also be for the Right Kind of Reasons, which Hypotheticalism cannot capture. The Right Kind of Reasons will be independent of what we desire, let alone any single desire that we may have. Failing to capture the Right Kind of Reasons then is a failure to capture moral universality.

Chapter 4: Procedural Rationality and Morality

This chapter examines the question whether procedural rationality alone can capture universal moral reasons, reasons that apply to everyone.[219] One such attempt is in Markovits' *Moral Reason*.[220] Markovits provides a defence of normative reasons, including moral reasons, which are the considerations for favouring and justifying a particular behaviour, attitude or action. According to a procedural conception of rationality, any rational requirement for an agent to adopt a particular end is generated by the relation that end has to the agent's existing ends due to internal coherence.[221] In the previous chapter, I discussed how Schroeder also attempts to derive reasons from desires. For Markovits, ends are the motivational set that an agent has, which is inclusive of desires, broadly construed.[222] On this procedural rationalist view, an agent has a reason if and only if that reason can be generated from the existing ends an agent already has. Capturing universal moral reasons has traditionally been a problem for internalists, such as Williams who thought that if there is a sound deliberative route from existing motivations then one can be said to have a reason.[223] For example, according to the motivational thesis of internalism, an agent who only has a motivational set comprised of selfish attitudes cannot be said to have a non-instrumental reason to care for anyone. Yet, what is striking about Markovits' argument is that despite the internalist pedigree, she maintains that moral reasons can be captured regardless of any specific desire an agent may have:

> "I firmly believe we have reasons, especially moral reasons, to do many things we have no desire to do, and even when we do desire to do these things, our reason to do them isn't that doing them will satisfy our desires. There are moral reasons that apply to all of us, regardless of what we happen to desire."[224]

As the above quote shows, Markovits hopes to capture universal moral reasons. What differentiates Markovits from Schroeder's Hypotheticalism discussed in the previous chapter is that Markovits uniquely combines internalism with a Kantian view. The shared internalism between Schroeder and Markovits is that moral reasons can be explained by some desire. Markovits aims to capture universal moral reasons through the formula of humanity, according to which all agents ought to

[219] I exemplify intuitive examples of moral reasons, assuming that there is agreement on what counts as a moral reason and the question to be examined is how those moral reasons can or cannot be explained.
[220] Markovits, *Moral Reason*.
[221] Ibid p.110
[222] At this point it is worth mentioning that Markovits follows Williams' use of desire in an extended sense, which includes ends, goals, intentions, evaluation and so on. Ibid. p.5, 31.
[223] Williams, 'Internal Reasons and the Obscurity of Blame'.
[224] Ibid p.3 Markovits (2014)

respect the capacity of rational choice of others by treating others as an end and not a mere means. As such, for Markovits, failing to capture the formula of humanity means failing to capture universal moral reasons by extension. I will argue that procedural rationality alone cannot capture the formula of humanity. According to a thin conception of procedural rationality, what is procedurally rational, can be limited to an agent's coherent set of reasons which can involve valuing their own humanity without valuing the humanity of others. It is possible then, to fulfil the necessary and sufficient conditions for procedural rationality while contradicting the formula of humanity. It is a problem for Markovits if any act of immorality, which would be whenever the formula of humanity is violated, must be accounted for by procedural rationality. However, if the necessary and sufficient conditions for procedural rationality have been fulfilled then any violation of the formula of humanity cannot be accounted for by procedural rationality. Thus, Markovits' Kantian internalism fails in capturing the formula of humanity and by extension, the universality of moral reasons.

1. Markovits' Formula of Humanity

Markovits provides an internalist interpretation of Kant's formula of humanity, according to which, all agents have a moral reason to respect humanity. In respecting humanity, all agents have a reason to value the rational choice of others by not treating others as a mere means. We will not focus on the normative implications here but for Markovits, the formula of humanity results in a consent principle that involves respecting and recognising the consent of others.[225] All agents are required to adhere to the formula of humanity due to the requirements of procedural rationality. To not respect humanity is to fail to be procedurally rational.[226] Immorality, therefore, must be accounted for by procedural irrationality on this view.[227]

To begin, I will illustrate Markovits' theory as to how we can capture universal moral reasons. Markovits first establishes an internalist picture of what reasons are, she then aims to accommodate categorical reasons within this internalist picture. The kind of categoricity that Markovits settles with is the view that so long as an agent has any desires at all, there is a categorical imperative for all agents to respect humanity.[228]

[225] Ibid p.192
[226] Ibid p.141
[227] Ibid p.153, p.196.
[228] Ibid p.146

1.1. Markovits' Internalism

Markovits denies the motivational thesis mentioned earlier that reasons *must* be capable of motivating rational agents. Denying the motivational thesis is instrumental to attempting to capturing universal moral reasons, even if an agent cannot be motivated by a given moral reason, they can still be said to have that reason. Her internalism focuses on a procedural conception of practical rationality according to which there is a rational requirement for agents to have reasons in regard to the ends the agents already have by means of internal coherence.[229] For example, assuming that the agent desires to make their appointment on time and without desires or values to the contrary: it would be procedurally irrational for an agent who values punctuality to leave for a meeting later than 10.50am, if they have a meeting at 11am knowing that it takes 10 minutes to get there. The reason to leave by 10.50am is coherent whereas the reason to leave any later is not, with the end of making the meeting on time. According to Markovits' internalism:

> "a reason for an agent to φ is a consideration that counts in favor of φ-ing—that throws its justificatory weight behind φ-ing—in virtue of the relation it shows φ-ing to stand in to the agent's existing ends."[230]

According to Markovits, facts show or give reasons when they are a source of evidence in relation to existing ends. For example, if an agent values punctuality, then a consideration or fact will count as a reason, if that fact provides evidence that the reason will promote the agent's end of valuing punctuality. If the agent has a meeting at 11am and knows that it takes 10 minutes to get there on time, then the agent has a reason to leave no later than 10.50am. The reason the agent has to leave no later than 10.50am counts as evidence because it furthers an existing end which is valuing punctuality. Of course, this is not to say that the reason cannot be a source of motivation. Despite Markovits rejecting the motivational thesis of internalism, her internalism still explains how reasons can reliably motivate rational agents and when there is an end which an agent cares about, an agent will be motivated to act in a way they believe they ought to, given their ends.[231]

According to Markovits' formula of humanity, we must always respect the value of humanity as an end in itself, regardless of personal ends, on pain of procedural rationality.[232] The formula of humanity states that:

[229] Ibid p.51
[230] Ibid P.52
[231] Ibid P.65
[232] Ibid P.71

> "…never behave towards another person in a way that fails to respect the capacity for rational choice in which her humanity consists. For to neglect in one's actions to treat humanity (that is, the capacity for rational choice) as an end would be to disregard the very thing that gave those actions, and the personal ends at which they aim, their value."[233]

Markovits equates humanity with the capacity for rational choice and respecting humanity is to respect an agent in virtue of their capacity for rational choice. It is through this capacity that we can confer value, for example when we value our home, our relationships, our interests in general, and so we treat humanity as the ultimate value because our capacity for choice is the source of values.[234] An agent would fail to respect the humanity of others by enslaving them for example and likewise would fail to respect their own by selling themselves into slavery.

Markovits denies that she is guilty of making the inference that if an agent is able to confer value, then that agent must also be of value.[235] Rather, it is the way in which agents confer value which matters:

> "In one sense, I believe, it is in virtue of our ability to confer value on our choices that we have a special value. But we don't have this special value because we make things valuable. Our value is not like the (instrumental) value of the cubic press, which turns ordinary carbon into diamond. We have the special value we have, I have suggested, because we aren't just beings that matter to someone, but rather we're beings to whom things matter. We are centres of subjectivity… But my value does not depend on my being of value to anyone—I am, as Kant says, valuable in myself."[236]

According to Markovits, we can infer from the fact that agents are beings to whom things matter, that they have a special value. However, even by maintaining that the relation is one of inference, one concern is how the consequent is explained by the antecedent.[237] One response is that an agent does not have special value simply because they can confer value, on their garden for example. Rather, having placed value on their garden, the garden matters to the agent. An agent has a special value because they are affected by what they value and that they are responsible for conferring that

[233] Ibid P.103
[234] My aim is not to question Markovits' reading of Kant which may be controversial but simply to highlight her interpretation and most importantly, explain what she takes to be her version of the formula of humanity.
[235] Markovits acknowledges that the argument above has its difficulties especially in regard to value-conferral. Ibid p.104
[236] Ibid p.142
[237] See p.4 Philip Stratton-Lake, 'Creating the Kingdom of Ends. By Christine Korsgaard. Cambridge, Cambridge University Press, 1996.', *Kantian Review* 1 (1997): 177–85.

value. The special value of agents explains why an agent is not valuable simply because they are valued by someone else, rather, agents are valuable in themselves.

Markovits may concede that one cannot infer the value of themselves even if they have a special value but nevertheless argue that such an inference is based on systemic justifiability.[238] According to which, it is systematically justifiable to value humanity because it provides a coherent set of unified ends. If it is undeniable that agents can value, the argument of systematic justifiability shows that it is systemically justifiable to also value one's own humanity, as well as that of others.

1.2. The argument from systematic justifiability

Markovits utilises Kant's instrumental imperative to support her argument from systematic justifiability, according to which: it would be irrational to value an end but not value the necessary and available means to that end.[239] For example, assuming that I truly value punctuality, it would be irrational for me to value punctuality without valuing the importance of organising my time in order for me to be punctual in the first place. The value of the more fundamental end implies the value of the instrumental end.

We might think that the reverse implication also holds: the value of an instrumentally valuable end implies the value of the more fundamental end to which it is instrumental. I will now formulate Markovits' argument from systematic justifiability. Consider the following chain of argument:

1. I value honesty because I value good character.
2. I value good character because I value the relationships in my life.
3. I cannot value the relationships in my life unless I also value my humanity which gives rise to them.
4. Therefore, if I value honesty then I must also value my humanity.

As the above shows, instrumental values must bottom out somewhere and Markovits says that if one is rational, I will value honesty because I ultimately value *me*. [240] It would be procedurally irrational for me to not value my humanity and yet place value on my honesty because ultimately, without my humanity, every other instrumental end ultimately doesn't matter.

[238] For a critical evaluation of Markovits argument form, see: Stephen Kearns, 'Finding the Value in Things: Remarks on Markovits's Moral Reason', *Philosophy and Phenomenological Research* 92, no. 2 (2016): 539–48.
[239] Ibid p.115 Markovits (2014)
[240] Ibid p.131

According to Markovits, I must rationally take humanity as the only and unconditional source of value due to internal coherence. The values and ends that we have tend to be systematically related with some fundamental explanation as to why they matter to us. As in the case of beliefs, they are not disconnected but coherently support each other. The advantage then of valuing humanity as an end in itself and recognising it as the explanation as to why I value other ends, is that it leads to a unity of a coherent set of ends. It is rational to have a coherent set of ends because they are more systematically justifiable.[241] Consider the additional premises to the argument of systematic justifiability:

5. It is procedurally irrational to have an incoherent set of values and ends.
6. Valuing humanity provides a fundamental explanation of my values and ends.
7. If valuing humanity provides a unity of a coherent set of ends, then valuing humanity provides systematic justification.
8. Procedural rationality requires that one is systematically justifiable.

However, a unity of ends is not by itself what matters. For example, if an agent had only a limited set of simple but wholly united ends concerned with playing Russian roulette then that would make their ends equally procedurally rational than an agent who otherwise leads a very complicated life.[242] Markovits claims that when things really matter, they are not simply what matter to us but also justifiable to others in a way in which they can recognise:

> "This doesn't mean that others must be able to take that very end I see as providing me with a reason to do something as a reason for them to do the same thing. That something will benefit my child may be a reason for me but not a reason (at least, not a reason of the same strength) for a stranger. But the stranger must be able to, at least in principle, see how that consideration functions as a reason in my circumstances—he must see that if it were his child, the fact would provide him with a reason. There can be agent-relative reasons, on this view, but there cannot be reasons that are recognizable as such only from a fully parochial perspective."[243]

We now have the additional premise:

9. An agent is *fully* systemically justifiable when their reasons are recognisable from a non-parochial perspective.

[241] Ibid p.132
[242] Ibid p.134
[243] Ibid p.135

According to Markovits, the agent who has a united and coherent set of ends revolving *only* around playing Russian roulette does not provide systemic justification from anyone else's perspective because the player would fail to recognise the values of other rational agents. But more importantly, other agents would fail to recognise his reasons because they are parochial. For example, in being engrossed in playing Russian roulette, he would have little regard for anything else, let alone his or anyone else's life. Other agents would struggle to recognise the value of continuously gambling one's life away. Systematic justification requires that the end an agent recognises as the source of value also makes sense as a potential source for the ends of others.[244] Agents can readily recognise humanity as the common source of value amongst and concerning rational agents, despite the different ends that they may have. For example, different passions lead to different ends, but all agents can recognise and even respect what it means to be passionate about any given endeavour within reason, despite it being agent-relative what that passion is.

1.3. Markovits' Moral Imperative

We can begin to see how the formula of humanity provides a moral imperative on the basic tenet of respecting humanity. The formula of humanity does not attempt to explain how all agents ultimately have the same ends, but rather how any chosen end can be of value, provided that humanity is respected. However, according to Markovits, it would be procedurally irrational to adopt an end which does not respect humanity because it is the capacity for rational choice which is the source of value.[245] But why does valuing my humanity extend to valuing anyone else's? Markovits presents a revision of her argument in response to such objections:

> "….If this source of systematic justifiability is to be non-parochial, I must think, too, that other valuers like me also have the ability to confer value on their ends by valuing them.
>
> If some things are valuable because beings like me value them—if we are the things for the sake of which those ends ought to be pursued—then valuers like me are valuable (we are, in Kantian terms, ends in ourselves).
>
> So there is rational pressure on me to believe that valuers like me are valuable—that we are ends in ourselves.

[244] Ibid p.136
[245] Ibid p.139

> So there is rational pressure on me to treat them as such, by showing respect for their value, and not treating them as mere means, etc."[246]

The argument from systematic justifiability aims to explain why all agents are rationally required to value humanity as an end and why such an end would also trump other ends which may come into conflict with it:

> "Consider a miser, who values money because of the good things it can get him, but then sacrifices those good things for the sake of accumulating more money. The person who violates the moral imperative for the sake of promoting some conditionally valuable end—who, say, uses and manipulates others for personal gain, without regard to their interests—is guilty of precisely the same sort of procedural irrationality. Thus Kant's moral imperative can never be overridden by instrumental or prudential concerns. Even on an internalist view of practical reason, we always have most reason to do as morality requires."[247]

Consider the additional premises to Markovits' chain of argument:

10. An agent who does not respect the humanity of others, by treating them as a mere means, does not have a unified and coherent set of ends.
11. Therefore, it is procedurally irrational to not respect the humanity of others by treating them as a mere means.

It is procedurally rational then according to the formula of humanity that by treating humanity as an end, we ought to respect the ends of others just as we do ours. Markovits is explicit that procedural rationality requires us to recognise the needs of others equally[248] and just as much as our own:

> "Kantian internalism's central claim is that we behave irrationally when we fail to recognize others like us as our equals, in the sense that their goals and needs matter as much, objectively, as ours do."[249]

A remaining question is, in what sense is an internalist moral imperative categorical? Markovits claims that the moral imperative is categorial because it binds all agents to having a reason to

[246] p.554 Julia Markovits, 'Reply to Sobel and Kearns', *Philosophy and Phenomenological Research* 92, no. 2 (2016): 549–59.
[247] Ibid p.141 Markovits (2014)
[248] It should be noted here that there is tension between this claim and claim before allowing for agent-relative reasons so long as they are non-parochial. However, since this is a normative criticism, I will not delve into it here.
[249] Ibid p.196

respect the humanity of others whatever an agent happens to desire so long as the agent desires, broadly construed, something.[250] Markovits rejects the stronger categorical requirement which bind agents regardless of any fact of what an agent may desire.[251] Yet, Markovits is adamant that some form of categoricity can be captured through procedural rationality, that so long as an agent desires something[252], they are susceptible to the moral imperative.

This concludes my exposition of Markovits' attempt to capture moral reasons, according to which, all agents ought to treat humanity as an end which can be summarised as the following: So long as an agent desire something, they must value something and if they value something then it is procedurally rational for any agent to ultimately value their capacity for rational choice. It is more systematically justifiable to value humanity than any other end and therefore those who do not respect their own humanity or that of others are guilty of procedural irrationality.

2. Limitations of Procedural Rationality

I will now evaluate Markovits' Kantian internalism, focusing on the metaethical criticism of whether procedural rationality alone can capture the formula of humanity and by extension, universal moral reasons. For sake of argument, I will accept premises and conclusions 1-8 as illustrated in section 1. Premise 9, the non-parochial principle, is a grey area which I will come to in section 2.3. As such, I will accept that it is procedurally rational for an agent to value their own humanity because it is systematically justifiable to have a unified set of coherent ends.

I argue that procedural rationality alone cannot capture the formula of humanity. According to a thin conception elaborated by Worsnip, what is procedural rational can be limited to an agent's coherent set of reasons which can involve valuing their own humanity without valuing the humanity of others. Notice that I am not saying that procedural rationality is not compatible with the formula of humanity, what I am saying is that it is possible to fulfil the necessary and sufficient conditions of procedural rationality, while contradicting the formula of humanity. This is a problem for Markovits because any act of immorality, which would be whenever the formula of humanity is violated, must be accounted for by procedural rationality.[253]

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[250] Ibid p.146
[251] Ibid p.145
[252] Markovits maintains that such is the case because a nihilist who does not desire anything is practically impossible. Ibid.148
[253] Though tangential to the aim of this chapter, it was worth noting that there a question whether Markovits' reduction of the normative to the rational is successful in the first place. Broome has argued that any such

2.1. Moral Subjectivism

Cowie argues that Markovits' amoralist objection against subjectivism is ineffective because it misses a dialectical mark[254]:

Cowie understands subjectivism as the following:

(A) "One possesses a reason for acting in some way if and only if one possesses a desire or motivational state that provides (by constituting, grounding or otherwise explaining) the presence of that reason."[255]

The above is in tension with the amoralist objection which Cowie claims begs the question against subjectivism. The amoralist objection can be summed up in the following premise:

(B) "Everyone possesses obligations to act as morality requires in all cases and is (all else equal) blameworthy if he or she fails to do so (whatever his or her desires and motivations)."[256]

Cowie argues that Markovits' amoralist objection misses the dialectical mark because subjectivism is not committed to accepting premise B. B is a first-order claim about what reasons agents have and yet subjectivism, at least can, hold a revisionist view which rejects B on the basis of A. Cowie argues that such a revisionist view is not biting the bullet, which is to say that accepting this revisionist view is not a drawback. Rather, rejecting B is a positive move for some subjectivists: such that B does not withstand scrutiny on social and political grounds because judgments about what reasons people have will depend on the desire and motivation that they actually have rather than what they ought or should have. [257]

My argument is in some sense the opposite of Cowie's but with a similar aim, like Cowie, I argue that Markovits does not rebut the subjectivist, not because she begs the question against subjectivism but rather that she is unable to discount the subjectivist by appealing to procedural rationality alone.

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reduction fails because though rationality may supervene on the mind, what morality requires does not. John Broome, 'Rationality versus Normativity', *Australasian Philosophical Review* 4, no. 4 (1 October 2020): 293–311.
For Markovits' reply to Broome, see: Julia Markovits, 'Normativity from Rationality: A Comment on John Broome', *Australasian Philosophical Review* 4, no. 4 (1 October 2020): 343–52.

[254] p.715. Christopher Cowie, 'Revisionist Responses to the Amoralism Objection: A Reply to Julia Markovits', *Ethical Theory and Moral Practice* 19, no. 3 (2016): 711–23.
[255] Ibid p.712 – I don't think there is anything controversial about this definition and so I will use this henceforth.
[256] Ibid p.713
[257] Ibid p.715

So even if Markovits' amoralist objection against subjectivism is successful, I argue that her view does not have the resources to rebut subjectivism in the first place.

Sobel has also defended subjectivism from Markovits on the line that she is not successful in showing that subjectivism is incoherent.[258] Sobel notes a tension between systematic justification in which its failure may be a rational vice without it being equated with internal incoherence. For example, an agent may fail to be systemically justifiable because they do not foremost value humanity but that in itself does not seem to involve a procedural irrationality as Markovits claims. He writes:

> "A proper procedural account of idealization, all will agree, will not presuppose, and build this presupposition into the content of the idealization, that certain specific goods are more worthy of the idealized valuing attitude than others"[259].

The above fits squarely with a claim made by Worsnip, whom we will come back to later, that valuing humanity, even by means of systematic justification, is a substantive question and not one which can be arrived at by procedural rationality alone.[260] Sobel claims that Markovits does not rule out the subjectivist view that one can rationally opt out of valuing humanity and can agree that an agent can respect and value their own humanity without necessarily placing the same value on others.[261] Like I do, Sobel is rejecting the premise that valuing one's own humanity entails valuing the humanity of others.

However, for Sobel, the concern is centred on the idea that Markovits must but does not rule out a subjectivist explanation for value conferral:

> "A possible explanation for this power, one that appeals to the subjectivist, is that agents are such that if they rationally value x, then they have a reason to get x. That is, my reasons are responsive to what I rationally value and your reasons are responsive to what you rationally value."[262]

As Cowie argues, the amoralist objection that there are moral reasons which everyone ought to have, does not rebut the subjectivist. Yet, for Markovits, everyone has rational pressure to respect

[258] p.535 David Sobel, 'Is Subjectivism Incoherent?', *Philosophy and Phenomenological Research* 92, no. 2 (2016): 531–38.
[259] Ibid p.533
[260] Alex Worsnip, 'Immorality and Irrationality', *Philosophical Perspectives* 33, no. 1 (2019): 220–53.
[261] Ibid p.534 Sobel (2016)
[262] Ibid p.534

humanity which means respecting an agent's capacity for rational choice. Markovits would say that any agent who does not respect the humanity of others is guilty of procedural irrationality. [263]

Markovits' explicit reply to Sobel is that her view provides a better explanation:

> "I want to argue that the Kantian story gets a leg up on the subjectivist one because it provides a better explanation of the value we take our ends to have".[264]

However, the argument from both Cowie and Sobel shows that what constitutes a better explanation is exactly what is in question and their argument is concerned with the problem Markovits has in vindicating that a moral subjectivist is procedurally irrational.

An important distinction can be made between an agent valuing their own humanity more than others and an agent thinking that their humanity is somehow worth more than that of others.[265] For example, I may have an agent-relative reason to hold my safety in higher regard to that of others but that does not entail that I think my life is of more value than that of others. This is a problem for Markovits especially when we consider an agent who may sit on the border of acceptable self-interest on one hand and immorality on the other.

Though my argument uses the same strategy as both Sobel's and Cowie's, which is to argue that the amoralist can be procedurally rational, the aim is to show that as a result of not being able to rebut the subjectivist, universal moral reasons are not successfully captured on Markovits' view. I share with Sobel and Cowie that Markovits cannot rebut the moral subjectivist and my contribution is that Markovits' view itself struggles to distinguish itself from a moral subjectivist view. As such, I will aim to show by way of example, how Markovits' view results in a failure to capture the formula of humanity and how the moral subjectivist is vindicated. However, before this can be accomplished, we must first begin with the instrumental step of determining exactly what the limitations of procedural rationality are.

2.2. Defining Procedural Rationality

Markovits herself formally describes the procedural rationality as the following:

> "internalism embraces a procedural conception of practical rationality, according to which the rational requirement to hold certain ends is generated indirectly by the relation of those

[263] Ibid p.141 Markovits (2014)
[264] Ibid p.556 Markovits (2016)
[265] I attribute this distinction to Stratton-Lake.

ends to other ends we already hold, as a result, in particular, of requirements of internal consistency and coherence."[266]

The above is a thin conception of procedural rationality which closely resembles the conception that Worsnip uses, the only difference is the term intentions rather than ends is used, which I take to simply be a matter of differing terminology and not meaning.

However, the argument for the formula of humanity ultimately depends on an inflated and thick notion of procedural rationality. I will show that Markovits' conception of procedural rationality is ultimately much thicker because it is the view that it is somehow embedded within procedural rationality that it requires you to adopt a particular end, humanity, over others. Therefore, an agent fails to be procedurally rational if they fail to adopt humanity as an end, that is what the argument from systematic justifiability, illustrated in 1.2, aims to show.

My aim is not to argue that Markovits' thicker conception of procedurally irrationality is incorrect, rather point out that since this conception has not been argued for but only assumed, we can only evaluate the thin conception of procedural rationality that Markovits herself explicitly acknowledges above.[267]

Worsnip provides three hallmarks to serve as conceptional constraints of what procedural[268] rationality is[269]:

1. First, judgments regarding the procedural rationality of a set of attitudes do not require information regarding the circumstances or evidence of the agent in question. For example, it would be incoherent for an agent to have the set of attitudes or intentions to both drive and walk back home because you can only do one or the other. We do not need to know why the agent has those intentions or any further information to determine that it is incoherent to hold both of those intentions simultaneously.
2. Second, judgments of procedural rationality can be abstracted from disagreements regarding value judgments. For example, the question whether it is a good idea to drive back home at least can be distinct from whether it is coherent to have the intention to drive back

[266] Ibid p.52 Markovits (2014)
[267] It is worth noting that some such as Kiesewetter argue that procedural rationality is related to agent responses rather than propositions which casts doubt on the extent that procedural rationality can be considered normative in the way Makovits intends. Benjamin Kiesewetter, 'Structural Requirements of Rationality', in *The Normativity of Rationality*, ed. Benjamin Kiesewetter (Oxford University Press, 2017), 0.
[268] It should be noted that Worsnip actually uses the term 'structural' rather than procedural, but he acknowledges that this difference amounts to terminological preference. Worsnip (2009)
[269] p.7-8 Alex Worsnip, 'Getting Structural (Ir)Rationality into View', in *Fitting Things Together: Coherence and the Demands of Structural Rationality*, ed. Alex Worsnip (Oxford University Press, 2021), 0.

home. Agents can disagree about whether it would be a good idea to drive back home because this would of course, depend on an array of factors but the coherence of such an intention is not prone to such disagreement. Agents can agree that it is incoherent to have the intention to both drive and walk back home, regardless of what their value judgments are about such intentions.

3. Third, in understanding which combination of intentions are procedurally irrational, we can pick out formal patterns of procedural irrationality without even specifying the content of such intentions. For example, it is procedurally irrational to intend to X, and to believe that in order to X one must Y but fail to intend to Y and that goes for all possible X's and Y's. We can determine whether a judgment is procedurally irrational without knowing the content of X's and Y's.

I think the above constraints are fairly uncontroversial but most importantly, I think that Markovits can agree with those constraints especially given what she says about procedural rationality as discussed in 1.1 and shown in her own example whereby one only needs to know two things: the intention to arrive at a destination and how long it takes, in order to make a judgment of whether the agent is procedurally rational based on an internal reason to reach a destination.[270] The question, of course, is whether procedural rationality can be something more and in particular, require agents to hold humanity as an end.

Worsnip calls Markovits account of what reasons are, an idealised attitude account which reduces substantive rationality to procedural rationality.[271] He argues that substantive rationality is correctly responding to reasons which is highly contested in the literature[272], however, the distinction between procedural and substantial rationality is not. For our purposes here, all we need to note about substantive rationality without evaluating yet another notion of rationality is that substantive rationality does not involve the three hallmarks as discussed. To distinguish between when an agent is substantially irrational and procedurally irrational, we can say that the former is unreasonable and that the latter is incoherent.

According to Worsnip, Markovits' account is an idealized ends account according to which A has a reason to X if and only if A's procedurally rational counterpart would have some end that is served

[270] Ibid p.12 Markovits (2014)
[271] Ibid p.99 Worsnip (2021)
[272] Broome, for example, argues against it. John Broome, 'Does Rationality Consist in Responding Correctly to Reasons?', *Journal of Moral Philosophy* 4, no. 3 (2007): 349–74.

by X-ing.[273] Again, Markovits can accept this. However, a chief problem with such accounts is that they do not explain moral reasons, more specifically explain how moral reasons necessarily constitute reasons for everyone. He argues that the chain of principles involved in Markovits' argument from systematic justifiability relies on an inflated notion of procedural rationality which is at odds with her general aim of reducing substantial rationality to procedural rationality.

Worsnip argues that there are *combinatory unreasonable* states which are a set of states that are unreasonable and therefore substantively irrational specifically due to their combination.[274] Such states are substantially irrational, without being procedurally irrational. For example, let's say you have the intention to drive back home because it means you can give a friend a lift and you also have the intention to share alcoholic beverages with this same friend. Now, the combination of intentions by themselves are not incoherent, it is not like a previous case where an agent has the intention to both drive and walk back home that is incoherent simply because it's impossible to do both. In this case, however, the combination of states is coherent because they do not, by themselves, contradict each other for example and each intention is even reasonable, it is being a good friend to either offer a lift back home or share alcoholic beverages, just not both. The combination of intentions is unreasonable because we would expect a good friend to be responsible and not put you and themselves at risk by drink-driving. In the present case then, we have a combination of intentions which are unreasonable without there being any incoherence and therefore procedural irrationality.

Consider again Markovits' chain of argument presented in section 1 and in particular premises 1-4 with the additional content:

1. If I value honesty because I value my character, then it is procedurally irrational to value my honesty without valuing my character.
2. If I value my character because I value the relationships in my life then it is procedurally irrational to value my character without valuing the relationships in my life.
3. If I value the relationships in my life then it is procedurally irrational to value that without valuing my humanity which gives rise to them.
4. It is procedurally irrational to not value my humanity.

According to Worsnip, even if we grant that there is a problem on the one hand, in valuing honesty because of my character and on the other hand, not valuing my character, it does not necessarily follow that the problem is an incoherent set of states and therefore results in procedural

[273] Ibid p.109 Worsnip (2021)
[274] Ibid p.17

irrationality.[275] Rather, the problem is that the states are combinatorically unreasonable which turns on a substantive judgment about reasons.[276] Imagine that we have an agent who instrumentally values honesty because it gives him a tickle in his nose every time he acts in an honest way. It seems unintuitive to accuse him of procedural irrationality, despite how bizarre we might think it is. What we could say and seems to be the right thing to say in this case is that it would be a good reason to value honesty for the sake of good character. Likewise, it would be a good reason to value the relationships in your life for the sake of your humanity and not because it allows you to celebrate multiple birthdays. Bizarre intentions are one thing, and incoherent ones are another.

One response might be to ask, why can't procedural rationality account for unreasonableness? I think the answer is narrowing in on the difference between coherent and reasonable combination of intentions. Making a judgment regarding the coherency of a combination of intentions does not require further evidence as we see in hallmark 1. Consider the drink-driving case again. Imagine now that you offered your friend alcoholic beverages because they would have otherwise jumped off a bridge. However, you also intend to drive them back home because you fear what might happen if you don't. There is now reasonable disagreement over whether one ought to have both intentions to offer a drink and drive back home. As discussed in hallmark 2, if there is indeed incoherence then disagreement can be abstracted but then there would be no room for disagreement. In the above case, it is the wrong result to say that there is no room for disagreement because though drink-driving is endangering your friend, so is letting him jump off the bridge.

For it to be incoherent to both offer a friend a lift and share an alcoholic beverage, there must also be another intention such as the intention to look after the well-being of one's friend and oneself. This combination would be procedurally irrational because they do not cohere with each other, it would be incoherent for an agent who has the intention to look after their friend, to offer them a lift *and* offer to share alcoholic beverages with them. Though the above explains how a combination of intentions can be made to be procedurally irrational, it does not help Markovits because problem cases, which we come to in the next section, are precisely when we have an agent who does not have such intentions.

Worsnip acknowledges that it would be procedurally irrational for an agent to value themselves as a means to valuing humanity but without valuing their own humanity.[277] It is procedurally irrational because in this case the more fundamental end is being picked out by the agent themselves.

[275] Ibid p.111
[276] Ibid. p.112
[277] Ibid. p.113

However, that means there is no requirement for an agent to value humanity as the ultimate end because the ultimate end is whatever an agent themselves value. Valuing humanity then would be a substantive judgment about reasons which other coherent agents may or may not share.[278]

As shown above, Worsnip claims that there can be a procedurally rational agent that does not value humanity but there are two ways that we can understand this: the weaker claim that a procedurally rational agent is required to value their own humanity but not necessarily that of others and the stronger claim that Worsnip makes which is that a procedurally rational agent is not required to value humanity at all.[279] I do not think the stronger claim is required because it only needs to be argued that it is not necessary for an agent to value the humanity of others and that is enough to fail in capturing the formula of humanity, as well as universal moral reasons. In addition, even if valuing humanity is a substantive judgment about reasons, Markovits can reply that a procedurally rational agent will come to value humanity as a matter of *realisation* without making any substantive judgment. One way the realisation may emerge is through systematic justifiability, one's humanity which allows one to confer value in the first place, will ultimately be instrumental to whatever one does choose to value. I think for the stronger claim to stick, it would need to be shown how there could be a procedurally rational agent who does *not* value humanity, including their own. It would also have to be shown what other fundamental end an agent could realistically value.

As such, my focus is on the weaker claim which fits in with accepting Markovits' premise that it is systemically justifiable to value one's own humanity but deny that procedurally rationality then requires you to value the humanity of others. My aim now is to take what we have examined about procedural rationality and apply it to moral examples.

2.3. A subjectivist formula of humanity

In light of an understanding of what the limitations of procedural rationality are, I will now argue that Markovits' commitment to internalism can at best result in a subjectivist version of the formula of humanity and not the formula of humanity proper. As mentioned in the previous section, a combination of intentions that are unreasonable can be made to be procedurally irrational if an intention is included in that combination which makes that combination of states incoherent. However, we noted that such is not possible if we are dealing with a case where that intention is simply not there. Of course, Markovits talks about what reasons are systematically justifiable for agents but nevertheless, such reasons will be in relation to the ends an agent nevertheless already

[278] As Cowie (2016) and Sobel (2016) argue, the moral subjectivist is vindicated rather than rebutted.
[279] Ibid p.113. Worsnip (2021)

has, that's what makes Markovits an internalist. An agent who does not have a given intention or end will not have a reason to act in a given way if we are committed to internalism. We grant that it is systematically justifiable for an agent to value their own humanity but deny that, on internalist grounds, valuing the humanity of others comes in that package. My aim now is to illustrate an example where an agent is immoral, but we are unable to discredit the coherence of their ends/intentions and thus determine that they are procedurally irrational. If there can be immorality without procedural irrationality, then Markovits' Kantian internalism is not successful in capturing moral universality.

Imagine a fraudster, Frank, who is a self-styled Machiavellian moral subjectivist. He does not value money itself but what it can get him, a comfortable life for himself and his family. Frank is indifferent to the humanity of others not close to him, and he simply values his own humanity and those closest to him considerably *more* to the extent that if an action promotes the humanity of his own and those closest to him while neglecting the humanity of others, this gives him a reason to act in such a way. Frank targets large corporations and his actions affect individual lives, because if a company goes bust then its employees lose their jobs and so he does indeed treat such individuals as a *mere* means according to Markovits. Frank does not accumulate money just to accumulate possessions and then sacrifice these possessions just so he can accumulate more money as Markovits' miser does[280], so his actions are in line with his values. Frank would not, for example, do anything to jeopardise his or his family's future of living a comfortable life. In fact, he wants his children to grow up to be fine and upstanding citizens in respectable employment because he is aware that society in general frowns upon what he does.

Frank fails to be procedurally rational according to Markovits because in valuing his own humanity more and over others, he fails to treat cases of humanity alike. Imagine now that Frank is defending himself from Markovits' argument. He argues that he is rational in the sense that his values are coherent, and he follows the standards of logic such as consistency requirements that are external to him. He does indeed treat cases alike when it comes to propositions and states of affairs but has no reason to treat cases alike when it comes to comparing his own humanity with others because procedural rationality only requires that he is internally coherent. Frank is genuinely confused as to how he is making a procedural mistake if his reasons are coherent with his values and boasts that he actually utilises the external standards of logic to commit fraud. He acknowledges that, if he gets caught then he would be putting his own humanity and those closest to him in jeopardy, but he is confident that he can get away with it.

[280] Ibid p.141 Markovits (2014)

It is feasible to imagine that Frank does know what he is doing and that it is likely that he will get away with it as many fraudsters in real life do. Since Frank is not directly arguing against the formula of humanity, he is not begging the question against Markovits, he is simply defending his actions against her argument which is not enough to convince Frank who simply disagrees with her. Nevertheless, we may still make the moral judgment that Frank is acting immorally, regardless of whether he is internally coherent. However, given that he believes that his actions are procedurally rational in so far as his actions are internally coherent and consistent with his values, Frank is hardly procedurally irrational but quite the opposite.

Of course, Markovits would still argue that Frank's values are not systemically justifiable. Afterall, if Frank accepts that what he does is frowned upon by society and that he himself would prefer his children to not grow up to be like him then he himself is acknowledging that something about what he does is not condonable. We might think that if Frank's values were truly systematically justifiable to himself then he would be able to see his values as condonable. However, Frank *does* see his values as condonable. Frank is just aware that others do not share his view, and that society especially views his actions as not condonable. For Frank, whether his values are *morally* condonable is the subject of disagreement between him and society. Acknowledging that his values are not condonable to others is a pragmatic awareness and not him acknowledging that his values are not systematically justifiable. As far as Frank's intentions and ends are concerned, he does think his values are systematically justifiable. And as far as not wanting his children to grow up to be like him is concerned, that is again is simply a pragmatic matter. Since Frank is aware of precisely that what he does is not condonable according to society, he is aware that what he does comes with risk and because he does value the humanity of his children, he does not want his children to take the same risks that he does. We might say that Frank is doing what he does and takings the risks that he takes precisely so that his children don't have to.

Frank is accepting premises 1-8 in Markovits' chain of argument detailed in section 1. He takes premise 9 to be a grey issue because though he realises that many people would not have the reasons he has, equally, there are other fraudsters who do indeed share his reasons. Frank justifies that his reasons are non-parochial at least to the extent that everyone should understand why he is doing what he does regardless of whether anyone thinks that he is immoral and emphasises that there are people out there just like him. When it comes to premises 10-11 however which say that any agent who does not respect the humanity of others does not have a unified and coherent set of ends and is therefore procedurally irrational, Frank rejects outright because the coherency of his actions vindicates rather than rebuts his moral subjectivism. The problem for Markovits is that despite Frank realising that it is indeed systematically justifiable for *him* to value his own humanity

(and those closest to him because again, they matter to him) as the fundamental end to which everything else is a means, procedural rationality does not make or require him to value the humanity of others not close to him, at least not in the same way as his own and those that are closest to him.

At this point, Markovits may argue that Frank would be *more* systematically justifiable if he not only values his own humanity but also those of others. There is a question as to what it means to be *more* systematically justifiable. We can agree and so would Frank that if he were a medical doctor selflessly working for Médecins Sans Frontières then he would indeed be more systematically justifiable to *others*. However, if what we mean by *more* here is a matter of how many people think something is systematically justifiable then we run into the problem that systematic justifiability is determined by the number of agents who just so happen to think that particular values are systematically justifiable. It would be misconstrued if systematic justifiability came down to popular vote for example because it could be the case that popular thinking is certainly not systematically justifiable when we think of past societies that endorsed inhumane practices such as slavery.

Another sense in how we might understand what it means to be *more* systematically justifiable is to consider consistency in regard to what effect chosen values have on others. At this point one may argue that it is not systematically justifiable to not value the humanity of others because if everyone were a fraudsters like Frank, for example, then his ends are a fruitless endeavour because the success of his fraud ultimately depends on there being agents who are not fraudster but victims of fraud. To this, Frank accepts that at least his intentions of being a fraudster would become a fruitless endeavour and that his choice to be a fraudster is simply a pragmatic one which ensures that his humanity and those closest to him are validated. In a world where everyone is a fraudster, he would simply do whatever else it takes to safeguard his own humanity and those closest to him.

If what it means to be more systematically justifiable is not a simply a matter of who is procedurally rational such as Frank who can explain to us his unified set of ends, but the effects chosen values have on others then we might say that being more systematically justifiable is being externally justifiable. Frank may be *internally* systematically justifiable, but he is not *externally* systemically justifiable. For example, the medical doctor who tirelessly works for Médecins Sans Frontières is externally systematically justifiable because such ends promote a positive effect on others which makes the doctor more systematically justifiable than Frank. One problem with the approach above is that an agent could always be *more* systematically justifiable by exercising their humanity in such a way that it has greater positive effect on humanity in general. The medical doctor for example would be more systematically justifiable if they did not spend as much time on hobbies but spent more

time at work. We might say that such an approach is met with a demandingness objection[281], according to which moral demands of agents are made at the cost of themselves. A way around a demandingness objection is to say that either one is externally systematically justifiable or not depending on whether they value the humanity of others. And those who are externally systematically justifiable can be said to be more systematically justifiable than agents like Frank who are only internally systematically justifiable.

Yet, Frank is willing to acknowledge that he is only internally but not externally systematically justifiable, without detracting from his procedural rationality. And the problem for Markovits is that even if systematic justifiability is something that we can make some internal/external distinction about and say that one is more systematically justifiable if they are externally as well as internally systematically justifiable, the same cannot be done with procedural rationality. Frank may very well not be externally systematically justifiable but that cannot be determined by procedural rationality alone if procedural rationality determines that he is at least internally coherent. One would have to argue that Frank is not even procedurally rational but as we have seen, there is no reason to think that is the case unless we are dealing with an inflated and thick notion of procedural rationality. The question then is how to assimilate a thicker notion of procedural rationality with internalism, the idea that one's reasons are justified in accordance with an agent's set of intentions. If there is anything *external* embedded in the very notion of procedural rationality, then internalism will be lost in the process. We might say that Frank is advocating a Kantian subjectivism according to which there is a subjectivist version of the formula of humanity which concludes with premise 8 of Markovits' chain of argument that procedural rationality requires that one is systematically justifiable.

3. Objections: Attempting to rebut the Moral Subjectivist

Markovits may reply by saying that what reasons Frank has are not simply what he thinks they are. Markovits has recently advocated the *sociality of reason*, according to which, reasoning is constitutive of a joint activity that involves all rational beings.[282] The idea here is that reasoning is not something which Frank can simply do alone because reasoning is by nature a non-parochial activity. Frank then is required to justify to other agents, especially non-fraudster's, his reasons.

[281] Brian McElwee, 'Demandingness Objections in Ethics', *The Philosophical Quarterly* 67, no. 266 (1 January 2017): 84–105.
[282] p.329 Julia Markovits and Kenneth Walden, 'Kantian Constructivism', in *The Routledge Handbook of Practical Reason* (Routledge, 2020).

However, as we have seen, Frank does just this and putting the assertion that reasoning is a joint activity to one side, if Frank does not believe that reasoning is a joint activity and he is a moral subjectivist who advocates a thin conception of procedural rationality, nothing short of a full-fledged argument against any of his positions are going to persuade him otherwise.

Despite that Frank has systematically justified valuing his humanity without valuing the humanity of others, that is not the same as justifying his reasons to others according to Markovits. And what Frank is doing is actually reasoning with himself:

> "According to this account, our private episodes of reasoning are best understood as simulations of the real thing. When I am reasoning about whether sodium is combustible or dancing is worth the effort, I am imagining justifying these opinions to various interlocutors who represent particularly salient alternative points of view. I imagine, for example, people who have epistemic access to the chemical properties of sodium or think that the joys of dancing can be replicated by the right sort of video game. According to the Sociality of Reason, this exercise is not reasoning per se but a simulation of the reasoning that would go on if we consulted actual persons occupying these points of view. If we are knowledgeable and imaginative, it can be a very good simulation, and since many points of view are not occupied by actual persons at all, we are forced to depend on it. The mistake of many contemporary philosophers is mistaking this simulation of reasoning for the real thing."[283]

It is not clear what counts as the 'real thing' when it comes to reasoning. For example, does it have to be verbal, or can it still be written? If it is only verbal, then does that mean someone who is mute cannot legitimately engage in reasoning? Does it have to be in real-time or can you still reason via sending letters? Do you have to be in the same room, or can you still reason nonetheless over Zoom? What if who you are reasoning with is an artificial intelligence? And so on. In response to the above, I will now place myself as the voice and imitation of Frank while engaging with Markovits' reasoning. If such dialogue is still considered a simulation, then we must be willing to regard all written communication that is not communicated verbally or in real-time as a mere simulation and not authentic reasoning. If we cannot legitimately and authentically communicate in writing, then that leads us to a strange phenomenon where writing is not legitimate reasoning and yet written communication has and is responsible for the astronomical advancement of human knowledge and therefore human reasoning. By engaging with one's views on paper, I do think we are engaging in a joint reasoning and to deny that is to deny the authenticity of any written claim, including the

[283] Ibid p.331

written claim that reasoning is a joint activity! And so, we begin with Markovits making the claim that reasoning is a joint activity:

Markovits says the following:

> "If reason is anti-parochial in this sense, then I cannot simultaneously understand a judgment – that pleasure is good or sodium combustible – as reasonable if I understand it as merely what I happen to think. For it to be reasonable, I must take it to survive the scrutiny of other points of view, which means, among other things, that I take it to be justifiable to those occupying these points of view."[284]

Frank: 'Ok, if you say that I must justify my reasons from scrutiny then I am happy to do so. First, even if we assume that reasoning is a joint activity, what are your reasons for thinking that it is?'

> Markovits: "Suppose we are right that the anti-parochialism of reason means that reasoning about a judgment necessarily involves submitting it to the scrutiny of other points of view and, when an actual person occupies one of those points of view, trying to justify it to them. Because reasoning is a holistic business, this justification will end up being reciprocal. You will try to justify your judgments to me, while I do the same to you. And the dyadic case will only be one small part of a massive endeavor, one in which we try to justify our judgments to each other – where "we" includes every creature who can occupy a practical point of view, that is, every rational creature. This suggests that reasoning is a joint activity in which each and every person is a partner."[285]

Frank: 'If I understand correctly, we are equally required to justify our reasoning to each other otherwise it seems to be circular to assert that reasoning is a joint activity. If so, then I am willing to accept that the justification of our reasons is reciprocal. Why think that the sociality of reason has any objective foundation?'

> Markovits: "According to this view, reasoning is, in the first instance, an anti-parochial activity, and the norms that distinguish "objective" judgments are valid by default for anything I can subject to reason's scrutiny. They are valid simply because they are constitutive of the process of mutual justification in which reasoning consists."[286]

Frank: 'Ok, so objectivity is determined when reasons are scrutinised by others. What happens when I offer my reasons, but someone simply disagrees with me, does that mean that we cannot have

[284] Ibid p.330
[285] Ibid p.331
[286] Ibid p.331

objectivity? I claim that it is procedural rational for me to value my own humanity without valuing the humanity of others which is a thesis that I understand you as being in disagreement with. However, if you're right that objectivity is determined by scrutiny, does that mean we both keep or relinquish our views if we each fail to justify our reasons to each other? For example, your reasoning as to why reasoning is a joint activity does not convince me. I'm happy to accept that there is no objectivity, I'm a moral subjectivist after all. What do you make of my position?'

> Markovits: "Quasi-Kantian subjectivism cannot be dismissed quite so easily, since it's not as baldly parochial. The subjectivist treats her situation as symmetrical to that of her fellow agents: insofar as every x can undertake the kind of reasoning that Clarissa does, x should conclude that x's rational nature is unconditionally valuable for x. But the view is still unsatisfying. The subjectivist treats the demands of reason as entirely intrapersonal – as requiring the systematization of an agent's own values – until the very last moment when she acknowledges that there are other agents engaged in reasoning and tries to accommodate this fact by suggesting that all value claims are relativized to individual agents. This is a perfunctory kind of anti-parochialism, analogous to that of the person who first systematizes all her own theoretical judgments about sodium but at the last minute discovers that other people also have perspectives on sodium and tries to accommodate these perspectives in one fell swoop by adopting a simple-minded subjectivism – sodium may be combustible for me but noncombustible for you, water soluble for me but water insoluble for you, and so on. This isn't the utter parochialism of the solipsist, but it's an awkward position."[287]

Frank: 'I disagree that it's an awkward position: I systematically justify my values on a thin conception of procedural rationality because they are values that I have chosen for myself and that is what is required from me given the formula of humanity which requires that I value my own humanity which I agree with. Especially because like you, I'm an internalist, I don't think I can have any reasons unless they are grounded in the ends that I already have, which is my humanity. Most importantly, the case of sodium seems to be very different to the values that I choose for myself unless you are assuming what values there are is an objective matter, but I think that would be begging the question. I understand the sodium case very differently: when scientists in a laboratory attempt to discover the properties of sodium, they implicitly agree that there are facts to the matter and so in their case, it does indeed make sense to arrive at a conclusion by comparing and discussing test results with others for example. Saying that, any scientist begins with a hypothesis that they

[287] Ibid p.332

think is correct and it is the test results which are what really count as objective, not a process of scrutiny unless it's the scrutiny of the testing conditions. In any case, when it comes to what values are the correct ones, I do not think there is a fact to the matter. It all depends on what the individual takes to be of value and yes, I do agree that it is procedurally rational for anyone to value their own humanity. Why is my moral subjectivism objectionable?'

> Markovits: "For one thing, a retreat to this sort of relativism seems like a last resort, at best: to be accepted only if a less relativist alternative cannot be supported. The Kantian constructivist account provides that alternative. For another, the subjectivist story, like the Kantian constructivist one, was supposed to provide justification for our conviction that the things that matter to us really do matter, normatively. The story is supposed to offer a supporting explanation of their having such value. The subjectivist says our ends matter because we are such that our rational evaluations are value-conferring (albeit only agent-relative-value-conferring). But this seems more like a restating of the phenomenon to be explained than an explanation. The Kantian constructivist story does better on this front. It tells us that our ends are valuable because we are valuable – not just valuable to someone (as a descriptive, psychological matter) but valuable as ends in ourselves."[288]

Frank: 'I do not think that moral subjectivism is a last resort, for me, it is just one consequence of there being no mind-independent moral facts which is a view that you agree with if I understand correctly.[289] It seems to me that providing justification that things that matter to us really matter 'normatively' as you say, is trying to claim some kind of mind-independence but I don't think either of us can claim that. In any case, if it is indeed immoral for me to value my own humanity without valuing the humanity of others then I suppose I am behaving irrationally in some way, but I simply do not believe in any moral facts. Since you also reject that moral reasons are mind-independent, how do you suppose that I am acting immorally? If you can show me why I have a moral reason to value the humanity of others is independent of my attitudes and desires then I might share your reasoning but as it stands, it sounds like you're trying to tell me what attitudes and desires that I should have but clearly don't.'

I think that Markovits will struggle to either convince Frank that he has a moral reason to value the humanity of others or convince him that his metaethical position which is a Kantian subjectivism is somehow incoherent. Frank is willing to acknowledge that his actions may indeed be immoral, if there are indeed facts to the matter which are independent of his ends, but his reasoning is this: he

[288] Ibid p.332
[289] Ibid p.145 Markovits (2014)

thinks that on pain of procedural rationality he is required to value his own humanity, and this is indeed a legitimate position to hold in metaethics. Second, if it is the case that there are mind-independent truths that can vindicate his immorality, he is willing to sacrifice his soul so to speak so that his children can lead a moral life because they matter to *him*. Frank is a tough case even if we persuade him that there are mind-independent facts about morality. To be clear, Frank failing to value the humanity of others by treating them as a mere means is a case of immorality. The problem of course is that there does not seem to be a way to vindicate such immorality in the absence of mind-independence, let alone on account of procedural rationality which Frank indeed fulfils the necessary and sufficient conditions for. It seems that the formula of humanity as Markovits understands it, a reason to not just value one's own humanity but that of others requires mind-independence to ground it.

If Frank follows Worsnip's hallmarks of procedural rationality, then Frank's intentions are not by themselves incoherent. His set of intentions would only be incoherent if he intended to value the humanity of others, but Frank simply does not think that. Worsnip would like to say that Frank is nevertheless substantially irrational[290], and a question does arise that if Frank is not procedurally irrational then what makes him substantially irrational. However, whether or not Frank's intentions can be accounted as being unreasonable if not incoherent is beside the point and I am only interested in placing what I take to be an uncontroversial verdict that Frank's actions are immoral, regardless of whether or not he is substantially rational.

Referring back to Cowie's argument, Markovits' objections to Frank miss a dialectical mark.[291] Frank does not care too much about what the nature of moral reasons are aside from not thinking that there are any moral facts. Frank understands that he has the capacity to value and chooses to value his humanity without valuing the humanity of others, at least in the same way he values his own and those closest to him. And as Sobel argues, Frank is not incoherent because he is utilising his capacity to confer value and choosing to value his humanity and if he is coherent in doing so, his moral subjectivism is vindicated.[292] Frank may very well not be systemically justifiable to others but that has no bearing on whether *he* is procedurally rational or not. The onus is on Cowie and Sobel whether they wish to bite the bullet that an agent like Frank really has no reasons contrary to treating others as a mere means or see it as a positive move that a moral subjectivist such as Frank is vindicated.

[290] Ibid p.109 Worsnip (2021)
[291] Ibid p.175 Cowie (2016)
[292] Ibid p.534 Sobel (2016)

It seems that at best, a subjectivist version of the formula of humanity can be salvaged from Markovits' view, according to which, an agent who realises that they have the capacity to value, will inevitably place value on their own humanity as shown section 1.2. In this case, Frank would be procedurally irrational if he were to act in such a way which undermines his own humanity or those close to him. For example, if he has the intention to undertake a miscalculated and high-risk fraud because that would indeed undermine his own humanity. Even if procedural rationality requires an agent to value their own humanity, the case of Franks shows first-hand how procedural rationality alone cannot explain the formula of humanity and by extension, the universality of moral reasons. For if there can be immorality without procedural irrationality then the latter cannot hope to explain the former.

4. Conclusion

I have argued that Markovits' theory is unable to capture the formula of humanity and by extension, universal moral reasons on procedural rationality alone. As a result, the moral subjectivist such as Frank is vindicated because, despite his immoral actions, he nevertheless fulfils the necessary and sufficient conditions for a thin conception of procedural rationality. Markovits, like many moral rationalists, attempt to explain immorality by some kind of irrationality. However, this alone does not explain what makes immoral actions what they fundamentally are: immoral. Going back to Frank, how can we explain his immorality without convicting him of irrationality? The answer to this question can be found in the view that moral truths are mind-independent. That irrespective of anyone's attitudes and desires, we can say that human life does have value and that certain actions are simply immoral. However, it is not simply the case that there could be immorality without irrationality, which is so troublesome for Markovits, it is that there are cases where no irrationality can be convicted and therefore, no immorality is convicted even if we clearly think there is.

Thesis Conclusion: Piecing together a master-argument: an objection or a challenge?

On one hand, the conclusion of this thesis is straight-forward: if I am correct that the metaethical theories evaluated in this thesis that attempt to capture moral universality in the absence of mind-independence and the support of ontology fail, we can conclude that my thesis statement has been vindicated in regard to the selected theories evaluated: capturing moral universality requires mind-independence and the support of ontology. On the other hand, such a brief conclusion leaves out what can be drawn from the thesis chapters as a whole, including what has been left out and what implications there are going forward. It is now my aim to focus on the latter.

The bulk of this thesis has evaluated metaethical theories which have aimed to capture moral universality. Despite the variety of the metaethical theories that have been evaluated, there is a glaring and impending question regarding the metaethical theories that have not been considered. And a closely connected question which asks whether there is a general argument against metaethical theories that aim to do without mind-independence and the support of ontology. In the introduction, I made clear my reservations with relying on a master-argument which does not engage with the individual details of metaethical theories on offer. The concern was that implementing a master-argument from the start is potentially begging the question against metaethical theories that aim to capture moral universality in the absence of mind-independence and the support of ontology. However, having looked at individual theories with a narrow scope allows us to elucidate implications on a wider scope. Now that I have indeed evaluated metaethical theories individually and in their own light, we are in a position to ascertain what a master-argument involves and what it amounts to.

Consider again the following examples which can be found in each of the chapters of my thesis:

- The aliens who have come to earth to capture humans as slaves because it is their moral duty to do so. (Chapter 1)
- The Viking who believes that killing in battle will bring valour with the gods. (Chapter 2)
- John who only has the non-instrumental desire to be horrible to his wife. (Chapter 3)
- Frank, the fraudster, who only values his own humanity without valuing the humanity of others. (Chapter 4)

Though I will not attempt to do so here, I am confident that we can play musical chairs with the above examples and relate each example to any of the metaethical theories that I have evaluated.

For example, we could hypothetically take one of those examples from a given chapter and adapt them accordingly so that they can be used with the same effect in a different chapter. Of course, the examples are different in each chapter precisely so that they reflect and engage with the relevant metaethical theories in question.

There are two separate questions that can be gathered from the examples above: The first question is regarding how to settle moral disagreement, assuming of course that moral disagreement can be settled. The aliens are much like the Vikings in the sense that each have a system of values which provides them with moral reasons that we find morally objectionable. The second question is regarding how all agents can be said to have moral reasons. What John and Frank share in common is that they indeed have desires and reasons but not the moral reasons we expect them to have which we find morally objectionable.

Notice that these two separate questions, how to settle moral disagreement and how all agents can be said to have moral reasons ultimately lapse together in the above examples: we morally disagree with the aliens and the Vikings precisely because we find their system of values morally objectionable. While we think the attitudes and behaviours of John and Frank are morally objectionable precisely because we disagree with them regarding what reasons they have. Assuming that no one is mistaken about what reasons they have, and that moral disagreement can be settled is presuming that there are moral reasons which everyone has. Ultimately then, in regard to the examples at least, the question of settling moral disagreement and the question whether all agents have moral reasons are entangled together.

In the introduction, I highlighted two things: one was the pervasive theme as to how we can bind a social deviant in such a way that we can be morally justified in holding such agents accountable for any transgression of moral norms. It might be correct to describe the examples throughout the thesis as examples of social deviancy because they involve transgressions of what we as a society find morally objectionable. Yet, a description of social deviancy is missing the vital element that in such examples, there is disagreement in regard to whether there are or what moral norms are. There is another problem with the term social deviancy and that is being a social deviant does not necessarily involve moral deviancy. For example, social deviancy can involve rejecting and acting in contrary to social etiquette which can hardly be immoral. Of course, distinguishing between social and moral deviancy can be relative to context. For example, before Covid, some reasonably rejected the social etiquette of shaking hands, it is still a kind of social deviancy despite not being a moral deviancy. Yet, it could be argued that during Covid, the social etiquette of shaking hands would have been not only a social but moral deviancy. There is also the uncontroversial verdict that at least some social

etiquette is indeed culturally relative. What we are concerned with then are cases not of social deviancy but rather moral deviancy, moral codes of conduct which we find morally objectionable. As far as capturing moral universality is concerned, the question is how to hold moral deviancy accountable for any transgression of moral norms that we think are the *correct* ones.

I also highlighted the distinction between moral reasons being applicable to all agents and all agents having moral reasons. If we disagree with a moral deviant over what moral reasons they have, I think it is misplaced to say that those agents have *our* moral reasons. The moral deviant may very well think that they *have* moral reasons, but they are not the moral reasons that we think are the correct ones. It is then inaccurate to say that in such cases of moral deviancy that they have moral reasons because we are then simply affirming that they have moral reasons which we believe are the incorrect ones. Instead, it is accurate to say that in such cases of moral deviancy, our moral codes of conduct apply to them despite that they have moral reasons of their own which we believe are the incorrect ones. Of course, if the moral deviant is indeed incorrect about the moral reasons that they think they have, then they can nevertheless still be said to have our moral reasons. However, it seems clear to me that in such a case, in so far as capturing moral universality is concerned, the primary question is what moral reasons *apply* to everyone despite what moral reasons anyone thinks that they have. And it is by first vindicating what moral reasons apply to everyone can we then be in a position to explain what moral reasons everyone has. For example, if slavery is immoral then the moral reason to not enslave others applies to everyone. However, if someone believes that they indeed have a moral reason to enslave others then they cannot be said to *have* a moral reason to not enslave others unless it is the case that a moral reason to not enslave others applies to everyone. In other words, there must be moral universality before *all* agents can be said to have a given moral reason.

Each of the examples were established to show that the targeted metaethical theory in question cannot explain how we can be morally justified to hold moral deviants accountable for any transgression of moral norms. Each chapter concluded that the way in which we could be morally justified in holding moral deviants accountable, as opposed to simply disagreeing with them, is by maintaining that there are mind-independent moral truths and in particular ones that are supported by ontology. Constructing a master-argument from the examples used throughout the thesis results in this: capturing moral universality in such a way whereby we can morally justify that any case of moral deviancy is held morally accountable to a transgression of moral norms requires the vindication of mind-independence with the support of ontology.

One problem with the master-argument above is that it is not an objection as such, it can be interpreted as making the following assertion: if you cannot vindicate mind-independence with the support of ontology then you cannot capture moral universality. However, it is also misplaced to say that the master-argument is just an assertion and not an argument at all. The way in which the master-argument is an argument, is that it presents a challenge. The challenge more generally involves a question regarding how to vindicate that a case of moral deviancy is not simply a case of social deviancy which may not necessarily be impermissible as in the case of defying certain forms of social etiquette: if there are moral norms, how are they morally justified? Going back to the distinction between having moral reasons and moral reasons being applicable, the challenge is not how all agents have moral reasons but simply how moral reasons are applicable to all agents. The argument, by way of examples, is that one cannot bind a moral deviant to any moral transgression in the absence of moral universality. This challenge is an argument because what is explicitly argued is that without moral justification, any supposed moral deviancy can only be considered a social deviancy. And if any social deviancy cannot be considered moral deviancy, then that is indeed a threat to anyone who thinks that some moral norms apply to everyone.

Notice that this challenge does not beg the question on behalf of moral realism, it is a challenge that even the moral realist is required to answer. The thesis that capturing moral universality requires mind-independence and the support of ontology offers an answer to that challenge, but it is still an open-question whether that answer is successful. It would be begging the question for the master-argument to assume that a moral realist can capture moral universality simply by endorsing commitment to mind-independence and the support of ontology. As I made clear in my introduction, an explanation is still due regarding how moral universality can be captured from the moral realist, just as an explanation is due from any other metaethical theory. I have only argued in my thesis that capturing moral universality requires mind-independence and support of ontology and my thesis is not the view that being committed to mind-independence and the support of ontology is to *have* captured moral universality.

There is simply an added stipulation for any metaethical theory which rejects mind-independence and ontological support: how to capture moral universality in the absence of mind-independence and the support of ontology? What I have argued in my thesis is that particular metaethical theories that aim to capture moral universality in the absence of mind-independence and support of ontology, fail. The positive aspect of a master-argument then in regard to my thesis is that it issues an open-challenge to any theory that I have not been able to consider in this thesis. Another positive is that if one or even many of my objections to particular metaethical theories discussed in my thesis chapters fail, the relevant theories are still susceptible to the challenge provided by the master-

argument because the challenge is a general one that still requires an answer. Together then, the individual arguments in each chapter combined with a master-argument offer both an objection and challenge to any metaethical theory which aims to capture moral universality in the absence of mind-independence and the support of ontology.

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