

Ought

A consideration of the prospects for the strict and detachable ought in a time of reasons

Master thesis in Philosophy

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Synopsis

I begin by considering the problem of priority between ought and the other normative forces, as these are distinguished by John Broome. Ought is the strongest normative force but what kind of priority can it have given our, shall we call it, subservience to the normative requirement?

Secondly I consider the subservience of ought to reasons. That the agglomerate of pro tanto reasons make an ought seems to imply that ought stands in a subservient relation to reasons. On one hand you can't tell someone imperatively to do something without providing a reason. We are in some sense not moved by imperatives, at least we ought in some sense not to be. Generally we are moved by reasons. Sometimes we stand in relations to experts which both motivate and justify us in obeying imperatives, such as when we go to the doctor. This provides ground for thinking that ought is related to reasons in the way Broome claims. On the other hand the way from reasons to ought places quite a vaguer on the chances for oughts in praxis. Oughts thereby rely on our sensitivity to the reasons which explain it or perhaps constitute it. And this seems undoubtedly true of our practical reality that oughts do rely on our sensitivity to and implementation of them for their place in guiding our actions, but it does not however imply that their existence or truth depends upon our sensitivity towards them. In praxis oughts seem to be weaker than and subordinate to reasons. Our weighings of reasons are limited as to which reasons we see and how much we take them to weigh, and how we agglomerate them. Transference from slack to strict normativity would thereby in praxis imply relativism or subjectivism. However, Broome objects that the ought of the agglomerate of reasons is not strict, at least not in some cases. We therefore have grounds for defending the existence of a strict ought which is other than the ought which results from the agglomerate of reasons.

From introducing a distinction between this ought and different kinds of 'ought' we come to the problem of priority and distinction between different oughts. This problem involves not only that some oughts are more important than others but also that they are different. Theoreticians such as Philippa Foot, Susan Wolf, and Bernard Williams have all attempted to reduce the 'moral' ought or raise the other oughts to a level where any priority is lost, except perhaps the priority which is provided by us. Our subjective prioritizing replaces

the detachable, normativity of an ought fact with a non-detachable ought along the lines of Williams' practical ought, which "expresses the agent's recognition of the course of action appropriate, all things considered, to the reasons, motives, and constraints that he sees as bearing on the situation."¹ Anscombe denies that the strict concept of moral obligation makes any sense without the pervasiveness of Hebrew-Christian ethics. I shall attempt to distinguish the strict and detachable ought from other uses of ought and I will try to say something in favour of its priority. I agree with Harman that 'The USA ought to bomb Hiroshima and Nagasaki' does not transfer to 'Hiroshima and Nagasaki ought to be bombed by the USA'. The normativity and justification of that concluding ought is therefore relational to the deliberation of which it takes place, and is not applicable outside of the deliberation.

In the end I look further into the relations between can, must and limitations to ought in order to say something about freedom and determination. I conclude that the prospects of the strict and detachable ought rely on an unrestrained sensitivity to them, which again implies that we balance our subservience to established laws and conventions and our subservience to the normative requirement with a heightened use of our imagination or whatever will provide both unmediated responsiveness and empathy towards oughts and reasons. So as to facilitate the reception of concerns which are neither required by our mind states nor urged by conventional forces. We may confirm however that the prospects for the strict and detachable ought are bleak due to the pervasiveness of conventional morality, the authority of subjective weighings of reasons and our subservience to the normative requirement which often confuses us to believe that what we are required to do or believe is what we ought to.

¹ Bernard Williams: *Moral Luck*, Cambridge University Press 1999, ch.10 "Practical necessity", p.124

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Introduction

When I set out to write this essay I had my mind full of opinions and problems which were going to be the agenda of that which you are about to read, if you continue beyond the introduction.

In the course of working on this paper I have taken a path from a grand ambition to sort out my life long opinions about conventionality and how the normativity of conventionality differs from ideal normativity, to an old-school-morality type of defence against the pervasiveness of reasons in contemporary philosophy and life generally. David Lewis was of some help in gaining an insight into conventionality, but as I tried to formulate the superior alternative to conventionalism via John Broome's conception of reasoning I realized that one may be perfectly coherent and yet conventional or evil. The distinction I was looking for would not be found within the aspect of rationality which is concerned with normative requirements.

What I was going to say slowly began to fade away, as one's own thoughts usually do when one surrenders to or takes on the conceptualizations of another, as I adopted Broome's distinctions between detachable and non-detachable normativity and strict and slack normativity. I subsequently began to write my own theory of morality instead I was told that it needed to participate in the philosophical debate. So I leaped back in between the philosophers and tried to formulate my views there. I try at first to pin it down within Broome's conceptualizations of the normative forces of rationality. Even if that is not entirely successful it at least establishes some obstacles which obtrude the prospects for this kind of an ought and it indicates what kind of an ought I actually have in mind, which is a question I never really go into. The nature of this ought is after all such that it's nature won't be proven by argumentation and the conclusion of my reasoning will only follow by requirement.

The process of writing this essay has therefore both shown and convinced me of the enveloping force of normative requirements, a formal normative force which I observe in command of my belief set. And this just strengthens my conviction in that which I want to argue for, namely that the external substantial ought ought to be prioritized over the formal relational forces which guide our minds. Yet I see how compelling these formal forces are and

I can understand the view that the way to ought should, does, and must go via our thinking about reasons, yet the one thing which we must keep in mind is that what we ought to do may be something completely other than and more significant than what we think we ought to do.

The first problem of priority

When Harry Truman received an honourable distinction from Oxford Elizabeth Anscombe protested on the ground that “having a couple of massacres to his credit” disqualifies a man for public honours.² In “Modern Moral Philosophy” Anscombe criticizes all “the best known English academic moral philosophers” for putting “out a philosophy according to which, e.g., it is not possible to hold that it cannot be right to kill the innocent as a means to any end whatsoever and that someone who thinks otherwise is in error.”³ In this Anscombe and I are kindred spirits. Some oughts cannot be outweighed.

I depart from Anscombe however by insisting on the strict ought which she, with her superior philosophical reflection, disregards as meaningless without the existence of Hebrew-Christian law ethics.

What I shall argue is that although you sometimes ought to do something you generally ought not to do - a situation which frequently arises within war and other unjust situations – the two oughts spoken of in that assertion differ, and the ought to do that which you ideally ought not to do is more of a must than an ought. I shall provide a few arguments in favour of this. My argumentation should not be seen as conclusive, it is just an attempt to formulate something I feel must be right, but which can hardly be made sense of anymore within the contemporary reign of reasons.

The English academic moral philosophers which Anscombe refers to have treated all oughts as weighable: “it is pretty well taken for obvious among them all that a prohibition such as that on murder does not operate in face of some consequences.”⁴ This kind of a view is perhaps more pervasive now than ever with all the focus on reasons. Some philosophers like Skorupski and Scanlon reduce all ought to reasons. John Broome has however shown that rationality consist in far more than reasons and that reasons differ from the other components of rationality in their kind of normative force.

² John M. Dolan : “G. E. M. Anscombe: Living the Truth” First Things 113 (May 2001): 11-13.
www.firstthings.com

³ G.E.M. Anscombe: “Modern Moral Philosophy”, ch.1 in (ed.)Roger Crisp and Michael Slote: Virtue Ethics, Oxford University Press 2003, pp.26-45, p.35

⁴ “Modern Moral Philosophy” p.35

it is very commonly said that rationality consists in acting on a believing for reasons. Indeed, most of the literature on rationality is about reasons: it asks what is a reason for what. But actually a large part of rationality consists in conforming to normative requirements, and is not concerned with reasons at all. For instance, one part of rationality is doing what you believe you ought to do.⁵

A normative requirement is what guides reasoning. It requires your mind states to stand in correct relations, a requirement that can be satisfied either by adding mind states that are implied by your other mind states or by subtracting mind states that stand in contradictory relations to other of your mind states. Being normatively required to believe something is not the same as having a reason to believe something. Reasoning is not reason giving but only requiring.

Additionally there are ought facts which are the strictest form for normativity. Whereas reasons are slack and permit that you don't comply to them if you have better reasons to do something else, ought facts are strict, meaning that non-compliance is a strict failure. Like a normative requirement ought facts demand strictly, but unlike a normative requirement their normative force is detachable. Normative requirements are non-detachable meaning that their normativity is relational, clinging to the scope of the conditional, $O(p \rightarrow q)$. Detachability means that the normativity is narrow scope, Op , and is detached from the conditional, $p \rightarrow Oq$, at the obtainment of the antecedent. Ought facts share this detachability with reasons.

The final category of normative forces which constitute rationality according to Broome is recommendation. This form is non-detachable and weighable, therefore the weakest form of normativity of these four.

I shall base my argumentation upon the strict and detachable ought, the strongest normative force there is, and make some claims about ways in which this is confused with other normative forces.

As is shown by John Broome, there are other normative forces besides those of reasons, which differ both in kind and strength. Yet it seems as if there is for some people no limit as to what content can play the role of a reason. Which content takes on which kind of a normative force seems to depend on context and speaker, at least in praxis. So if I say something is an ought fact what kind of corrective can I appeal to in defending my claim against another person who takes the same content to be a pro tanto reason? Sadly there doesn't seem to be any way to prove that an ought fact is an ought fact. The conclusions of

⁵ "Normative Requirements" p.90

our reasoning are not detachable and so all I can do is to appeal to reasons. Reasons are often a prerequisite for making us motivated by ought facts or imperatives which we are not already motivated by. As for instance when you go to the swimming hall you might not take a shower before you enter the pool just because there's a sign on the wall that tells you to do so. But you will when you know the reasons why. On the other hand there are also situations and relations which don't demand reasons but simply trust the expertise of someone.

Moral concerns seem to distinguish themselves in this from cases of subservience to experts in that we each contribute and feel that we must contribute a sense of justification to our normative beliefs. While we generally don't question whether a certain medication is good for a specific illness but leave that up to the doctor, on the assumption that there is a standard here which the doctor knows, we might question whether a certain action is the right way to act in a specific situation. We don't presume that politicians or even philosophers have the right answers to questions of what ought to be done in virtue of their education.

Yet we may disagree about what is a reason for what and how much the reasons weigh. It seems as if the normative requirement is the only normative force which is concrete enough to facilitate inter-subjective corrections of our compliance to normative forces. We can point out when people are mistaken in their reasoning, and we can point out when they confuse requirements for oughts and reasons.

I am now going to consider whether the differentiation of normativity presented by Broome is hierarchically ordered in a manner which entails that you ought to comply to an ought rather than to a reason and so on.

What I am going to try to defend is that the strict ought is the top normative force which ought to be prioritized above the other normative forces.

Hierarchy of normative forces

Ought you to comply to oughts rather than to requirements? Ought you to do what you ought to do when this conflicts with what you believe you ought to do? If Broome's assorted normative forces of rationality are hierarchical then one might imagine that the different kinds of normativity are ordered in a sequence which also exerts normative pressure between them, so that being rational is not just a matter of responding to one of these normative forces or each one of them, but of responding to all of them *and* the correct normative relations

between them. The correct normative relations between them (hypothesizing that there are any such) can be seen as given by degree or kind of rational demand, so that rationality and normativity seem to be interdefinable at some level but not entirely since the interaction between the two involves a complicated correspondence between different levels and kinds, it might seem as if complying to a weaker form of normativity counters rationality when this compliance counters a demand made by a stronger normative force. If this is the case then we can within Broome’s theory point to the occurrence of conformity to normative forces which is not rational, or certainly not definitory for rationality. The significance of this for my agenda is that the normative relations between these different normative forces might provide the higher ought which demands or guides in conflicts between these normative forces.

Let me first present Broome’s assortment of rationality as consisting of four kinds of normativity.⁶

	Strict	Slack
Detaching	p oughts q $p \rightarrow Oq$	p reasons q $p \rightarrow Rq$
Non-detaching	p requires q $O(p \rightarrow q)$	p recommends q $R(p \rightarrow q)$

We see here that the normative forces of rationality differ in strength and kind from ought to recommending. Ought is the strictest form for normativity which in addition to being strict is detachable. Detachability means that the normativity is narrow scope, O_p , clinging to the consequent which is detachable by modus ponens at the obtainment of the antecedent. Non-detachable means that the normativity is wide-scope, $O(p \rightarrow q)$, and not detachable by modus ponens.

You are normatively required by rationality to reason your mind states to mirror the correct relations between the content of the propositions of your reasoning. This entails both that you remove contradictions by cancelling one of the mind states that result in the contradiction and that you reason out the implications of your mind states. All your mind states are therefore subordinate to this normative force. But rationality also consists in responding to reasons and ought facts. And the normativity of these forces is provided by

⁶ John Broome: “Normative Requirements”, ch.4 in (ed.) Jonathan Dancy: *Normativity*, Blackwell 2000, pp.78-99, p.83

facts in the world which determine normative facts of either a strict or a slack kind. Detachable normativity therefore places us in a normative relation to the world, whereas non-detachable normativity is a normative relation between our mind states (and in some sense between our mind states and something external to us since the correct relations between the content of the propositions of our mind states which our mind states are required to mirror exist independently of our knowledge of them). The normativity of a normative requirement is therefore relative to ones mind states whereas the normativity of reasons and ought facts is relative to facts.

The distinction between normative requirements and detachable normativity seems to facilitate a reformulation of the dispute between internal and external reasons as having been a dispute between two different kinds of normative forces. Broome's distinction shows that both these kinds of normative forces exist and that they differ in significant ways. Consequently the point of interest is no longer whether reasons are external or internal but how these different normative forces interrelate and how the implications of their differences can be traced.

As is shown by the other normative forms seem to be weaker than ought in one or two ways, as Broome says, "the reasons relation and the requires relation are both, in a sense, weakenings of the oughts relation."⁷ A recommendation is removed from an ought by having both these weakenings, being slack and non-detachable.

Are the differences between these forms of normativity such that conflicts between them ought that you conform to the one which is stronger? Does compliance to weaker forms of normativity, against stronger forms, imply a failure of rationality?

The vertical axis distinguishes between forms of normativity which are conditional upon one's mind states and those that apply to you independently of your mind states. The horizontal axis distinguishes between the kind or degree of demand. Strict normativity applies unreservedly (when it applies) in the sense that there are no excuses or alternatives. Slack normativity is on the other hand compatible with contrary claims and non-compliance may not imply any failure on your part. Although there are reasons for you not to do that which you are doing, there may be better reasons for you to do it and then it's not a failure of rationality to fail to see to this reason.

Suppose p is true but q is not. Then if the oughts relation holds, you are definitely failing to see to something you ought to see to. You ought to see to it that q, and you do

⁷ "Normative Requirements" p.90

not. On the other hand, if only the reasons relation holds, you may be failing to see to nothing you ought to see to. You have a reason to see to it that q, but you may also have a better reason not to see to it that q, and in that case you are doing nothing wrong if you do not see to it.⁸

In other words, it seems as if failures to comply with strict forms of normativity always imply failures of rationality, whereas failures to comply with slack forms of normativity may imply no failure of rationality.

What then about contradictory demands posed by the different kinds of strict normativity? Ought I to see that a normative requirement is stronger than a recommendation and that I therefore ought to comply to the normative requirement rather than the recommendation? Between normative requirements and reasons the question seems to pose incompatible entities since these normative forces are weakenings of ought facts in different ways. One prescribes what you have reason to do and the other what you are required to do.

There is no contest. Reasons are concerned with what you ought to see to, and normative requirements are not. For example, suppose the balance of reasons is in favour of your seeing to it that q. Then you ought to see to it that q, because the reasons together determine what you ought to see to. Your contrary belief normatively requires you not to see to it that q, but this does not count at all in determining what you ought to see to.⁹

This gives the impression that oughts and requirements don't interfere with each other since they demand differently. But when they demand differently they do place us under conflicting demands and the question I am asking is whether the differences between the kinds of demands that they give can provide an answer as to which one of the conflicting demands I ought, in a different sense, to comply to. Does the detachable normativity of an ought imply a stronger or more important ought than the normativity of a requirement? Broome's formulation of weakenings does make it seem so. (This is when my interpretation of and embellishment of Broome really takes over.)

For example, if you are required by you mind states to believe q, yet you ought not to believe q, are you then rational to believe q? You are required to believe q, and failures to comply with normative requirements are strict failures of rationality. Therefore you are in this case rational yet not as you ought to be, and failures to comply with ought facts are also strict

⁸ "Normative Requirements" p.81

⁹ "Normative Requirements" p.92

failures of rationality. You are rational in one sense and not rational in another. How are we to conceive of the relation between the presence and absence of these different kinds of or components of rationality as together constituting rationality?¹⁰

One would expect that all of them should be fulfilled. Yet a normative requirement is satisfied independently of ought facts and reasons. Rationality does not entirely consist in the fulfilment of normative requirements because rationality consists in more than that. Can we then say that since normative requirements aim to or require of me that my mind states don't stand in incorrect relations in the form of not having reasoned out the implications of my mind states or having mind states that are or imply contradictions, that if I have avoided all these mistakes then I am qualified for rationality? I am not failing to be rational within the part of rationality that concerns normative requirements. Yet I may be failing to comply with other parts of rationality, and what is then the verdict concerning my rationality?

Rationality could perhaps also be split into four corresponding kinds of rationality. Then these four kinds would be inter-definable with their respective forms of normativity. But rationality is not split into kinds. Rationality consists in all these different kinds of normative forces, where one does not give a complete definition of rationality, and where rationality as a certain combination of all four does not define any one kind of normativity. The relation between normativities and rationality is therefore quite complex within Broome's scheme and it seems doubtful that even if we were to say what the exact normative relation between the different forms of normativity were, so that we had one higher formulation of normativity as the interaction between the four kinds of sub-normativities that we still couldn't say that this entity was inter-definable for rationality.

One way to conceive of these different normative forces as together constituting rationality is to see that ought facts make a positive demand: you ought to comply to ought facts; whereas normative requirements make a negative demand: your mind states ought not to stand in incorrect relations. Normative requirements then don't ascertain the presence of rationality. Satisfying normative requirements makes you rational in the sense of rationality which means absence of irrationality. Additionally, you need the presence of positive rationality. Ought facts and reasons supposedly provide or demand the presence of certain beliefs and intentions which it is rational to have. Sometimes it seems irrational not to have them but I think that in normal circumstances it doesn't. If you don't know you don't know. It's not irrational not to know. But there are certain relations one might stand in to this

¹⁰ "Normative Requirements" p.90 confirms that rationality consists in different parts

information which would make it irrational not to know. Perhaps this would in most cases be explained in terms of normative requirements. It seems always at least to find an explanation in terms of your mind states.

One might object to this that calling one of these demands positive and the other negative is arbitrary since the description could be switched. Might I not just as well say that you ought not to not comply with ought facts and your mind states ought to stand in correct relations to each other? To this I reply that I don't think the switched descriptions would be sufficient or correct renderings of their respective normative forces. A positive demand can only be made by ought facts and reasons since these are the normative force which are detachable and apply disregarding your mind states. Consequently they can be substantial. Normative requirements on the other hand are such that which correct relations your mind states ought to stand in depends on which mind states you have, and how you choose to arrange them (what to cancel, what to keep) in order to make the relations correct. Therefore the normative requirement must be formulated in terms of formal criteria (not substantial) and will guide you in terms of the kind of state you ought not to be in, a state of incorrectly related mind states, rather than prescribing which mind states you ought to have. (The correct relations which a normative requirement is based on might of course have a substantial grounding, but this substantial explanation is at a different level. The requirements we are under are formal although they might be traced back to a substantial existence.)

Bootstrapping

your believing p plainly cannot be a reason to believe p . Beliefs do not justify themselves; that would be an impossible sort of bootstrapping. So it cannot be a general principle that believing p is a reason to believe p 's immediate consequences.¹¹

“Relations among your beliefs and intentions [...] imply no narrow-scope normative conditions on individual beliefs or intentions.”¹² The oughts that regulate the relations among your beliefs and intentions are normative requirements. Having a normative requirement to

¹¹ “Are intentions reasons? And how should we cope with incommensurable values?”, p.6

¹² “Reasons” p.2

believe something is different from, and does not provide, reasons or oughts to intend or believe that which you are required to intend or believe.

Being required to believe or intend q is different from having a reason or ought fact to believe or intend q and does not in any way imply or entail that you have a reason to do so or ought to do so. It may very well be that you ought not to. “Correct reasoning will lead you to have beliefs and intentions that you are normatively required to have by others of your beliefs and intentions. But it may not lead you to beliefs and intentions you have reason to have.”¹³ A normative requirement requires that your mind states stand in correct relations. Confusing this with the normativity of ought facts, which demand that you have specific mind states, or confusing it with reasons which give you a reason to have certain mind states, is what is called bootstrapping. Believing that you ought to believe something because it follows from your other beliefs, or that you ought to intend something because it is a necessary means to another intention you have is to bootstrap these beliefs. Our beliefs and intentions never provide reasons nor oughts for beliefs or intentions, they simply require them. “Reasoning in general is neither ought-giving nor reason-giving.”¹⁴ To mistake the relation of requirement for a reason or an ought fact is to bootstrap one’s mind states. This is illegitimate reference to normative forces. Reasons and ought facts exist independently of our mind states. Our mind states don’t add further reasons.

A reason to intend to take the boat is that it will carry you to the wild and beautiful island of Rum. This reason exists independently of your intention to visit Rum. But if this intention was also a further reason to intend to take the boat, it would be a reason you create yourself by forming the intention to visit Rum. It is puzzling how you could create a reason in that way; Michael Bratman calls it ‘bootstrapping’ the reason into existence.¹⁵

The commitment of belief

When we believe something we presume that our belief is right. That’s what it is to believe. And that entails that you think it is wrong not to believe it. But this conviction of rightness

¹³ “Normative Requirements” p.90

¹⁴ John Broome: “Practical Reasoning”, p.5

¹⁵ “Reasons” p.2

which accompanies or constitutes our beliefs may just as well be an effect as a cause or ground of our beliefs. Yet we all presume that the rightness precedes our belief, although there is a slight chance that this rightness might just be an effect of belief thought to precede its cause. But there are always reasons or grounds or explanations for our beliefs, and these are such that we take them as providers of rightness.

To believe that a certain proposition – a certain potential belief content – is true or is supported by the evidence or is entailed by something that is itself accepted is *to believe, in effect, that it is right to believe the proposition, wrong to disbelieve it*: it is to believe that there are norms that require the attitude, at least when other things are equal¹⁶.

Pettit and Smith here describe how belief in the rightness of a belief is equally likened to all the different ways in which a belief might be supported or urged. This points to the asymmetry between belief in rightness on the one hand and rightness of belief on the other hand. Believing that it is right to believe something is equally related to all the different ways of making it right to believe, whereas all these different ways might not provide equal rightness for belief, *if* the different normative forces don't provide equal rightness. As I have suggested one might take Broome's presentation of these different normative forces as providing different kinds of rightness which also differ in strength.

On the other hand, if it is true that we perceive beliefs as right and wrong in this way, why should hierarchical ordering of ways of justifying or making the rightness of a belief be prioritized over belief in rightness? If we believe that it is right to believe *p* and wrong not to believe it, disregarding which kind of support or encouragement we have for that belief, then will it matter to us which support other people have for their contrary beliefs? In fact it does. In fact when other things are not equal we have such a situation and we are usually sensitive to opposing claims to rightness and to the different kinds of rightness they claim.

The idea of ought facts is implicit in this kind of commitment which our beliefs place us under. We presume their existence when we presume that our beliefs are right. When we have a normative belief we presume that there is an ought fact supporting our belief. $BO(p) \rightarrow B(Op)$ Is it possible then that the conception of ought facts and detachable normativity is just a derivative of conviction, an effect of normative belief which is thought to precede its cause.

¹⁶ Philip Pettit and Michael Smith: "Freedom in Belief and Desire", essay nr.20 in (ed.) Gary Watson: *Free Will* 2.ed., OUP, 2003, pp.388-408, p.393 My italics

To hold a normative belief is to believe in an ought fact. $BO(p) \approx B(\exists x(Fx \ \& \ F \rightarrow Op))$. Implicit in our normative beliefs seems to be the belief in an overriding ought prescribing that normative belief. Along the lines of the rightness Pettit and Smith describe. When I have a normative belief and believe that the content of this belief is an ought fact then I seem also to believe that I ought to believe it. $O(Op \rightarrow BO(p))$. But this overriding ought seems to appear in the shape of a normative requirement when we consider that the additional beliefs about the ought fact which accompany our belief in it may arise without the actual existence of this ought fact. Our normative belief is then just circular upon itself and takes that which is presumed to underlie it to be the actual existence of an ought fact whereas the belief in this in fact takes the shape of a normative requirement. Since I believe $O(Op \rightarrow BO(p))$ and I believe the antecedent. But from this we can't derive that we ought to believe it. So it does not follow that my belief bootstraps into existence an ought to believe p .

My belief doesn't bring about an ought fact. I cannot bootstrap an ought fact into existence by believing it. What I seem to be suggesting here however is that it seems possible to claim that the whole idea of ought facts is bootstrapped into existence in just this way. By the presumption that my normative belief implies the existence of an ought fact, and therefore oughts that I believe it.

We might thereby sceptically presume that there are no ought facts at all. The conclusion would nevertheless be in favour of ought facts since normative beliefs involve belief in ought facts such that it elicits belief in $O(Op \rightarrow BO(p))$ and isn't that sufficient grounding for the existence of ought?

What is the significance of detachability?

Dancy thinks the contrast between detachable and non-detachable forms of normativity "seems exaggerated". The exaggeration lies for Dancy in this: "There is not much gap between saying that you ought, if you have promised, to keep your promise and saying that if you have promised, you ought to keep your promise."¹⁷ In other words, the difference between relational, $O(p \rightarrow q)$, and non-relational normativity, $p \rightarrow Oq$, is minimal in Dancy's view.

¹⁷ Jonathan Dancy: *Practical Reality*, Oxford University Press 2004, p.71

Dancy thinks that detachable normativity means that

if we know that her need favours (or even demands) your helping her, and that she is in need, we know that you have a reason (or even ought) to help her. Where the left hand side of the relation is satisfied, normativity passes to the right hand side.¹⁸

Dancy describes here the way in which a fact implies an ought fact or reason, $p \rightarrow Oq$, which would be a conditional underlying an ought fact or a reason, and claims that when the antecedent obtains the consequent is normative. On the reading of Broome which I defend this is not what detachability is. It is not the case that the normativity passes to the right hand side, but rather that the right hand side becomes detached. And the significance of this detachment is that it obtains disregarding anybody's knowledge of it. The reason why Dancy misses this significant difference is that he fails to distinguish non-detachable normativity from detachable normativity. The way his description is construed likens it more to a requirement than to an ought or a reason. When we know a conditional as Dancy says "we know that her need favours (or even demands) your helping her", and we know that the antecedent is true as Dancy says "we know [...] that she is in need", then the conclusion that follows, that "we know that you have a reason (or even ought) to help her", follows by the normativity of a requirement. It is not true concerning a requirement that the normativity passes to the right hand side, however, it remains relational, but besides that Dancy's description is of a normative requirement rather than an ought or a reason.

The significant distinction Broome focuses on is that the normativity resides in the fact itself, in contrast to the normativity of a normative requirement which is relational. " Bp requires Bq [...] attaches normativity to the relation between believing p and believing q , not to believing q itself."¹⁹ Just as Dancy accounts for the normativity of that which is detachable as a relation to knowing or believing a conditional and that the antecedent obtains. That ought facts and reasons are detachable does not entail that I (or somebody else) must detach the consequent, but that this consequent *is* normative when the antecedent obtains, disregarding anybody's knowledge of this facts relation(s) to conditionals, and disregarding anybody's knowledge of whether these facts obtain. The difference lies in where and how the normativity obtains. Relational normativity obtains in relation to its premises, meaning that the conclusion obtains in relation to the premises which require it. The conclusion of a

¹⁸ Jonathan Dancy: "Editor's Introduction" to *Normativity*, Blackwell 2000, pp.vii-xv, p.ix

¹⁹ John Broome: "Practical Reasoning" p.6

requirement is therefore not normative in relation to the world or to people who don't share my mind states. Detachable normativity on the other hand is normative everywhere and to everything once it obtains. The difficulty then is that when we have normative beliefs these partake in our reasoning and therefore take on non-detachable normativity, while the way in which we intend them and take them to be normative is as a detachable normative force.

The relation of an ought or a reason is therefore between facts or states in the world and ought facts or reasons, whereas the relation of requirement is between your mind states. When certain mind states obtain you are under certain requirements. Ought facts and reasons however are only conditional upon propositions of or facts obtaining in the world and therefore supply you with oughts and reasons which you consequently may not be aware of. You may have a reason to, or ought to, help your sister despite the fact that *nobody* knows that she is in need nor that her need favours your helping.

On my view then detachable normativity is not relational to anybody's mind states. Dancy formulates detachable normativity in internalist terms, in the sense that the normativity only obtains as relations between a persons mind states, meaning as non-detachable normativity.

Here is an attempt at an example which might distinguish the two. If A promised to do X but later thought about it and cancelled his promise, to himself, then he released himself from the normative requirement, $O(p \rightarrow q)$, by cancelling the antecedent. This change of mind might not however have released him from the ought fact. It is still the case that he promised, so the consequent is detached and it is not normative in relation to the antecedent, therefore he still ought to q .

Strict and slack normativity

Broome accounts for two kinds of normative reasons: Perfect and pro tanto. Pro tanto reasons are the reasons we weigh against each other in order to decide what to do. Perfect reasons are the explanations of ought facts which take on normativity when we slide them into the position of being reasons for these ought facts rather than the reasons why.

We slide from ‘X is the reason why you ought to Φ ’ to ‘X is the reason for you to Φ ’, meaning exactly the same thing by it. The non-normative ‘reason’ (meaning explanation) slides into the normative ‘ought’, yielding a normative sense of ‘reason’ that combines the meaning of both.²⁰

Both these reasons stand in relations to ought facts which can be interpreted in internalist ways and encourage the view that what we believe to be an ought fact is an ought fact. The relation between pro tanto reasons and ought is such that “when the reasons for you to Φ outweigh the reasons for you not to Φ , then you ought to Φ .”²¹ Of the relation between perfect reasons and oughts Broome says that “you ought to Φ if and only if you have a perfect reason to Φ .”²² Both these formulations are by themselves open to the question of whether the having of these reasons is intended in the external or internal sense of a reason. Of course with the consideration that we might be mistaken, a mistake which can be explained without recourse to the existence of an external corrective, this might not be neither problematic nor unlikely the correct view of the relation between oughts and reasons. Nevertheless I am going to consider the possibility that Broome’s distinctions between normative forces remove us quite a bit from this view into a view that does not give us such easy access to ought facts. This view maintains the externality of detachable normativity via a sort of evidence transcendence which assures that the ideal strict ought exists independently of the oughts of our practical decisions.

²⁰ “Reasons” p.6

²¹ “Reasons” p.10

²² “Reasons” p.7

Broome's distinction between detachable and non-detachable normativity alleviates in many ways the controversies between internal and external reasons by reformulating at least some parts of the disagreements in terms of divergent normative forces. Yet the controversy between internalism and externalism can be seen to remain within his category of detachable normativity. The reason for this is that he provides a link between reasons and oughts, the two types of detachable normativity. That our weighing of reasons ends in an ought is a view which seems to limit ought to our normative beliefs.

On this reading we end up with the view that we are the constructors of ought facts. These ought facts would also consequently be revisable, it's not an altogether unlikely view, but it would imply that slack normativity is turned into strict normativity by our weighing of reasons. Our weighing of reasons is limited by several factors which I think provides good reason to object to this view.

I will first present evidence which points in the direction of a distinction between slack and strict oughts within Broome's theory running between the ought of reasons and the other ought. Then I am going to present three reasons why I don't think it's correct that the agglomerate of pro tanto reasons make an ought. The argumentation is directed as an objection against the path from pro tanto reasons to the strict and detachable ought and does not object to the agglomerate of pro tanto reasons making any ought at all, but simply aims to accentuate three points about pro tanto reasons which make the agglomerate ought distinctively different from the strict detachable ought. Afterwards I am going to consider how and whether Broome's distinction between weighing and non-weighing explanations affect the distinction between strict and slack normativity in a way which secludes at least some oughts from being amendable by our weighings and which also functions as a corrective to our weighings of reasons, both when these are weighable and when they are mistakenly taken to be weighable.

Do pro tanto reasons make an ought?

Broome considers three objections to the conclusion that pro tanto reasons make an ought. The first of these is Dancy's objection that agglomerated reasons can be of two kinds, enticing and others, whereof the others are peremptory and therefore imply ought in the strict sense,

while “enticing reasons merely make Φ ing attractive.”²³ In cases where there only is one enticing reason in favour of Φ ing, Dancy objects that this does not provide an ought. Broome on the other hand maintains in response that “enticing reasons lead to oughts”. But he adds that it would be permissible not to do that which one ought to do in such cases.

Having admitted that the ought-product of agglomerated reasons (at least when they exclusively consist of enticing reasons) is slack, which is precisely what the permissibility not to comply to an ought means, Broome seems explicitly to have differentiated this ought from the strict ought which is distinguished from reasons in “Normative Requirements”. The strict ought is such that given ‘if p is the case, you ought to q ’, and supposing that ‘ p is true but q is not’, then “if the oughts relation holds, you are definitely failing to see to something you ought to see to. You ought to see to it that q , and you do not.”²⁴ This seems to provide evidence that the ought of the agglomerate of reasons, at least sometimes, is another than the strict ought.

Another objection to the theory that agglomerated reasons make an ought which Broome considers is that “Sometimes the reasons for you to Φ outweigh those for you not to Φ , but it is not the case that you ought to Φ because Φ ing would be very demanding – it would be supererogatory.”²⁵ Broome’s reply to this is simply that the ought permits you not to do it. “If Φ ing is supererogatory, then you are not obliged to Φ . Also, it is permissible for you not to.”²⁶ This also confirms that this ought is weaker than the strict ought which I am defending. (Take that ought as inspired by the strictness Broome presents in “Normative Requirements”.)

Reasons not to do that which you ought to do

The first point I want to argue for is that when a weighing explanation with reasons both for and against Φ ing ends up in favour of Φ ing, then even though it in some sense is the case that you ought to Φ , this ought does not eliminate or reduce the opposing reasons. These will still retain their normative force and be reasons for you not to be doing that which you are doing, although you are justified in doing that which you are doing because the aggregate of all the

²³ “Reasons” p.10

²⁴ “Normative Requirements” p.81

²⁵ This objection is provided by David McNaughton and Michael Smith. “Reasons”, p.11

²⁶ same

reasons was in favour of your doing it. This point might seem redundant. The purpose of the objection is to weaken the ought which is produced by agglomeration.

Consequently one might ask why the agglomerate should be formulated in terms of an ought and not just in terms of an agglomeration of reasons. There seems to be an ought involved because it would be wrong not to act on the agglomeration. But calling the agglomerate ought is misleading in that it also oughts you to act against the counter-reasons. Now as Broome has distinguished reasons from the other normative forces by their slack normativity, it is not a failure to act contrary to some reasons when the agglomerate of all the reasons is in favour of your doing the opposite. I wish to nuance the lack of a failure into a reasoned disregard. A reasoned disregard also implies that non-compliance to a reason may not be a failure. However, it distinguishes between the level of having a reason to disregard that reason and the level of being justified in that disregard. It maintains the possibility of having weighed incorrectly within the formulation rather than the agglomerate ought which seems to much more decisively raise the agglomerate and lay aside the opposing reasons. I think that even when the agglomerate is concluded acting on pro tanto reasons is a two-sided business. The failure to comply to an agglomerate ought also differs from a failure to comply to strict oughts since it is possible that you might have weighed the reasons differently. We tend to leave a little room for alternative weighings of reasons. We may say oh you weighed it like that, I see. With strict oughts we tend to be less understanding.

The quintessence of my objections to the agglomerate ought is that the conclusion of an agglomeration is always open for reconsideration. The balance depends on which reasons were taken into consideration and how much they were taken to weigh, and how they were agglomerated. At the emergence of an additional reason or the realization that one reason was incorrectly taken to weigh less than it did, the balance changes. It is therefore important not to impregnate the balance with some additional and other normative force, such as that of an ought. That seems to me to resemble bootstrapping. Presumably once an ought is established it is not easily dissolved into reasons again. On the reasons account oughts seems to have such an ephemeral quality. The strictness of an ought is conditional upon ones agreement to the agglomerate and or perfect reasons which support the ought. This again explains how oughts vary from context to context.

On the alternative account of oughts which I am considering the prospects of, an ought is presumably not adjustable like the agglomerate of reasons. If there are strict oughts that make demands disregarding people's weighings of reasons then they must not be adjustable by subjective weighings. Therefore the ought of the agglomerate of reasons should remain in

the category of reasons as slack. Conflict between strict oughts is not reducible. What needs suggestion is where the limit goes between that which is weighable and that which isn't. If all oughts were produced by the weighing of reasons then conflicting oughts would result from divergent measurements of reasons and could be reconciled by reweighing the reasons in some way, or alternatively would stagnate at the point of incommensurability.

My objection is based on the assumption that agglomerated oughts are continually up for revision, which they are in one sense since we may be mistaken, and when we realize that we are mistaken we adjust the agglomerations. When we are mistaken it is of course the wrong agglomerate which is adjusted, not the actual or right agglomerate, so in one sense agglomerates are not up for revision. In addition to being continually open for correction of mistakes they are also continually open for elaboration and accentuation in terms of adding further reasons or more weight, thereby adjusting the agglomerate ought. An agglomerate ought can be made to seem more right and more important in this way. This kind of adjustment implies that the ought is not simply pro or con but contains and is in some way all the reasons that support it. This is a consideration in support of a non-reductive view of pro tanto reasons with the agglomerate emergence of some kind of a compelling ought added. Because the agglomerate does have an ought that is stronger than any of the pro tanto reasons. As Broome says the agglomerate isn't the sum of the reasons. I say the agglomerate is more than a pro tanto reason, but it is less than the strict ought.

Do we make ought facts?

When weighing makes an ought, then which oughts there are depends on which reasons we see, or take account of, how much weight we attribute to them, and how we weigh them.

When pro tanto reasons are weighed we end up with an agglomeration which oughts in favour of doing or not doing. If the agglomerate of reasons becomes an ought, and we are the agglomerators of reasons, then we make ought facts. That would represent a leap from slack detachability to strict.

A favouring consideration to this account of ought, the reasons account, is that we can add and amplify reasons for others, and there is reason to believe that the collectively discursive provision of reasons will lead to collective ought facts. And that it is the only justifiable way to do so. Yet for this kind of inter-subjective discussion and approval of reasons and oughts to go in the direction of ought facts rather than agglomerates which express what we most want or believe is best we must be sensitive to the reasons of others

and our ability to weigh without taking all our own considerations to weigh heavier than the considerations of others. With all the empirical examples of the failure to do so, we have good reason to argue in favour of strict oughts rather than oughts with weighing explanations. The bombing of Hiroshima and Nagasaki was handled as a weighing explanation.

There is at least some limit as to how ought facts can be agglomerated according to Broome. They cannot correctly be agglomerated on the basis of bootstrapping reasons. This can be seen from his denial that our decisions provide reasons. We already know this from the bootstrapping objection, but I shall now show how significant this distinction is when it comes to preferences and making decisions. Broome comes with a compelling example of how a decision may make incommensurate values²⁷ commensurate given the assumption that decisions provide reasons. Abraham makes incommensurable values²⁸ weighable by deciding to sacrifice his son. Broome says that “his choice made them [the incommensurate alternatives of obeying God or saving his son] commensurate for him.”²⁹ This would show that we each might contribute something subjective to our weighings, except that the example is based on the view that intentions are reasons which Broome denies. Given that Abraham’s decision to sacrifice Isaac adds to the reasons in favour of sacrificing Isaac, then his intention adds to the reasons in favour of sacrificing Isaac so that when Abraham reconsiders whether to sacrifice Isaac or disobey God the balance is no longer what it was prior to his original decision since that added an extra reason. Broome holds that this is incorrect and maintains instead that we can cancel our intentions provided that we think about it for a little while. Thereby Broome also rejects that Abraham’s choice “made it the case that *for him* this was the better thing to do.”³⁰ If it were the case that intentions are reasons then “We might say [of the alternatives] that objectively they were incommensurate but subjectively, for Abraham once he had made his decision, the sacrifice was better.”³¹ That this is not the case, which is shown by the bootstrapping objection, implies that our decisions and preferences amongst incommensurate values don’t add anything to an agglomeration, which makes it seem doubtful that we ought to do that which we prefer to do because we prefer it. Preferences might be seen to be expressed by ones agglomeration or they might be taken as reasons. This

²⁷ “neither is better than the other, yet we also cannot say they are equally good”, “Are intentions reasons? And how should we cope with incommensurable values?”, p.12

²⁸ “such different values that it is impossible to weigh them against each other precisely”, “Are intentions reasons? And how should we cope with incommensurable values?”, p.12

²⁹ “Are intentions reasons? And how should we cope with incommensurable values?”, p.14

³⁰ “Are intentions reasons? And how should we cope with incommensurable values?”, p.14

³¹ “Are intentions reasons? And how should we cope with incommensurable values?”, p.14

may depend on the actual case. I think it is common to presume that if you prefer to Φ then you have an extra reason to Φ .

But then we might ask, when are values incommensurable and what makes them incommensurable? Doesn't incommensurability depend on what we experience as incommensurable? We clearly disagree about which values are incommensurable.

But in the end, since we may be mistaken, it is not the case that we make ought facts, at least not entirely, since we do so fallibly. When we realize that we were mistaken, that could possibly be because we now see a better and more correct weighing explanation, which our previous weighing is incorrect in comparison to, or if one prefers, because we have come closer to approaching an ought fact which exists independently of our mind states. So the sense of us being creators of ought facts is realistically toned down.

One may after all be mistaken

It seems as if we construct ought facts because we pick out (either actively or passively) which reasons there are (which reasons we think of), and which weight they have. Since we may be mistaken about both which reasons there are and how much they weigh, as well as how to agglomerate these together, it seems that there is some standard which we may be mistaken in comparison to and that there consequently exists a standard about which oughts there in fact are, which are the oughts we should agglomerate in specific situations. In that case when we are mistaken about ought facts, what we believed to be an ought fact turned out not to be one. Normally this kind of case is explained in terms of a distinction between motivating or explanatory reasons and normative reasons, "the reason for which you Φ " and "a reason for you to Φ "³². Broome however shows that the distinction really lies between normative requirements and reasons and is grounded in a confusion of these normative forces where that which one is required to believe or intend is taken to be something one has reason to believe or intend. Broome presents this in terms of his tentative account of normative practical reasoning which presents normative beliefs as mind states which require that you intend them.³³ In this quote he says that the normative belief requires you to act on it (rather than intend it), but he denies that in an endnote to the article.

³² "Reasons", p.22

³³ "By 'normative practical reasoning' I mean reasoning that has a normative belief ineliminably amongst its premise-states, and concludes in an intention." "if you believe you ought to tack, your belief normatively requires you to intend to tack." "Normative Practical Reasoning", p.4 and p.5 respectively

the fact you believe you ought to Φ normatively requires you to Φ . It is not that the fact you ought to Φ is a reason for you to Φ . It is not even that the fact you believe you ought to Φ is a reason for you to Φ . To think this confuses reasons and normative requirements³⁴

Broome's suggested theory of normative practical reasoning provides in this way an account of the normative relation between normative beliefs and intentions that shows these normative beliefs to play the role of a normative requirement rather than that of a reason or an ought fact. When I have a normative belief (in the sense of when I believe I ought to do something) then this gives me a requirement to do it. A requirement differs from reasons and ought facts by being non-detachable. The normativity is therefore wide-scope, and takes the form $O(BO(p) \rightarrow I(p))$ rather than the narrow-scope normative form which we would expect to be attached to the ought fact, $Op \rightarrow OI(p)$, or just Op .

We know that although I believe I ought to do something and am consequently required to intend it this does not imply that I ought to intend it. When we act on our normative beliefs we are (according to Broome's tentative theory of practical normative reasoning) guided by relational normativity. Relational normativity is not directly transferable to others. Ought therefore seems to play the corrective to our normative beliefs in two ways. First of all because our normative beliefs might be mistaken and secondly because the normative force of an ought is other than a requirement. The consequence of this distinction between detachable and non-detachable normativity is, if Broome is right about normative practical reasoning, that the implications of our normative beliefs follow the force of a requirement, and not that of an ought or a reason. Considering that normative requirements are provided by our mind states and not by reasons or ought facts, this places us at a further distance from the oughts facts than we would expect.

Since ought facts are ought facts and our normative beliefs may be mistaken, it is not our normative beliefs which are oughts facts, although the content of them may be ought facts in case we have the right normative beliefs, and consequently detachable normativity is external and refers to the corrective of our normative beliefs rather than to our normative beliefs. I shall illustrate this with a few examples.

"Suppose there is a slight balance of antecedent reasons against going, but you made a mistake in your calculations and wrongly decided to go."³⁵ This seems to presume that

³⁴ "Reasons", p.23

³⁵ "Are intentions reasons? And how should we cope with incommensurable values?" p.1

particular reasons with particular weights or perhaps particular aggregated weights exist independently of our weighing. Something as such seems to be a prerequisite of being mistaken. Unless mistakes are made in comparison to other weighings which are taken to be correct.

That reasons are weighed into oughts independently of our weighing of them seems also to underlie the earlier mentioned remark about a conflict between reasons and requirements where “the balance of reasons is in favour of your seeing to it that q , but you believe you ought not to see to it that q . Then you ought to see to it that q , because the reasons together determine what you ought to see to.”³⁶ Since your normative belief is contrary to the ought which results from the weighing of reasons I presume that you did not weigh the reasons together correctly. Your normative belief might also be based on a weighing of reasons, but in that case one which agglomerated differently (and incorrectly). The conflict between requirements and reasons which Broome is pointing to in the example is at the level of doing, between what you are required to do and what you ought to do. The premise for the requirement and the ought are however both ought statements, and therefore at that level conflicting oughts, of which one is seemingly internal and the other external.

When our reasoning is wrong this is because our mind states fail to mirror the correct relations between the content of the propositions of our mind states.³⁷ When our weighing of reasons is wrong this is presumably because we have forgotten to take account of some reasons and or we have incorrectly weighed some of them. But what kind of a standard can there be for which reasons there are and how much they weigh? If reasons were stable entities which held a given weight over time then perhaps we could imagine what a standard would be like. It seems however that their weight and existence vary over time. It seems highly unlikely therefore that there is any standard of correctness concerning reasons which can parallel the standard of correctness which our reasoning is subject to. And if there conceivably were such a standard there is reason to believe that we would not subordinate ourselves to it anyways. Our finding and weighing of reasons seems to be constitutive of who we are and who we want to be as well as our morality.

Weighing seems to be successful or not depending on whether we feel good about the outcome, whether we in the end feel that we did the right thing. If we just obeyed some

³⁶ “Normative Requirements” p.92

³⁷ “If reasoning is correct, the propositions that constitute its content stand in a particular relation to each other: the relation such that the conclusion is validly derivable from the premises. The relation of normative requirement that holds between the beliefs mirrors this relation of inference that holds between the belief’s contents.” “Normative Requirements”, p.86

corrective we might not attain this feeling, unless we were entirely dedicated to obey this corrective and all recognition we cared about was focused on this. Elizabeth Anscombe seems to conceive of the moral ought as being based on the latter kind of a corrective, in the form of Hebrew-Christian ethics. When this dispersed the moral ought lost its reference. By this she implies that nothing replaced the corrective and that obligation thereafter dispersed into relativism. The feeling of having done the right thing would have existed under Hebrew-Christian ethics as well, but it would have had an explicit external corrective to follow. One would know whether one could have this feeling or not depending on whether one's actions matched the corrective. Now that we don't have this kind of an external corrective we might be left to find out what outcomes we feel good about on our own. This is the kind of idea Bernard Williams bases his account of moral luck on.

I would like to maintain a further dimension of rightness which goes beyond individual weighings of reasons based on this kind of a subjective feeling. It doesn't have to find recourse to prescribed oughts, but will at least take account of ought in a perspective which exceeds the individual. The kind of justification for one's actions which Williams defends is one "that need not provide him with any way of justifying himself to others, or at least to all others."³⁸

An individual dealing with reasons is located amongst other individuals who might weigh the reasons differently and might object to his weighings of reasons and his failure to consider certain reasons and so on. Subsequently we may also rebuke ourselves for such failures. We influence each other by pointing out further reasons and by making it clear how much we take a reason to weigh, and sometimes we may refuse that a concern is weighable at all. On one hand there is this element to reasons that we can, even after an obvious failure, console ourselves with the knowledge that we weighed the reasons as well as we could. On the other hand there is the aspect of whether this is taken to justify one's action and whether it seems all things considered to do so. Talk about reasons might allow for divergences between different spheres of justification, so that I can justify myself to myself but not to others. Concerning reasons we might speak of a reason for me and a reason for you, and we can accept failure to comply with certain reasons as justified by other reasons. We can also accept alternative weighing of reasons as justifying. I don't think this kind of relative justification applies to ought.

³⁸ *Moral Luck* p.23

Given that the ought refers not to our normative beliefs but to ought facts, we can conceive of our agglomerates as tentative ought facts, attempts at finding out what the ought facts are. The danger of this kind of a view is that the role and authority of an external corrective is taken on by collective consent.

Weighing and non-weighing explanations

Additionally Broome is opposed to protantism, the view “that every ought fact has a weighing explanation”³⁹ and argues that even if ought facts have weighing explanations, meaning that they figure in weighing explanations, these ought facts may still “have more significant explanations that are not weighing ones.”

If these oughts are different then we need to say something about the relations between them. What do the “more significant explanations that are not weighing ones” do? What is the relation between weighing and non-weighing explanations? When an ought fact has both a weighing and a more significant non-weighing explanation, what does this imply?

However, “if you ought to Φ , no doubt there is an explanation of this fact; presumably no ought fact is inexplicable. Consequently, there is a perfect reason for you to Φ .”⁴⁰ But perfect reasons may also be pro tanto reasons and a pro tanto reason may also be a perfect reason in case it “by itself constitutes an explanation of why you ought to Φ ”.⁴¹ Whether a reason is pro tanto or perfect thereby depends on which kind of explanation it partakes in.

the fact it is raining explains why you ought to take an umbrella; it is a perfect reason for you to take one. However, no doubt there is also a fuller, weighing explanation of why you ought to take an umbrella. In that explanation, the fact it is raining would figure as a reason that outweighs contrary reasons. It is therefore a pro tanto reason too.⁴²

The two oughts which I want to keep apart by distinguishing between weighing and non-weighing reasons seem therefore to be the same nevertheless, united by the pervasiveness of pro tanto reasons.

³⁹ “Reasons” p.13

⁴⁰ “Reasons”, p.7

⁴¹ “Reasons”, p.12

⁴² same

Broome critically examines the “case for thinking that every ought fact has a weighing explanation”,⁴³ a view which he calls protantism. What protantism would imply is that there are no ought facts without weighing explanations. To counter it Broome tries to come up with ought facts that have no weighing explanations. He considers things which you never ought to do, such as believe a contradiction, and he considers descriptions which are just not weighable, such as the regulations which determine how much tax you ought to pay.

The clarification of why the explanation of the ought fact that you ought not to believe in a contradiction is non-weighing is that “Neither of the facts included in it has a weight that plays any part in the explanation, and the explanation does not involve aggregating weights.”⁴⁴ Does this mean that the distinction is descriptive, so that if you explain something without involving any weighing nor anything with a weight, then what we are dealing with is a non-weighing explanation? And that if we do provide a weighing explanation then there is one? If so, does the non-weighing explanation provide any privileged character to that ought fact? Does the non-weighing explanation exert any hold over the non-weighing explanation? Does it for instance prevent it from being reweighed into the opposite ought? Does it hold the ought fact so to speak?

Reasons not to think so are that perfect reasons may also be pro tanto reasons. And an ought without a weighing explanation might have a weighing explanation at another time, or hypothetically. Both these cases seem to give that ought a weighing explanation, even though it doesn't have an actual weighing explanation at the moment.

In response to an objection that a pro tanto reason which plays no role in a non-weighing explanation of why you ought to Φ , because that explanation is a deontic principle, may come to play an explanatory role when that deontic principle is cancelled, Broome incorporates potential weighing explanations into his definition of a pro tanto reason. Pro tanto reasons are therefore not only the reasons which participate in an actual weighing explanation of some ought but also the ones that potentially could. In that case one may construe the non-weighing explanation in terms of an underlying weighable explanation. It seems to me however, that any explanation of this fact then consequently will be a weighing explanation since the ought is conditional upon the counter-reasons being very weak at the moment (i.e. it is not the case that great benefits will arise from believing a contradiction), so that the ought is the aggregation of reasons and the explanation of an aggregated ought is weighing. But, this kind of an example might just illustrate the vague passages from one kind

⁴³ “Reasons”, p.13

⁴⁴ “Reasons”, p.13

of ought to another. Since a pro tanto reason also may be a perfect reason, and in just this kind of case where the potential counter-reason does not weigh anything (because the possibility that great benefits might arise from believing in a contradiction does not obtain), the pro tanto reason in favour of not believing in a contradiction is a perfect reason. What this kind of view implies is that whenever you can hypothetically come up with a potential counter-reason to an ought, then you have weakened it to an ought with a weighing explanation. The significance of this is that if we can think of a hypothetical counter-reason to all oughts then there are no strict and detachable oughts which are not susceptible to our weighing. Considering the variations in particular situations, this seems to be a likely view to hold, it might be right, but it also seems wrong in the respect that what we conclude we ought to do is in fact often not something we ought to do. And sometimes the mistake we made was to weigh away a non-weighing ought.

Broome claims that his explanations are non-weighing given the pragmatist clause containing the potential counter-reason. When it does not obtain there is no reason and so no weight whatsoever, then I agree. But in cases where the counter-reason exists, just with a minimal weight, this existence makes the explanation a weighing explanation, which seems to be the case for the first example Broome presents, “unless these benefits are extremely large, the pro tanto reason for you not to believe both outweighs the pro tanto reason for you to believe both”.⁴⁵ And although it seems as if the second example also involves degrees and opens for subjective interpretation and weighing of what a sufficiently great good would be, it is formulated as a non-weighing explanation.⁴⁶ Yet Broome admits that there is a weighing explanation underlying this non-weighing explanation as well which “will explain the conditional normative principle that the non-weighing explanation depends on.”

On the other hand, the way this issue is set up by Broome is as a disagreement between evidentialists and pragmatists. What is at stake is whether “what you ought to believe is determined only by considerations that are directly connected with the truth of what you believe”⁴⁷ as the evidentialists hold, or whether the benefits of having certain beliefs can constitute reasons for having those beliefs, which is the pragmatist claim.

So that weighable and non-weighable are properties of content perhaps, and certainly not something you can choose either to apply or not. If we can show this then the strict ought

⁴⁵ “Reasons”, p.14

⁴⁶ The explanation is “the tax laws say you owe \$12,345; you ought to pay what the tax laws say you owe, unless great good would result from your not paying it; but great good would not result from your not paying it; so you ought to pay it.” “Reasons”, p.15

⁴⁷ “Reasons”, p.13

can maintain its privileged status while somehow co-existing with a weighing explanation. Weighing and non-weighing explanations of the same ought fact will be in agreement about the ought fact although they will not be in agreement as to whether the ought fact is weighable or not.

Perfect reasons hold a strict aspect since they arise due to our mixing of the non-normative explanatory reason for an ought fact and that normative ought.

“A perfect reason for you to Φ is defined as a fact that explains why you ought to Φ . There might be several distinct perfect reasons for you to Φ . This is because the non-normative explanations which become the perfect reasons are separate facts which we pick out to stand for the whole explanation, a complex fact that can be referred to by several distinct facts.⁴⁸ The relation between ought facts and the facts that ground them is therefore pluralistic because the facts that ground them are complex facts. Or would this be to confuse our explanatory reasons, which we attach to the oughts, with the facts that ground them independently of our explanations of them?

There might be weighable reasons for bombing Hiroshima, but the fact that one ought not to bomb Hiroshima is not a pro tanto reason, “a characteristic of any pro tanto reason is that it is possible for it to be outweighed”.⁴⁹ Whether bombing Hiroshima with nuclear weapons can take the role of a pro tanto reason according to Broome depends on whether the possibility of being outweighed is a descriptive statement, where the fact that it has in praxis been outweighed means that it is a pro tanto reason. Broome likens ought facts to perfect reasons. “‘You ought to Φ ’ and ‘There is a perfect reason for you to Φ ’ are equivalent statements. ‘If you have a reason to q , there is some fact that makes this the case. Similarly, if you ought to q , there is some fact that makes this the case, too.’⁵⁰

If I mistakenly presume something to be an ought fact and combine this with an explanatory reason which by language use becomes a perfect reason for you to Φ then there is no complex fact which my perfect reason picks out, since there is no such ought fact and consequently no fact which it is grounded in neither. Subsequently provision of explanation does not necessarily guarantee that a normative belief is a true normative belief.

It seems to me that although perfect reasons are spoken of and used as reasons in our common sense of that word, they really belong more to the category of the strict ought in

⁴⁸ “Reasons” p.5

⁴⁹ “Reasons” p.9

⁵⁰ “Normative Requirements”, p.80

whose service they are than to the category of reasons. Perfect reasons have no normativity of their own after all. Separating perfect reasons from pro tanto reasons even more distinctly than Broome does is one suggestion for how to maintain reasons' relations to ought while preserving this relation to perfect reasons so that pro tanto reasons and all weighing explanations stand in relations to a different kind of ought, which can be the same ought fact, but the normativity will be different. This difference is not sufficiently allowed for within Broome's scheme since it is also shown that the same reason can play both the role of a pro tanto and a perfect reason.

the fact it is raining explains why you ought to take an umbrella; it is a perfect reason for you to take one. However, no doubt there is also a fuller, weighing explanation of why you ought to take an umbrella. In that explanation, the fact it is raining would figure as a reason that outweighs contrary reasons. It is therefore a pro tanto reason too.⁵¹

But when a perfect reason also may be a pro tanto reason, and “a characteristic of any pro tanto reason is that it is possible for it to be outweighed”⁵², then it seems that perfect reasons hold no special force over the ought facts which they explain. All reasons seem to be outweighable and consequently all oughts seem revisable in accordance to our weighing of reasons. But perhaps there are examples in which perfect reasons neither are nor can be pro tanto reasons as well. A prerequisite for a reason to be both perfect and pro tanto is that the ought takes a weighing explanation.

But when a pro tanto reason which also is a perfect reason is outweighed, then the weighing explanation which favoured an ought is no longer in favour of that ought, and so the ought no longer exists, and then the explanation of that ought cannot gain normativity from the ought which it used to be a perfect reason for since that ought has ceased to be an ought, and so the perfect reason ceases to be a perfect reason as well, and thereby we see that perfect reasons hold no privileged position concerning oughts.

Can we imagine the occurrence of a conflict between two oughts within Broome's theory? Won't the continual adjustment of oughts via reasons assure that one ought subsides at the emergence of overriding reasons? If all ought facts may take on weighing explanations then I would expect oughts to be adjusted to the fluctuations in existence and weight of reasons through time in such a way that conflicting oughts don't co-exist. But this is a

⁵¹ “Reasons”, p.12

⁵² “Reasons”, p.9

complex question because different ought facts have different weighing explanations which may or may not overlap. If they don't overlap, then the only way in which the preference of one ought fact in a specific situation could make the weighing of the conflicting ought change so as to cancel that ought is if benefits are reasons. Then the benefit of not complying to the conflicting ought would be so great that the agglomerate weigh would not be in favour of that ought.

We have however seen that Broome is opposed to the view that benefits are or give reasons. And if benefits don't give reasons then conflicting oughts will (at least in most cases) remain as conflicting oughts. The result then is that one chooses between two oughts and ends up doing something one ought to do at the expense of doing something which one ought not to do. I think this kind of description is correct, as opposed to descriptions which reduce the opposing oughts.

Conclusion

The possibility of very strict oughts cannot depend on the absence of weighing explanations. If they are to stand a chance they must depend upon something which outconquers any potential weighing explanation. But we know that is too much. If these oughts are to stand a chance against being weighed away then we must give them that strength by being sensitive to them. We are the voice of the oughts so it is in some sense we who make them, and break them, and we decide which oughts we want to be ruled by. But this is at the level where right and wrong normative beliefs co-exist and disagree. We have seen why these normative beliefs are not to be likened with the ought facts. That we live by these normative forces and perhaps even massively support them does not convey the normative force of an ought on them. We cannot make something an ought by believing in it, and when we intend to act on our normative beliefs we do so by the force of a requirement, not because we ought to. The normative beliefs which guide us and our societies seem often to pervade by other forces such as requirements, power, conventions, mimicking, and various forces of recognition and identity. The work that should be done is to distinguish all these kinds of normative forces, perhaps we could call them conventional forces, from (ideal) normative forces.

Conceiving of oughts facts as external, which are in virtue of being detachable, makes our normative beliefs and deliberations seem more like attempts at finding out what we should do rather than being the standards of rightness themselves. It also permits us to see that one person may be right while all the others are mistaken.

In addition to non-compliance being a definite failure, which Broome presents as the distinguishing mark of strict normativity, I want the strict ought not to be amendable and not to be reducible. This seems absurd in praxis where we often both have to and ought to do something which otherwise might be considered an ought not.

In the subsequent parts of this paper I will provide an account of ought which maintains stringency in the face of opposing reasons while being epistemically connected to our collective deliberation of what we ought to do. The way I want to approach and answer this is by keeping the ought ideal and making the conflict practical, so that the limitations don't constitute the reference of that which you ought to do. My point of insistence is that the concluding ought differs from the ought which it is a means to. What this objection will show is that reasoning to the best means hardly retains the ought in its full form, although it strives to do so. The practical restraints between the ideal ought and the practical ought of our conclusion impose a distance between these oughts which does not infer ought on the practical restraints themselves, but only on the action as an instance of the ideal ought, and not on the particularities of the practical ought which are not ideal.

If the reasoning is to a necessary means then the ought of the conclusion follows by requirement. And so in that case the breaking of an ought fact is something you are required to do rather than something you ought to do. If the reasoning is to the best means then one's defence depends upon having found the best means in a perspective which exceeds the individual. One of the main reasons for this is that it is always possible to think of and do something better.

The second problem of priority

Anscombe, Foot, Wolf, and Williams and others object to the hegemony and existence of moral obligation, the moral ought. In different ways they claim that this has no ground, is not what we ought to do, is no different from conventional oughts. I maintain contrary to them and to Broome in “Reasons” that there is such an ought and what we mean by it is precisely that it is strict and detachable: it may not be weighed; non-compliance is a strict failure; and it applies disregarding your mind states. Truman made the mistake of overlooking an ought fact. It is easily done, as they are overshadowed by the more graspable nature of and higher status of reasons and requirements.

Susan Wolf and Bernard Williams claim that what we all things considered ought to do may differ from what we are morally obligated to do. Susan Wolf claims that “moral perfection, in the sense of moral saintliness, does not constitute a model of personal well-being towards which it would be particularly rational or good or desirable for a human being to strive”.⁵³ Williams argues that “what I am under an obligation to do may not be what, all things considered, I ought to do”.⁵⁴

That morality is not the most important thing in life is pressed from a virtue-ethical point of view, but I think Anscombe nicely refutes this kind of argument from the same point of view.

X needs what makes it flourish, so a man needs, or ought to perform, only virtuous actions; and even if, as it must be admitted may happen, he flourishes less, or not at all, in inessentials, by avoiding injustice, his life is spoiled in essentials by not avoiding injustice – so he still needs to perform only just actions.⁵⁵

What Wolf, Williams, and Foot do which must be answered here is to raise and claim other oughts as competitors to the ‘moral’ ought. On the one hand this raises the problem of distinguishing my ought from other oughts and on the other hand it raises the problem of

⁵³ “Moral Saints” p.79

⁵⁴ *Moral Luck* p.125

⁵⁵ “Modern Moral Philosophy” p.43

defending its priority over other oughts. As Foot says, “The problem is to find proof for this further feature of moral judgements [their special dignity and necessity].”⁵⁶ I will take the strategy of repudiation. What they claim as oughts are not oughts in the same sense and perhaps not at all.

Priority

The priority of these oughts are what distinguish them, and that is what makes the defence of them so difficult and their prospects so bleak. They can only be distinguished from the point of view which acknowledges them. And perhaps all that can be said in their favour is that oughts are only seen from perspectives that are responsive to them, and ‘moral’ oughts are distinguished from other so-called oughts in the role they take on from this perspective. We all know that from the perspective of an ought this is such that we feel everyone who should take note of it but do not are failing to take note of something they ought to take note of. And this distinguishes this ought from other things we call ought, such as ‘I ought to practice my oboe everyday’. We don’t feel that other people should strive after these oughts. These kinds of ought might be mixed up with moral obligation, since oughts that apply particularly to me are not transferable in the same way. If I ought to help my grandma, then I don’t feel that the same ought applies to everyone else. But it might stem from a more generalized conditional such as when your family members are ill and need help you ought to help them. Then someone will say that underlying the ought of oboe playing is the conditional if you play the oboe you ought to practice everyday. But clearly you are not failing in the same sense if you don’t practice your oboe everyday. You can only fail if you want to and are determined to become a concerto oboist. And yet even then the failure is not such a big deal. Normativity between your goal and a necessary means, such as you ought to see to it that you practice everyday if you want to become a great oboe player, is relational and non-detachable. The failure which is involved here is a failure to satisfy normative requirements. It doesn’t follow that you ought to practice your oboe everyday, but simply that you are required to. I think there is sufficient potential in this distinction to separate the strict oughts as being concerned with important matters, from other oughts which only seemingly are used in the same way.

⁵⁶ Philippa Foot: “Morality as a System of Hypothetical Imperatives” ch.XI in *Virtues and Vices and Other Essays in Moral Philosophy*, Clarendon Press Oxford, pp.157-173, p.160

Ought and moral obligation

In beginning to speak about morality I slide from ought to the moral ought as if that were a perfectly natural or legitimate transition. Broome explicitly resists such a slide. “I doubt that ‘ought’ can correctly be used to mean the same as ‘morally ought’. However, if it can, that is not how I use it. I do not treat ‘ought’ as a solemn word with moral connotations. I treat it as our ordinary, workaday, normative verb.”⁵⁷ I have already emphasized that I distinguish this slack ought which Broome treats of in “Reasons” from the strict ought which is distinguished from slack detachable normativity in “Normative Requirements”. Anscombe considered that “It may be possible, if we are resolute, to discard the term ‘morally ought’, and simply return to the ordinary ‘ought’”.⁵⁸ Anscombe ends up in that article “describing the advantages of using the word ‘ought’ in a non-emphatic fashion, and not in a special ‘moral’ sense; of discarding the term ‘wrong’ in a ‘moral’ sense, and using such notions as ‘unjust’.”⁵⁹ The reason why Anscombe suggests a replacement of injustice for morally wrong is that on some theories it may be morally right to kill the innocent whereas it will never be just. Therefore justice is superior.⁶⁰ Perhaps enough time has elapsed for the moral ought to have tapered out. I certainly don’t claim that people morally ought to do anything. I simply say they ought to, ought not to, that something is unjust or just can’t be done. We can perceive ought facts in terms of justice, as Catherine Wilson construes them after Mills distinction between moral judgements and other judgements as advantage-reducing imperatives. It might seem strange to stretch this approach to the kinds of strict oughts which demand that you help someone from drowning or drive someone to the hospital. But you are in advantaged position to these people, and although their misfortune is not caused by your advantage, the further development of their misfortune will be upheld by your advantageous position if you do not help them. This indicates a very strict relation between the oughts of states of affairs and a can which facilitates specification of that ought to someone in the form of a moral obligation.

⁵⁷ “Reasons” p.4

⁵⁸ “Modern Moral Philosophy” p.43

⁵⁹ “Modern Moral Philosophy” p.40

⁶⁰ “Modern Moral Philosophy” p.41

If the word moral doesn't do anything then we can just drop it. Some oughts are more important than others and have priority in virtue of what they treat of. That might be both sufficient and better than calling them moral obligations.

Moral Luck

I am now going to apply some of Broome's arguments to Bernard Williams' argumentation in favour of moral luck.

Bernard Williams considers whether Gauguin's becoming a renowned painter justifies him retrospectively in abandoning his family. The purpose of William's article is to defend and upraise "the limitations to morality".⁶¹ Bernard Williams wants to show that morality is not unconditional and not the one basic form of value by showing that the justification of our decisions is subject to both external and internal contingency.

Bootstrapping intentions into reasons

Bernard Williams' presentation of moral luck can be construed in terms of Broome's before-mentioned example of how two incommensurable values can become (subjectively) commensurate when the agent makes his choice, *on the view that intentions are reasons*. Gauguin and Williams seem to make these two (possibly) objectively incommensurable values of either staying with one's family and not becoming a great expressionist artist or of abandoning his family and (possibly) becoming a great expressionistic artist subjectively commensurable by deciding that the former is better. But this betterness relies on the possibility that intentions provide reasons which is a presumption that is shown to be wrong by the bootstrapping objection. "A decision simply does not add to pre-existing reasons."⁶² Therefore such incommensurable values are not made commensurable by one's preference for one or the other.

⁶¹ *Moral Luck* p.38

⁶² "Are intentions reasons? And how should we cope with incommensurable values?", p.15

Presuming that benefits are reasons

A second way of construing the Gauguin example in terms of the discussions provided by Broome is to see that the benefits of becoming a great artist seem, in Williams' view, to provide a reason for abandoning his family so that the balance no longer speaks in favour of staying with his family (his obligations as William puts it). The agglomerate no longer speaks in favour of this since the benefits of abandonment are so great. Thereby the ought fact which opposes abandonment of one's family is eliminated.

If we conceive of the two opposing ought facts as being considered up against each other, although I think there is no such ought for becoming a great artist, then we can see that what happens in this weighing or consideration is that the same reason is put on both sides, in favour of the same effect. It increases the weight in favour of leaving *and* it decreases the weight in favour of staying. The same reason becomes the decisive reason for both ought facts thereby reducing the conflict between two ought facts (if we presume that becoming an artist is an ought fact) to only one. But this is only the case if benefits provide reasons. Otherwise the benefits of abandonment could not participate in the agglomeration of the ought for staying with one's family (provided we accept that agglomerations make oughts) and the conflict would remain as a conflict between oughts.

If pragmatism is wrong, however, then it is not correct to say that benefits of intentions are reasons for having those intentions and consequently that the benefits of intending to become a great artist give Gauguin a reason to leave his family.

Williams would probably object that he is defending the justification of abandonment retrospectively from the point of view in which Gauguin is a great artist, and not from the moment in time when Gauguin made his decision, so it is not a matter of intention. To this I would reply, that the benefits of being a great artist are still used as counter-balance to the ought which Gauguin has forsaken so as to weigh heavier than it and therefore justify his abandonment. And these benefits are provided by his intention to do so.

I agree that we can change the balance of pro tanto reasons through time. That is definitely something we both do and ought to do. But I do not think that bootstrapping can be overcome by stretching out time. The effects of an intention are still the benefits of that intention despite the fact that they now exist on their own and are not hypothesized via the intention.

Just a requirement

Alternatively Williams' argument might be seen as following by requirement, via intention or normative belief, to the conclusion that he ought have abandoned his family. But we have already seen that no detachable normative conclusion is available, and if we do construe the argument in terms of intentional reasoning to a necessary means then the conclusion would follow by requirement and would not imply that we ought to intend it.

Non-reduction

I think that whatever reasons or benefits there are for becoming a great artist still leave Gauguin with the failure of having abandoned his family. Why do we have to level out these seemingly incommensurate values? Why can't we just leave it at the inclusive description which maintains that Gauguin did something he ought not to have done and also something he ought to have done? Although I don't see the ought in becoming a great artist. Becoming a great painter is a kind of positive contribution which one can't be blamed for not providing. Deserting one's family is however the active doing of a wrong and clearly blameworthy whether it also leads to something good or not.

Why can't we then say that Gauguin did something he ought not to have done for the sake of or but also did something good? I don't think it is right to reduce or eliminate wrongs because they have led to or been combined with the accomplishment of good, even if the wrong was necessary for the good. Williams does draw a line somewhere between what is a candidate for luck and what is not. "The trustee is not entitled to gamble with the infants' money even if any profits will certainly go to the infants, and success itself will not remove, or start to remove, that objection."⁶³ Where and what is the limit between these things? When can some other good justify the trespassing of an ought and when can it not? Williams' essential distinction between the potentially justifiable and the unconditionally unjustifiable seems to be that "The outcome has to be substantial in a special way – in a way which importantly conditions the agent's sense of what is significant in his life, and hence his standpoint of retrospective assessment."⁶⁴

People who approve of the bombings of Hiroshima and Nagasaki seem to do so in line with Williams' construal of moral luck. They presume that these bombings ended the Second

⁶³ *Moral Luck* p.32

⁶⁴ *Moral Luck* p.36

World War and that this outcome justified a bombing which normally would not have been justified. This outcome might qualify as substantial in that special way from some people's points of view, but certainly not for others'. Williams makes his distinction in the context of discussing why an agent should be "retrospectively concerned with the rationality of his decision, and not just with its success."⁶⁵ Williams seems to think that the agent will be just as contented with his deliberation as long as he succeeded. But I can see good reason to regret the deliberation which led one to decide to bomb Hiroshima and Nagasaki although the action described as a means to end the world war was successful. I think Williams agrees with me, that this bombing is not justified by luck, depending on whether criticism by other persons is "offered where they had a grievance"⁶⁶ although I don't think this should be a criterion.

Williams claims of agents who have 'gambled' with justification that "Whatever feelings these agents had after their decision, but before the declaration of their success or failure, lacked the fully-developed wish to have acted otherwise – that wish comes only when failure is declared."⁶⁷ Success or failure concerning ought seems however to be a matter which depends to a large degree upon description. Elizabeth Anscombe criticizes Kant and Mill for having failed to "realize the necessity for stipulation as to relevant descriptions"⁶⁸, because acts of murder and theft can be otherwise described. Conversely, Williams is guilty of applying the relativity of description in favour of a relative ought. The bombing of Hiroshima and Nagasaki has many descriptions. It can be described as the end of the world war, the beginning of the cold war, as mass murder, as scientific experimenting.

The strict and detachable ought would facilitate that ought facts obtain independently of our descriptions of them, but will it prevent conflicting ought facts from arising? In this case the only positive ought, of ending the world war, is an ought fact which does not pick out nor stand in any normative relation to bombing Hiroshima.

"What we all things considered ought to do"

Beyond the theory of moral luck which is meant to show that the ought of obligation competes with and may not ought above other oughts, which are not obligations, and not

⁶⁵ *Moral Luck* p.31

⁶⁶ *Moral Luck* p.32

⁶⁷ *Moral Luck* p.31

⁶⁸ "Modern Moral Philosophy" p.28

concerned with moral values, Williams provides further obstacles by in some sense conflating the moral ought with the practical ought. I exaggerate when I say that he conflates them, but in effect that is partly what he does. This is problematic because the practical ought is on Williams' account implies "possibility, will be exclusive, and will be relative to the projects of the agent in question."⁶⁹ This is obviously a different ought than the strict ought. Williams also speaks of it apart from the moral ought, but his practical ought hardly leaves any room for such a strict ought. I am going to consider two ways in which Williams raises the position of the practical ought. The first is by denying a logical distinction between oughts so that the oughts which are universally applicable are the same oughts as particular oughts which are not applicable to others. The second way is by claiming that the must of 'moral obligation' is the same as the must of the practical ought. I am going to leave the consideration of must for the next chapter.

'This is what I ought to do' expresses the agent's recognition of the course of action appropriate, all things considered, to the reasons, motives, and constraints that he sees as bearing on the situation. The sense of that conclusion is what gives the sense to the questions it answers, 'What ought I to do?'⁷⁰

That the answer is what gives sense to the question is in one sense evident since what wants answer is what I ought to do in this particular situation, given what restraints there are on the situation, and what the situation is. Yet the way in which we strive towards the limit of the restraints, how we strive to be as unlimited as possible in face of that which we ought to do cannot be explained without recourse to another unrestrained (or less restrained) ought. In striving to find out "what I all things considered ought to do" I imagine or aim towards this answer in my own limited consideration of a limited amount of considerations. In fact I storm my brain for further considerations. We try to get at what we ought to do by transgressing our own limits. We often say I think this is what I ought to do, or as far as I can see this is what I ought to do, because we know the answer to be limited by us, and because we know that the question is asked with a view to something unlimited. In reasoning to the best means, we are in effect trying to unlimit ourselves so as to uncover what we ought to do. We are however limited by both unavoidable and avoidable limitations concerning time, mental capacity, personality, and the mind states we already have.

⁶⁹ *Moral Luck*, p.120

⁷⁰ *Moral Luck*, p.124

The “all things considered” of the first premise may be taken to mark the best possible judgement as it would be taken from the ideal unrestrained perspective of the all-knowing benevolent thinker who can think everything at once. In praxis what we conclude that we ought to do is based upon all the things I have considered, and Williams raises the status of this ought by claiming that it was all I could.

But if the span between the unrestricted and the restricted ought is unaccounted for then the normativity of the restricted ought does not partake in the normativity of the ideal ought but rather takes on a conventional normativity.

Given that I could only save one of two people it does not follow that I ought only to have saved one of them. It remains the case that I ought to save both but since I couldn't I had to let one of them drown. Another example is that the second world war ought to have been ended and if we have enough or little enough imagination to believe that Nagasaki and Hiroshima had to be bombed with nuclear weapons, then that does still not mean that they ought to have been bombed.

Bernard Williams does not agree with Gilbert Harman that there are different logical forms of ought. This is part of his argumentation in favour of a sort of conflation between the premise and concluding ought.

The occurrence of *ought* in (5) [Someone ought to help that old lady] is as a propositional operator, and it is hard to see what requires it, or even allows it, to turn into something else in (6) [Jones ought to help that old lady].⁷¹

The change from the first premise to the conclusion is from an ought which represents a property of a state of affairs, to the ought of moral obligation which according to Harman is a property of the agent and therefore does not sustain a correspondence between active and passive sentences. According to Harman these two oughts differ in their logical properties. Whereas the ought of states of affairs is equivalent under the active/passive transform of “Jones ought to have examined Smith” and “Smith ought to have been examined by Jones”⁷², the ought which represents a relation between an agent and a possible course of action is not. Williams does not agree that the ought which prescribes a certain action to a specific person may differ in structure from the ought describing states of affairs. This is part of Williams’ argumentation in favour of “the unitary structure of *ought*”⁷³ which would show that “there is

⁷¹ Bernard Williams: “*Ought* and moral obligation”, ch.9 in *Moral Luck*, p.116

⁷² *Moral Luck* p.114

⁷³ *Moral Luck* p.117

no reason to regard the *ought* of moral obligation as anything but a propositional operator”,⁷⁴ meaning that the ought of moral obligation is the same as the ought which represents states of affairs.

This is what constitutes and defends what I like to exaggeratedly refer to as Williams’ conflation of the moral and practical ought. Contrary to this I think it is important that we maintain the distinction described by Harman, “there are at least two different uses of ought with different logical properties.”⁷⁵ The reason why I think we ought to keep this is so that we can see ought in terms of states of affairs, arising from facts as Broome’s ought facts, and distinguish this from another use of ought which prescribes independently of states of affairs. I wish to agree with Williams in that ought is the kind of propositional operator which can derive a property of an agent that transfers a general ought statement into a specific ought statement, as in the quoted example. The importance is that this must only occur from oughts concerning states of affairs and should not transfer in the other direction. The transference must be facilitated by the fact that the ought is a propositional operator of states of affairs. That moral obligation does not transfer from passive to active remains to be the case. So that although the ought in “Somebody ought to sweep this room” takes the same form as the ought in “Jones ought to sweep this room”, that this room ought to be swept by Jones is not the same as this room ought to be swept by someone. This room ought to be swept by someone is equivalent in both its active and passive forms, but the specified ought statement is not equivalent to its passive form.

The importance and correctness of this may be seen from examples of both reasoning to necessary means and especially from examples of reasoning to the best means.

Reasoning to the best means

Let us consider the example that the Second World War ought to be ended. The ought is a propositional operator transferable between active and passive sentences, when we subscribe it generally. “The Second World War ought to be ended by someone” and “someone ought to end the Second World War” are equivalent statements. Somebody takes it upon themselves to do so, and clearly they are then doing something they ought to do. But what precisely ought they to do? And how does the ought transfer to the specification of what they ought to do?

⁷⁴ *Moral Luck* p.115

⁷⁵ Gilbert Harman: “The Significance of Sense: Meaning, Modality, and Morality”, Book Review in “The Philosophical Review”, Vol. 82, No. 2 (April 1973), pp.235-239, p.236

I think Williams is right in that this can be extended in some sense to who ought to end it, but it can not be extended to how they ought to end it. By deliberation we consider how we ought to end it and we conclude that if we bomb Hiroshima and Nagasaki with nuclear weapons the war will end. This is not a belief in necessary means since they obviously could have bombed other cities or done something completely different. But let us presume that we think this is the best means to end the war. We have good reason to believe the war will come to end if we drop these nuclear weapons and we might also have other good reasons to do so. What kind of an ought is applicable to this conclusion?

Because practical and theoretical reasoning (intention and belief reasoning respectively) follow different attitudes towards truth, the first truth-taking and the latter truth-giving, and since it is the attitudes which require you to draw the conclusion, John Broome concludes that, “when we move away from necessary means, intention reasoning and belief reasoning diverge [...] the former is concerned with the best way of making the end true, and the latter with the most likely way the end will be true.”⁷⁶ Reasoning to the best means is therefore not subordinated to the principle of a normative requirement but to some other principle which according to Broome “remains to be worked out”.⁷⁷

Sometimes we reason with normative beliefs about means as the second premise. We might believe that if we intend to end the war we ought to bomb Hiroshima and Nagasaki. The conclusion we would then be required to draw is that we ought to bomb these cities. Broome considers the possibility of this kind of reasoning and refutes it. “These conditionals with a normative consequent are not in general true, and could not be supported by a general process of correct reasoning.”⁷⁸ Even if this did qualify for reasoning and you were normatively required to draw the conclusion it would not be detachable, and we could not conclude that you ought to do it. We have already seen that this is what distinguishes detachable and non-detachable normativity. “No detachable normative conclusion is available, and hence no material conditional proposition such as the content of [B(If Chris intends to buy a boat, Chris ought to borrow money)].”⁷⁹ Believing a conditional does not make it true.

This distinction between detachable and non-detachable normativity can be clarified by seeing that “If you have a reason to *q*, there is some fact that makes this the case. Similarly, if

⁷⁶ “Practical reasoning” p.17

⁷⁷ “Practical reasoning” p.18

⁷⁸ “Practical Reasoning”, p.10

⁷⁹ “Practical Reasoning”, p.10/9

you ought to q , there is some fact that makes this the case, too.”⁸⁰ If you have a requirement to (intent to) q , however, there is a mind state that makes this true.

Broome concludes that “instrumental reasoning is definitely not to be interpreted as normative reasoning.”⁸¹ But surely we ought to do the best we can. But it seems from Broome’s point of view that the oughts we conclude from deliberation neither follow by requirement nor by that we ought to do them.

Reasoning to necessary means

When we reason to necessary means, either theoretically or practically, we are required to draw the conclusion. But as we have seen this only follows by requirement and does not imply that we ought to believe or intend it.

Moral saints

In her indictment of moral saints Susan Wolf claims that “moral perfection, in the sense of moral saintliness, does not constitute a model of personal well-being towards which it would be particularly rational or good or desirable for a human being to strive.”⁸² Susan Wolf has already here in the premise to her article presumed that we aim towards personal well-being, and should, according to what’s rational, good, or desirable aim towards personal well-being. And this presumption seems to be made in a way which perceives of the individual as somehow detached from the well-being of other people. For on my intuition moral concern for others is an integrated component of personal well-being, and this is not because I find it rational or desirable or good to obtain moral perfection, or for any other reason have set myself the goal of attaining moral perfection, but because I don’t feel well about myself if I ignore the moral concerns which I respond to. The important distinction here is between what I respond to and what I don’t. When I notice that something is wrong, is unjust or in some other sense not as it ought to be, then I feel that I ought to do something. Sometimes I cannot conceive of any way in which I could do anything and so I don’t do anything, I feel that the

⁸⁰ “Normative Requirements”, p.80

⁸¹ “Practical reasoning”, p.18

⁸² Susan Wolf: “Moral Saints”, ch.4 in (ed.) Roger Crisp and Michael Slote: *Virtue Ethics*, Oxford University Press 1997, p.79

matter is for someone else to handle. Wolf construes the distinction between moral concern and moral action at the wrong level between noticing an ought and being concerned with it. It is as if I first notice moral concerns and then decide, or act according to what I've already decided, as to whether I want to respond to these or not. What she fails to notice is that when I respond to moral concerns this brings about a reaction in me, which might result in action or not depending on several factors which may also say something about how moral I am, but which implies my concern about the matter. (If I simply take note of some fact without seeing it as a moral concern then I have not noticed a moral concern, so noticing a moral concern is to notice a certain fact with a certain normative attitude.) I therefore think it is more correct to perceive the distinction between moral saints and other less moral people as a distinction between people who are highly sensitive to moral concerns and people who are less so. One may decide to become more responsive to such matters, but besides that the distinction does not run between people who have different higher goals in life. The moral saint is very highly responsive to injustice and other moral concerns and notices further concerns than other people who are therefore more complacently left to busy themselves with other matters.

Concerning Wolf's argument we might also say that the conclusion follows by requirement from the premises which she provides. That we ought not to be moral saints is not something to argue for or against. Any conclusion which follows will do so by requirement and may or may not be something we ought to believe.

In advocating the development of these varieties of excellence [The feats of Groucho Marx, Reggie Jackson, and the head chef at Lutèce], we advocate non-moral reasons for acting, and in thinking that it is good for a person to strive for an ideal that gives a substantial role to the interests and values that correspond to these virtues, we implicitly acknowledge the goodness of ideals incompatible with that of the moral saint. Finally, if we think that it is *as* good, or even better for a person to strive for one of these ideals than it is for him or her to strive for and realize the ideal of the moral saint, we express a conviction that it is good not to be a moral saint.⁸³

To conceive of the moral ought as a rival of other kinds of oughts or values is to misconceive the relation between them. Wolf presumes that the dedication to a higher goal is a prerequisite for being subordinated to moral oughts. As if we make a choice of whether we

⁸³ "Moral Saints" p.86

want to dedicate ourselves to being a moral saint or focus on other virtues, and as if people who do aim at being highly moral sit around in anticipation of moral oughts to arise and never do anything else which is not entirely moral. Oughts follow by requirement on Wolf's view since they are relational to one's higher goals. What she fails to take into account is that oughts of the strict kind appear once in a while and even the most dedicated concert oboist will put his oboe down whenever in order to rescue someone from dying or whatever it may be.

What seems to be true of anyone who is describable as not being a moral saint is the refusal or failure to accept known ought facts. Since we cannot say of anyone that they fail to comply to unknown ought facts, but only to the ones we know of or believe in. Anyone's lack of morality then (judged of by someone else) is lacking in comparison to the normative content in other people's minds, not in relation to ought facts conceived of independently of anybody's belief in them, although that kind of situation can seemingly arise when that which we judge of is at a different moment in time. A case where normative beliefs which we have but nobody had at that time are the basis on which we judge him as lacking in these normative beliefs which we presume to have been true normative facts in the past as well although nobody (hypothetically) was aware of them. Although believing something to be right does usually seem to involve the belief that it has always been true, and whether our present normative beliefs are true or false, we could believe them to always have been true as an effect of believing them.

Rules of etiquette

Precisely the contrast to Williams' relative practical ought is what I take strict and detachable to imply. But Philippa Foot points out that the same non-relative application goes for club rules and the likes.

we find 'should' used non-hypothetically in some non-moral statements to which no one attributes the special dignity and necessity conveyed by the description 'categorical imperative'. For instance, we find this non-

hypothetical use of 'should' in sentences enunciating rules
of etiquette⁸⁴

I can suggest a few common sensical reasons against this claim. First of all I think anyone can see the contingency of rules of etiquette in comparison to moral oughts. But this might just be a contemporary and perhaps geographically limited phenomenon as rules of etiquette seem to be dying out along with the dispersal of distinct classes. Foot also concedes that "moral rules are often enforced much more strictly than the rules of etiquette, and our reluctance to press the non-hypothetical 'should' of etiquette may be one reason why we think of the rules of etiquette as hypothetical imperatives." Imperialistically minded Europeans have regarded divergent cultures as primitives for not recognizing European rules of etiquette. They obviously did not possess the common sensical distinction between what's important and what isn't, precisely because they used their own identification with certain conventions as a way of establishing their own power over those who lacked it.

Additionally club rules and rules of etiquette are contingent in an empirically observable matter. They vary from place to place, and very strict oughts might be distinguished on the grounds that they are observed everywhere. (Sometimes there are exceptions which have conventional explications.) Additionally any club-member knows that club rules are contingent in this way since the rules may change and he might even be wanting to change a rule or two.

In connection to this we might point out that a club rule does not emerge from states of affairs, they cannot possibly exist independently of anybody's knowledge. But then the question we encounter is whether the facts that ought facts are grounded in must be states of affairs which obtain independently of anybody's mind, or whether they can't also be beliefs in some people's minds.

Within a group which adheres to rules of etiquette we can see counterfactually that the conventions are non-detachable. When rules of etiquette suddenly change, conformity to the previous and passé trend might be considered abhorrent, it has become an ought-not. This shows that the truth of some specific rule or convention is conditional upon its pervasiveness. Whether the ought fact obtains depends then not simply upon whether some fact is the case in the world, but whether some rule is considered as the rule, perhaps by certain people in a

⁸⁴ Philippa Foot: "Morality as a System of Hypothetical Imperatives" ch.XI in *Virtues and Vices and Other Essays in Moral Philosophy*, Clarendon Press Oxford, pp.157-173, p.160

certain place. This implies that the truth conditions don't exist detached from praxis but are intricately related to praxis.

Law-based obligation

Elizabeth Anscombe says of the “‘I *ought* (i.e.) am morally obliged” that “this notion of obligation is a notion which only operates in the context of law.”⁸⁵ The ought which I want to defend is however not decreed by any such law but is the employment of one's moral capacity. You don't need a God in order to have a law, most people are essentially law-upholding and obedient people and they make conventional laws in the absence of other laws. (Christian laws were perhaps defended along the lines of a convention. And dispersed along the lines of a convention.)

The difference which makes the normativity of rules of etiquette and the likes seem of a non-relational kind is that it is not dependent upon the mind states of one individual, it is not conditional upon your acquiescence to and belief in the rules, but is conditional upon the groups collective acquiescence to and belief in the rules. If a conditional and its antecedent circulate in a group then you are taken by the members of that group, who uphold the rules or conformity to the group as premises, to be guilty of not conforming to the consequent even if you personally don't agree or concede to the convention. This is to stretch a requirement beyond the domain in which it requires. Lewis says of conventions that

Any convention is, by definition, a norm which there is some presumption that one ought to conform to. [...] it is also, by definition, a socially enforced norm: one is expected to conform, and failure to conform tends to evoke unfavourable responses from others.⁸⁶

The rules of a game or a club or etiquette fit very well into Lewis' definition of a convention which also entails more specifically that

conventions may be a species of norms: *regularities to which we believe one ought to conform*. [...] There are certain probable consequences implied by the fact that an action would conform to a convention [...] which are

⁸⁵ “Modern Moral Philosophy” p.43

⁸⁶ *Convention* p.99

presumptive reasons, according to our common opinions,
why that action ought to be done.⁸⁷

In order to say something about how conventional normativity differs from that of a strict ought I may point out that if one person is playing a game differently from everyone else then there is reason to believe that he is not playing by the rules even if these eventually change in accordance to the rules which he is playing by. A person who has diverging moral views cannot be said in the same way to have had the wrong views until the others took on her views. Concerning the game we can hold that there were two sets of rules. We cannot in the same way hold that there are two sets of (contradictory) correct normative views concerning moral matters. The point of difference is that whereas the rules of a game stand in a specific relation to the way the game is played, so that when it is played differently the rules are changed or another way of playing is invented, ought facts stand in no such relation to our normative beliefs. The most pervasive or socially accepted normative beliefs do not invent a new set of ought facts. (Although Catherine Wilson claims something very near to that.)

Antigone provides an illustration of this. Antigone firmly defends and carries out her conviction that justice demands burial for her brother against Creon's decree to leave him to rot unmourned. This opposition to the state law culminates with her death which she must go to "as she has lived, alone, without a word of approval or a helping hand from men or gods."⁸⁸ Despite this the readers or audience of the play know, at least eventually, that Antigone is rightfully defending justice. If the readers or the audience gradually come to realize this, as they might have in ancient times, then they will also realize that Antigone was right all along. She was right even when they thought she was mistaken.

And yet we could see her rightness as conditional upon approval from the masses or the head political authority in the sense that conviction of rightness stands in a certain relation to belief, which I have considered. But this kind of rightness does not change the truth of a normative belief. Her sister, Ismene, called Antigone "wild, irrational"⁸⁹ and asked "Why rush to extremes? It's madness, madness."⁹⁰ These proclamations illustrate or indicate the way in which rationality and sanity are tied to accepted and standard behaviour and beliefs, the kind of consent by average people which Catherine Wilson suggests as the standard for true normative beliefs. When Ismene and the others come to see the rightness of Antigone's beliefs, attitudes and actions they will probably also come to see her as rational. But will they

⁸⁷ [My italics] David Lewis: *Convention*, Blackwell 2002, p.97

⁸⁸ Bernard Knox, foreword to *Antigone*, p.49

⁸⁹ Line 115 p.64

⁹⁰ Lines 80-81 p.62

consequently come to see themselves as previously having been irrational? Probably not, seems almost impossible to do so.

Gilbert Harman also presents occurrence of the same sense of ought (the sense of moral obligation) applied to rules of etiquette and the likes. But Harman presents this more particularly as obtaining “when it is said that someone has reasons to do something relative to rules of law, club rules, conventions of etiquette, rules of a game, and so forth, which the speaker takes the agent to accept.”⁹¹ Harman continues that the speaker will not consider his statement mistaken and withdraw it if the agent does not accept the rules or conventions referred to.

At bottom the difference seems to be between having reasons to do something relative to laws of some sort, obeying established ought, and the provision of reasons and oughts without reference to rules or laws as the justifying normative force. Anscombe says that the term morally wrong comes from ““what there is an obligation *not* to do””⁹² in a sense of obligation where “what obliges is the divine law – as rules oblige in a game.”

I think it is precisely in the absence of or rebuttal of the law-giver and an established law that morality finds place. Nevertheless I insist on a higher ought. This might seem a little paradoxical. Wolf, Williams and Wilson want to limit morality and think that the standard is provided by that which we believe to be right. I think the ought is provided by the direction of ought, a direction which is provided by the practical ought’s approaching of the unlimited ought. If we conceive of this in terms of the complex fact which Broome says we can refer to by lots of different distinct facts, we can conceive of an ought being approached as we uncover further distinct facts about it, as we first saw slavery as wrong, then segregation, and now racism.

I think there is a fundamental difference between believing something to be right and believing something to be right in reference to established rules. In respect to that which is established as right you don’t have to come up with any justification. The establishment is taken as justification, both for doing and for prescribing.

If one finds an established rule to be right for other reasons than that of being established, then the having of this normative belief differs significantly from that of having it simply because it occupies a certain normative position in society. Two people may judge, believe or act identically and yet do these things either morally or conventionally. As McDowell interprets Aristotle, “It is the involvement of practical wisdom that distinguishes

⁹¹ Gilbert Harman: *The Nature of Morality* Oxford University Press 1977, p.123

⁹² “Modern Moral Philosophy” p.43

the excellences of character, strictly so called, from mindless behavioral propensities that might (perhaps only roughly) correspond with them in behavioral output (VI.13).”⁹³

Contrasted to a grave situation anyone might see that conventions are conventions. You don't uphold good etiquette in case of fire or murder, although some people stringently maintain conventional lifestyles rather than making the changes in their daily lives that are necessary in order for wrongs on the other side of the globe to be righted. Such cases are however intervened by lack of imagination, since the direct relation between one's own lifestyle and unjust causal consequences or prerequisites of this lifestyle in far away areas of the world might be completely out of sight and mind. But they also occur right in front of us sometimes when a convention interferes in our view of the world, as for example when we don't see beatings of black men as being wrong because we don't regard them as people one should care about. But we can activate a sensitivity towards that which we don't care about. We can come to see beatings of black men as wrong, and we can come to see beating of animals as wrong, and eating of animals. We can also turn this kind of sensitivity off. We can decide to bomb Hiroshima and Nagasaki when we feel that we have reason to do so.

Catherine Wilson and Susan Wolf argue explicitly in favour of limiting this kind of sensitivity. I agree that it is sometimes necessary to limit our sensitivity, and where it is lacking this often has biological explanations. It would be absurd for Eskimos to refuse to eat fish, absurd to imagine it even since they don't have any other livestock. But sometimes the lack of sensitivity is conventional and seems more like a sensitivity blockade which plays the role of power maintenance. This might also have a biological explanation but it does not qualify as necessary in the same way, and does thereby not obtain the same sense of justification either.

Conceding that there are normative forces between individuals in a society we must concede a third normative force which is conditional upon a certain social validity, which is conditional upon the consent or conformity of a certain group of individuals, perhaps in the way Lewis accounts for conventions. This will be a second type of non-detachable normativity, so that we have both an individual and a collective sub-group of non-detachable normativity. But the collective one clearly doesn't provide requirements. It might if anything qualify as a recommendation and in that case provides a slack form for normativity which is the weakest of all. Perhaps we can presume that if no normative forces ought or require or

⁹³ John McDowell: "Deliberation and Moral Development in Aristotle's Ethics" in (ed.) Stephen Engstrom and Jennifer Whiting *Aristotle, Kant, and the Stoics: Rethinking Happiness and Duty*, Cambridge UP 1996, pp.19-35, p.20

reason you otherwise, it is recommended that you adhere to the customs of your society. But, given that this category of recommendation is non-detachable in the sense of a normative requirement it will only apply to those who know the convention. The tendency to refer to conformity to norms as rational is thereby accounted for by Broome since this normative force also partly constitutes rationality (although in the weakest –if no other forces oppose it– form for normativity).

Normativity versus causality

We often conform to or follow conventions without knowing that we do so. We just follow without really deliberating about what to believe or judge or decide, although we might seem to make or at least claim a judgement. Can this kind of determination be called normativity, and how does it differ from causality or causal determination?

According to Lewis a convention requires the existence of an alternative. The existence of an alternative is contingent upon knowledge of it, so that something may be a convention for some people and not for others.

What is not conventional among narrow-minded and inflexible people, who would not know what to do if others began to behave differently, may be conventional among more adaptable people. What is not conventional may become conventional when news arrives of aliens who behave differently; or when somebody invents a new way of behaving, even a new way no one adopts.⁹⁴

Does this mean that the convention as followed by narrow-minded people who know of no alternatives, not normative either, but simply a causal force?

In certain perspectives of freedom and determination we may say that the forces which compel us to think and act as we do are all both normative and causal, depending on which perspective we take in our description. But the interesting aspect of freedom and determination is that a person may distinguish within himself, presumably within the same perspective, between normative and causal forces that guide his life. In making this

⁹⁴ David Lewis: *Convention* p.75

distinction the essence of the normative forces would be that he contributes to them an element of deliberation and decision which is absent from his causal behaviour. (Not just between success and failure to act in correspondence to his deep self, since one may fail to do so by incorrect reasoning, by bad memory etc., and then one blames ones reasoning, not causal influence.) Freedom seems to be tied up to seeing alternatives, to coming to see alternatives, and determinism to the lack of alternatives. That something may be a lack of an alternative can be both because the person hasn't thought of it and that he includes it in deliberation but can't act on it. That both these restrictions are restrictions to one's freedom I shall say something about in the next chapter.

Here is an example of causal influence presented by Lewis. "Jones is wearing beige ties because he likes the color; but unknown to him, his tastes are caused by the prevailing fashion and will change with it."⁹⁵ In *Anna Karenina* the same description is applied to opinions.

Stepan Arkadyich subscribed to and read a liberal newspaper, not an extreme one, but one with the tendency to which the majority held. And though neither science, nor art, nor politics itself interested him, he firmly held the same views on all these subjects as the majority and his newspaper did, and changed them only when the majority did, or, rather, he did not change them, but they themselves changed imperceptibly in him.⁹⁶

This kind of unknown imitation of opinions is quite evident in all circles of society. Even philosophers may be seen to cling to views which are supported in a certain way in this unaware imitational manner. But how can we say that this is the way in which they have or attain opinions and deny that they have chosen these opinions on their own in some presumably better way? And is this just one kind of (causal) description which also has a normative or internal description?

If belief were more than imitation then we would expect Stepan to maintain his views until he saw good reason to cancel them. It is however difficult to either affirm or deny that Stepan changes views because of good reasons or because of his own reasons. Everyone who shares his views, including the newspaper, probably change their beliefs at about the same time and there are undoubtedly reasons involved. There might emerge good reasons for everyone to change their minds and they might change their minds because of these reasons.

⁹⁵ *Convention* p.121

⁹⁶ Leo Tolstoy: *Anna Karenina*, Penguin Classics 2003 p.6/7

Luckily in this case Stepan has explicitly been presented as not changing his views himself, but as having views that change “imperceptibly in him”. I would however not expect Stepan to experience his changing views in this way. He will uphold them with conviction and will also believe that he decides for himself what to believe. Either way, whether he is unaware of which beliefs he has and when and why they change, or whether he believes himself to be controlling them, the difference will not be locatable within first person point of view.

What then is the difference between doing x with normative and causal force? Is there a difference or just different levels of explanation?

The normativity of a normative requirement lies in correct reasoning, which is a process that occurs through time. Imitation and diffusion are also compliances to norms that occur over time. Are these normative? Diffusion only qualifies as normative if the norm that is conformed to may be the description of a norm or scientific law. Imitation may qualify as normativity if the conformity to some norm does not have to be intentional, or even conscious.

Just because something happens doesn't mean it had to happen or ought to have happened. Isn't this as applicable to events in nature as much as it is to actions and deliberations? One moment in time seems to demand something of the next moment in time. Does reasoning, or normative requirements, differ from causality in this?

Our reasoning can be accused of having gone otherwise than it should have. And then we may do it again the way we should've done it. Actions can also be wrong in this sense, we failed to follow some standard or in some other way ought not to have done what we did. And we can try to recompense for that. This aspect of our compliance to normativity as being stretched through time is quite significant in that we can make right or better that which we have done wrong. An occurrence at one moment in time is in that sense not a secluded event at that moment in time but at least also a part of a normative agenda which does not exhibit its final form at that moment of time, but may be revised, completed, deleted, or in any other way continued through time.

May not events in nature also go wrong? May not a baby mouse be born as it ought not to be? As Elizabeth Anscombe suggests norms as being related to some general standard such as “a man has so many teeth, which is certainly not the average number of teeth men have, but is the number of teeth for the species, [...], a complete set of teeth is a norm.”⁹⁷ We may get

⁹⁷ G.E.M. Anscombe: “Modern Moral Philosophy” ch.1 in (ed.)Roger Crisp and Michael Slote: *Virtue Ethics*, Oxford University Press 2003, pp.26-45, p.40

false teeth in order to match this norm, but besides that it is not really a norm we try to live up to, or so we might think. But there are incidents which one ought to avoid solely for the purpose of keeping our teeth. One ought not to fall face down on the ice or never brush one's teeth. Similarly our species has a norm for how many arms and legs we have and what kind of a proportion they stand in to the rest of our bodies. These proportions can be altered by certain kinds of medication which one consequently ought not to take.

How does this kind of conformity to a norm or standard differ from conformity to norms of rationality?

Does it make sense to say that spring normatively summons summer or that one ought to get older and eventually die? As a description of that which ineluctably happens this seems futile or perhaps wrong, a different sense of "ought". As Broome points out, "This word can sometimes be used non-normatively. For example, suppose you ought to be exhausted by now – the 'ought' in that sentence is non-normative."⁹⁸ This ought refers to expected or usual, causal occurrences. When I would expect you to be exhausted and you're not I say non-normatively that you ought to be exhausted by now as I say non-normatively that we ought to have spring by now.

However, there are also instances in which I say normatively that we ought to have spring by now, and that certain elderly Hollywood stars ought to look a little more aged. This normative sense of an ought refers to situations where the expected occurrence of causal processes abstain or is threatened to abstain, just like the case where you're not exhausted from running. Yet it is the human intentional intervention in these causal processes we object to and the objection is normative.

But where does our epistemological limit enter here and what role does it play? When we know the reasons for deformity, such as a certain medication or the local nuclear power plant, then we say normatively that it ought not to have happened. Don't we presume even when there is no known reason for a deformity that there is one and that it still ought not to have happened? And why shouldn't this apply to mice babies as well as to human babies? When we say of a newborn mouse that it ought not to be like it is we say this in comparison to the norm of a mouse, and what we may mean, at least in some cases, is that something is wrong in the normative sense of ought. The difference between saying this normatively and non-normatively rests perhaps on whether I care about mice, as the difference between those

⁹⁸ John Broome: "Reasons" p.4

who take a descriptive and a normative point of view on global warming depends on whether they care about certain things or not.

Broome explains the reasoning relation, between a reason and the fact that grounds it, in terms of a material conditional with determination added. This determination “is roughly analogous to causation.”⁹⁹ Normativity arises as we may or may not respond to these ought facts. Since we don’t stand in causal relations to reasons and ought facts we stand in some other kind of relation in which contact or response may or may not take place, and whereas the explanation of the failure to do so often seems purely causal, the appeal to do so is normative. Detachable normativity therefore seems to be dependent upon our responsiveness and sensitivity.

Conclusion

“Moral judgements are normative, but so are judgements of manners, statements of club rules, and many others.”¹⁰⁰ If there is no external corrective then we might have to coalesce to the relativism and subjectivism which incorporates all conventions, rules of etiquette, and so on into the form of an ought fact. But we don’t have to accept that that means that they are ought facts. Simply we must distinguish between them. Our own deliberations and weighings of reasons taken together with collective deliberations and weighings, as well as collective disagreement and agreement might then be the only tangible corrective forces for distinguishing between true and false normative propositions and sorting out the importance of them. Given this scenario the problem is how can one person prove to the masses that he is right and the others wrong unless they see that themselves? Unfortunately, which judgement is seen as right and which reasons are taken to be the most compelling etc. is often decided by forces which are other than sensitivity to the concerns of others and to rightness and justice. Often these forces are such that those who are guided by them are unaware of being guided by them. This is a grave consideration which theoreticians who level normativity out to the collective arena of discussion should take serious account of.

In the end the second problem of priority boils down to the first problem of priority, if we concede that the competing oughts really are other normative forces, such as requirements, reasons and recommendations. If we don’t concede to this then I hope to distinguish it nevertheless by attaching it to freedom.

⁹⁹ “Normative Requirements”, p.80

¹⁰⁰ “Morality as a System of Hypothetical Imperatives” p.162

Freedom and determination

In his introduction to *Antigone* Bernard Knox writes generally about Sophocles that

he explores time and again the destinies of *human beings who refuse to recognize the limits imposed on the individual will* by men and gods, and go to death or triumph, magnificently defiant to the last.¹⁰¹

As quoted Bernard Knox says that these limits are imposed on the individual will. The will is not the same as one's actions or intentions, for one may act and intend against one's will. The limitation spoken of here is therefore one which refers not to freedom of action, but rather a restriction of one's freedom of the will. To formulate this according to the deep-self theoreticians we could say that one is prevented from having or being the self which one would prefer to be. Limits are imposed between one's real self and one's intention.

To have a limited will is to not be able to intend or conclude in correspondence with one's deep or real self. The concluded will or intentions will then in some sense have been decided by the imposed limitations, to the extent that other options have been excluded by the restrictions. This is true of the individuals who do recognize the limits imposed on the individual by men and gods but is not true of the tragic hero who would rather die than accept these limits.

In order to conceive of the imposition of these recognized limits we must presume that the limits enter somewhere between their real selves and their wills. This makes it seem as if their deep or real self judges (ideally) without recognition of the spoken of limits. When the limits are imposed the concluding intention will be contrary to the (less limited) will of the deep or real self. Otherwise the limits would not be imposed. At least not within the deep self view of free will. Possibly the limits could also intervene in the formulation of the real self but that would not qualify as imposition on the deep self view of free will.

Antigone differs in that there are no limitations which intervene between the ideal will of her real self and the will of her practical or social self. For Antigone the limits which are conceded on all levels of herself are the same and they disregard the limits which are imposed

¹⁰¹ My italics. Sophocles: *Antigone, The Three Theban Plays Antigone, Oedipus The King, Oedipus at Colonus*, translated by Robert Fagles, Penguin Classics 1984, p.51

on her externally. She therefore seems in some sense unlimited. But the way Williams presents character incapacities – which especially refer to the Sophoclean hero – these are presented as limits rather than lack of limitations. Following Williams we might see Antigone’s action in terms of an incapacity to act contrary to her real self. In that perspective the others could perhaps be less limited since they do not let their real selves get in the way of obeying the state authority. But it seems indubitable that it is the latter that constitutes the limit and that a limit is defined in relation to one’s real self.

“We are subject to the model that what one can do sets the limits to deliberation and that character is revealed by what one chooses within those limits, among the things one can do.”¹⁰²

Must and must

By an incapacity of character Williams means that the agent is incapable of doing that thing intentionally. He might very well be able to do it unintentionally. The incapacity might consist in the fact that the agent is incapable of thinking of this option, or if he can consider it, that he in the end cannot choose it or do it. There are two forms which this kind of incapacity may take in deliberation according to Williams. The first occurs when I (believe I) have to do a certain thing and consequently cannot do the alternatives. The second case is where I cannot conceivably do the other alternatives and so the alternative which remains is the one I must do. Williams distinguishes these in terms of whether necessity or impossibility have priority. He also admits that “The agent who sincerely says that he cannot do a certain thing, or that he must do something else which excludes that thing, cannot mean without qualification”¹⁰³.

The first kind of must (when necessity precedes impossibility) may be suitably called a positive must, since that which we must is positively motivated for its own sake. It may be the result of a normative requirement, concluding from an intention and a belief in a necessary means that this is what I have to do, if the other alternatives were disqualified before or perhaps as an effect preceding its cause that I felt I had to do the option I chose. In that case it would neither be something I ought nor must do. Alternatively the must may have been encouraged by an ought fact or my belief that something was an ought fact, and I was a

¹⁰² *Moral Luck* p.130

¹⁰³ *Moral Luck* p.129

person so set on doing what I ought to do that I could not possibly get myself to intend to do otherwise. This kind of must may therefore be or correlate with an ought or not.

The second possibility is insufficient for a must since it is solely a negative must. I do it because I cannot do something else. There is always the chance that there are further considerations amongst which I may choose, and so the must referred to here cannot be anything but the normative requirement which follows from my beliefs that 1) I must do either A, B, or C in order to accomplish D and that 2) I cannot do A nor B coupled up with my intention to do D which consequently requires of me that I intend to do C. Surely a normative requirement differs from a must.

Williams remarks that must differs from ought in that what I ought to do I may not do, and points out that whereas the reprimando you ought to have implies the openness not to do what you ought to do, must doesn't have a past tense. This establishes the existence of "significant ambiguities in this area" which lead Williams to claim that "the cannot of practical necessity itself introduces a certain kind of incapacity."¹⁰⁴

Antigone is not restricted by Creon nor the reactive attitudes of the other citizens. She can and she does what nobody else can. Surely the others can also bury the corpse, they just get can't themselves to neither do so nor want to do so. They can't intend it. This might not qualify as a character incapacity according to Williams' description because it is not something they choose not to intend or cannot intend within that which they can do. On the other hand, they can bury the corpse just as much as Antigone can and so we may construe the inability to intend to do so as a character incapacity. Yet I don't think that would be right since their incapacity would cease if Creon permitted it. Against this one may still maintain that their character chooses to obey Creon and cannot intend otherwise. Antigone for instance cannot obey state authority when she believes it to be wrong. She must do what she deems right disregarding what limitations there are to this must. I am going to argue that the cannot of practical deliberation sometimes falls within the category of that which can be done intentionally and that thereby differs from the incapacities of character.

Ismene supports her refusal to help Antigone by voicing her (supposed) inability to do so which is defended by a certain belief in destiny and the limitations of her power, "we're underlings, ruled by much stronger hands, so we must submit to this, and things still worse."¹⁰⁵ "if things have come to this, who am I to make or mend them".¹⁰⁶

¹⁰⁴ *Moral Luck* p.128

¹⁰⁵ Lines 76-77 p.62

¹⁰⁶ Lines 46-47 p.61

In order to decide whether the inability to intend contrary to Creon is a character incapacity according to Williams' construal we need to be able to say whether Ismene concludes in deliberation that she cannot do this thing or whether deliberation takes place within the boundary of this restraint.

“What I recognise, when I conclude in deliberation that I cannot do a certain thing, is a certain incapacity of mine.”¹⁰⁷ Are the limits marked by my incapacities restraints on my freedom or do they express my normative values? “In the serious cases, the notion of necessity is applied to those constraints and objectives themselves.”¹⁰⁸ The latter notion of necessity is taken to apply equally to Antigone and Ismene but I wish to maintain the difference between them. The question I want to consider here is whether these restrictions limit one's ability to do that which one ought to do. If the answer is yes, which seems likely, then more freedom is tied to a less limited attainment of that which one ought to do.

Williams' characterization of the practical ought of our conclusions is that “Of that conclusive *ought*, [...], ‘ought’ does imply ‘can’.”¹⁰⁹ What a person can do varies, this is why Williams also conceives of this practical ought as relative “to the projects, motives, and so on of the agent in question.”¹¹⁰ That individuals conclude with different oughts entails that people can do different things, and consequently one person can do something another cannot, and we are responsible for this as Williams says perhaps more than anything else. But it seems to me that this is where some people can do better things than others and be more moral than others. And such variations in ought are not relieved by all kinds of cannots.

Limits

Kant distinguished between *Grensen* and *Schranke* as two different kinds of limits. Whereas the latter is transgressable and simply marks how far we have come in some area where it is not in principle possible to reach the limit, the former kind of limit is impossible for us to surpass.

¹⁰⁷ *Moral Luck* p.128

¹⁰⁸ *Moral Luck* p.126

¹⁰⁹ *Moral Luck* p.124

¹¹⁰ *Moral Luck* p.125

Our practical deliberation is limited in both these ways. There are conditional limits to reasoning, such as internalized limits exerted via our values and characteristics in the way Hookway describes, and imposed limits, both kinds which can be both of practical and epistemological kinds and so on. The unavoidable limits to our reasoning are such as time restraints and our limited mental capacities, concerning consciousness, linear thinking and memory.

We are also limited in our morality, both by avoidable and unavoidable limitations, of both physical and mental sorts. We are limited as to how moral we are and as to how moral we may possibly be. We can therefore formulate three limits within the domain of the moral. There is a limit which marks how moral I may be with consideration to individual restraints. Secondly there is a limit of possibility which is construed independently of individual restraints. This is the limit we most often refer to when we say what is possible and what is not. Thirdly there is the unlimited limit which formulates how moral we may possibly be disregarding the practical limits which are constitutive of the second limit. This third limit may be formulated in terms of hypothetical thinking and we may not be able to conceive of it and we usually can't attain it. This unrestrained formulation of the ought is the reference of for instance the claim that I ought to save both drowning people in a situation in which I can only save one. Interestingly, the character of this third and ideal ought seems to be essentially of the transgressable kind of a limit. The unrestrainedness of its formulation makes it conditional upon our ability to visualize what ought to be. The other limits are however presented as if they were solid untransgressable limits. Yet they are clearly not, and it is this dualism between can and ought which allows us to explain the co-existence of both unrestrained and restrained oughts as oughts without having to reduce ought to the ought which is limited by practical and other restraints. What distinguishes the second limit from the first is that the first is limited by can not that could be can do

Bernard Williams seems to some extent to conflate the limit of how moral we can be with the limit of how moral we actually are, by likening the must which prevents us from doing some of the things we could to the must of impossibility which marks the second level.

The second limit marks how much of what I ought to do I can do and the first limit marks how much of the second category (that which I can do of what I ought to do) I do.

Susan Wolf defines a moral saint as “a person whose every action is as morally good as possible, a person, that is, who is as morally worthy as can be.”¹¹¹ A person who is not a moral saint could therefore be expected to stop short of doing moral deeds which he could do.

Can and cannot

Williams wants to conflate the two cannots that mark the limit of the first and second limit. “Why should this kind of *cannot* be anything other than *cannot*?”¹¹² “if the agent is right in thinking or concluding that he cannot do a certain thing, then [...] he will not do it.” This kind of incapacity of character is claimed impossible along with real impossibility.

Sometimes what is possible for one person is not possible for another. There may be contingent restrictions such as that one must be able to drive a car or ride a horse or have a parachute. Yet the possibility of doing or having these essential traits is nevertheless possible for everyone who is not physically or mentally unable to attain such qualifications. The cannot is therefore on the individual level rather than the collective, in other words this cannot is part of what constitutes the first limit which marks how far one individual has come. And yet if I couldn't save anyone from drowning because I did not know how to swim, something I clearly could learn, then I am still frustrated by that restriction as being one which prevented me from doing that which I ought to have done. I am not upset with my choice of action (presuming I tried the second best option to jumping in). The relation between things which I could do yet can't do is therefore quite complex when it comes to measuring whether I have done what I ought to have done. Sometimes I have done all I could even though I did not do all I possibly could've done (I could possibly have swam if I knew how), so that the level of blame and regret is given by the first limit. This shows that there are different relations between can and ought, depending on which kind of can we are speaking about which again makes the oughts differ. Guilt and blame are contingent upon the first kind of can while ought exists independently of this but we only blame people for oughts they could've and therefore should've accomplished.

The most difficult boundary here is of course limitations provided by individual thought. That I can't swim and don't have a horse excuse you from blame in a whole other

¹¹¹ “Moral Saints” p.79

¹¹² *Moral Luck* p.127

way than cases where you lack a certain belief or intention. This is something which is possible for you in the same way and perhaps also requires a certain learning process, an active acquisition, yet we tend not to suspend blame when it comes to concerns you should've taken. That you didn't know certain facts is usually along the lines of having a car and knowing how to swim, it is lack of responsiveness and sensitivity which we blame, and sometimes also forgetting, when we liken that to a lack of concern.

David Lewis makes the correct distinction between the two kinds of can.

An ape can't speak a human language – say, Finnish – but I can. Facts about the anatomy and operation of the ape's larynx and nervous system are not compossible with his speaking Finnish. The corresponding facts about my larynx and nervous system are compossible with my speaking Finnish. But don't take me along to Helsinki as your interpreter: I can't speak Finnish.¹¹³

Here we see that the first kind of can refers to a possibility and the second kind of can refers to a specific measurement of whether this possibility obtains. The significant difference to Williams is that Williams formulates the difference counterfactually in terms of intention. If I can do it unintentionally then it is possible, if I cannot do it unintentionally then it is not possible, “what an agent ‘literally’ cannot do [...] he cannot do even unintentionally”¹¹⁴ It becomes apparent now that Williams' distinction does not coincide with Lewis' in significant ways. Although Lewis can speak Finnish in the first sense he still cannot do so unintentionally in the second sense. If Lewis can't speak Finnish then he isn't suddenly going to do so unintentionally under hypnosis or torture. We see therefore that Williams' description of these two senses of can is misleadingly formulated in terms of intention so that all kinds of can become relative to the agents' mind states. The possibility of speaking Finnish is on Williams' account an impossibility, something the agent can't even do unintentionally. The problem is that a lot of the things I can't do unintentionally I could do both intentionally and unintentionally if only I had acquired the skills to do so. Consequently Lewis' category of what I can do incorporates both Williams' category of what I can do unintentionally and what I can do intentionally. Lewis category of what I could do overlaps partly with Williams' category of what can't be done unintentionally as well as what can be done unintentionally.

The significance of this comparison is that Williams displaces the existence of impossibility, and although what you can't do unintentionally also incorporates the

¹¹³ David Lewis: “The Paradoxes of Time Travel” in *Philosophical Papers* Vol. II,

¹¹⁴ *Moral Luck* p.129

impossible, it also includes a lot of things which you could do if only you knew how or made some adjustments to yourself. Likewise what you can do unintentionally refers to both things which you possibly could do, and things which you can do, although as we have seen with the case of Finnish there are possibilities which it excludes. Likewise what I can do intentionally might be if we accept it as the outcome of my practical deliberation, a smaller category than that which I actually can do, because it is additionally restricted by what I want to do.

The problem with this is that a contingent cannot become an unconditional impossibility, something which is clearly wrong, and the reason why Williams confuses it with the agent who identifies himself so much with his ideals that he would rather die than not do them or do that which opposes them. And since the latter could be done unintentionally, it is not as impossible as that which I cannot do in the second sense. This points to a mistake in Williams' construction of these distinctions.

Williams also includes that we cannot think of into the category of character incapacities, "thinking that something is unthinkable is not so direct a witness to its being unthinkable as is being incapable of thinking of it."¹¹⁵ Now there are several ways in which an agent may be incapable of thinking of something and different kinds and perhaps degrees of incapacity. Generally I agree with Christopher Hookway in that which questions occur to us and which do not "reflects *our* epistemic values, and we can surely be held responsible for at least some failings in their operation."¹¹⁶ Hookway bases his account on "common and distinctive cases where salience is seen as an expression of one's own normative standards."¹¹⁷ In such cases what one does not think of is quite on the contrary of an incapacity rather a normative choice made on the basis of one's internalized values. This shows that that which does not occur to us may be an expression of our normative values.

Hookway maintains that the exclusions which are facilitated by our internalizations are necessary in order for deliberation to come to a close and to be able to result in action. "unless we have mastered such normative standards in the form of habits and skills, we will be unable to exercise the deliberative capacities that are required for effective actions. Too many questions arise – possibly indefinitely many – and deliberation could never come to a close."¹¹⁸

¹¹⁵ *Moral Luck* p.129

¹¹⁶ Christopher Hookway: "Epistemic Norms and Theoretical Deliberation", in (ed.) Jonathan Dancy: *Normativity*, Blackwell 2000, pp.60-77, p.70

¹¹⁷ "Epistemic Norms and Theoretical Deliberation" p.71

¹¹⁸ "Epistemic Norms and Theoretical Deliberation" p.75/76

Ought and blame

The limit of the impossible assures me that although I did not do what I ought to have done I did all I could've done. My regret for not having been able to do all I ought to have done shows that ought is not limited by practical restraints, even impossibility. If I could've done something better by having known something else, by having deliberated differently, or by having done something better (as for example if I didn't succeed in rescuing even one drowning person because I didn't take my boots off before I jumped into the water so that I nearly drowned myself, or because I kept closing my eyes because I don't like to get water in my eyes and so I couldn't find them, then I will feel regret in a whole other way. My consolation in not having been able to do anymore than I did shows that it's acceptable to stop at our practical limitations, we don't demand that we do more than we can. Although we still feel that we ought to do more. Bernard Williams formulates this distinction.

Regret necessarily involves a wish that things had been otherwise, for instance that one had not had to act as one did. But it does not necessarily involve the wish, all things taken together, that one had acted otherwise. An example of this [...] is offered by the cases of conflict between two courses of action each of which is morally required, where either course of action, even if it is judged to be for the best, leaves regrets – [...] agent-regrets about something voluntarily done.¹¹⁹

The situation in which I could only save one of two people from drowning is just this kind of case. As Bernard Williams says I will wish that things had been otherwise, without wishing that I had acted otherwise. There wasn't any other way for me to act, and that is what I regret. I wish the practical limitations had not been there so that I could've done something so as to rescue both and not have to act in a way which only rescued one of them. But given that I had to act in such a way I don't regret that I did.

This reveals that blame is determined against the limit of practical possibility while ought may incorporate impossibility.

¹¹⁹ *Moral Luck* p.31

Freedom and the real self

From interventions between one's real self and one's practical conclusions we see that the real or deep self is a more ideal self which pays less attention to practical limits, and perhaps even bases itself on hypothetical states of affairs and other hypothetical premises which imply the eradication of contingently existing limits. In that case Antigone is rightfully seen as an idealist and is separated from others by having a more ideal will.

However, according to this construal those who have a practical deep self which is constructed in accordance with conventional restrictions and corresponds to their effective will are just as free as Antigone. It also seems reasonable concerning limitations that if they are recognized they will also be either approved of or seen as necessary and therefore conceded by the real self as well.

We might distinguish Antigone from determined others who's real self is correlated with their effective will by focusing on the ephemeral quality of a conventional real self in the manner illustrated by Stepan Arkadyich. Or we could measure the distance between the ideal (real) self and the states of affairs that these contrast with to see whether this individual's real self stands in a normative relation to society. The relation could be normative if the individual demands more of the world. The individual who demands changes, or ideally wills changes, provides normativity, as opposed to individuals who don't, but rather ideally will that things are as they are. The conventional cannot contribute anything novel since they don't have the potential to transgress the limits which constitute that which is, but rather support or constitute that which is by having internalized those limits, or by believing them to be necessary, so that the existence of those conventions or that society is conditional upon them. In order for society's norms or morality to improve it is essential that we have some individuals who don't recognize imposed limits. Otherwise there would be no source for intentional change. Collective reasoning thereby presupposes that some individuals transgress conventional limits in their reasoning.

Olav Gjelsvik defines our real self in terms of value since our values are such that we cannot value that we don't value them. "Our valuings thus understood make up the favoured set of pro-attitudes, the set that expresses the "real self" in the sense of the motivational commitments we cannot distance ourselves from. We are thus to be identified with our valuings."¹²⁰ This construal of the real self allows us to say that the restriction which prevents

¹²⁰ Olav Gjelsvik: "Freedom of the Will" p.9

the good citizens but not Antigone from doing something we must presume is something one ought to do prevents them from doing something they ought to do in a way which also limits their freedom. Antigone and Ismene are both presented with the same conflicting oughts, that they ought to bury their brother, and that they ought not to bury their brother. On one construal of the real self one may say that Ismene as a good citizen is dedicated to obey the city law and may be subordinated to a second order volition to make her will the will of the city state. That would exclude her from having desires to go against the city law. On the account which construes the real self in terms of valuings we may consider the prospects for her to value both that she obeys Creon and that her brother is buried. She may value that Antigone buries their brother but not be able to value that she does it since she cannot value that she goes against Creon. Or we may press the inconsistency which these valuings may lead to and claim that she does not really value that she obeys the state law but is as Knox says limited in her will by Creon's restriction so that she cannot have the will she wants to have. For her this appears as impossible.

In order to judge a non-acratic person as either free or determined we need a second perspective from which we can see whether this person is behaving determinedly or freely in comparison to his surroundings. We need to compare his internal states to external states. To say that a non-acratic agent may be either determined or free might be non-sense according to the deep self theoreticians but I would like to hold on to the distinction as very roughly similar to Habermas' distinction between conventional and post-conventional moral agents. It seems to me that a conventional person is likely to act in accordance to his deep self and yet be determined. By that I do not mean determined in the sense of causal explanation which can also be applied to a freely-willed person from the causal perspective, but that the perspective in which to describe him as free is missing. There is no point of view in which we can see that he has employed the kind of choice and value-examination which underlies the having of a will, so whether he has freedom of the will remains perhaps evidence-transcendent. I also think that this is the only relevant approach to the topic of freedom and determination.

What we need to distinguish is when we are free and when we are determined and this question might have to be put at the level where we formulate our real selves and not at the level of acting in accordance with it. The latter approach can after all only diagnose weakness of the will, and not a determined will. Having a weak will might be to be determined, but I think it is important that we also allow for a diagnosis of will determination in cases where one's effective will does not conflict with one's ideal will. It is after all quite possible and quite common to have a determined ideal will. Frankfurt's wanton does not seem to be what I

am after, since the mark of a determined person may very likely be precisely that he cares (most of all) about what kind of a will he has in a way which overrides the ability to desire something independently of this and in a way which might oppose his values. He might care for example that his will expresses a certain identity or complies to certain rules or groups of people. His second-order volitions therefore stand in line with his second-order desires in just the way that it does for a free willed person. “What distinguishes the rational wanton from other rational agents is that he is not concerned with the desirability of his desires themselves.”¹²¹ This distinction might or might not be what I want. Frankfurt accentuates the rational wanton as one who “ignores the question of what his will is to be” and “does not care which of his inclinations is the strongest”¹²² and that is not a description of what I am after. The determined person does care about and consider these questions. The difference is that it is in some sense not an option for him to have any other second-order volitions.

But in order for this kind of argument to have any relevance the impossibility of having any other second-order volitions needs to be distinguished substantially from the character incapacities which Williams points out. This is because once we have chosen, when we do value something, then we cannot also not value it. It might be possible to fix this qualification (Gjelsvik’s criterion for one’s real self as consisting in values) into the qualification of having second-order volitions and get out the distinction which I want.

For now we can say that on Frankfurt’s account of the real self Ismene and the other good citizens might be considered free because they recognize the limitations Creon imposes on them in virtue of having higher desires for obeying state law. We need an account of values in order to also formulate that this restriction (also) limits their freedom of the will.

A last consideration of whether the principle of reasoning could or should be more substantial

If our minds are so limited in comparison to the world, or the world of all possible contents and all the correct relations between these, so that we never achieve a perfect state of coherence, then perhaps there ought to be further rational restraints on rationality which demand that we focus on certain relevant mind states rather than filling our minds up with beliefs about the moon being made of green cheese. “It is not reasonable or rational to fill your mind with trivial consequences of your beliefs, when you have better things to do with

¹²¹ Harry Frankfurt: “Freedom of the Will”, in (ed.) Gary Watson: *Free Will*, Oxford University Press, 2003, pp.322-337, p.328

¹²² same

your time, as you often do.”¹²³ This kind of a restraint, Harman’s principle of clutter avoidance, would however take the form of a detachable ought and cannot in itself interfere with or partake in a normative requirement. Although it may be stronger than a normative requirement and may therefore demand that you ought not to satisfy that normative requirement but rather focus on more important normative requirements.

Considering that the principle of a normative requirement defines correct reasoning in terms of the satisfaction of normative requirements this theory enables a person who reasons very little to qualify as more rational as far as rationality concerns normative requirements, since a person who has a greater amount of mind states in his mind and thinks very hard about what to cancel and what to keep, and perhaps even makes a little mistake (which could be a description of a very bright philosopher), this person might turn out to reason less and worse than a man who hardly reasons at all and maybe has so few mind states and so few connective mind states that he rarely finds himself in a state he ought not to be in. This makes it seem probable that reasoning should be defined on the basis of a positive coherence rather than the negative coherence which Broome bases it on, namely that a lack of incoherence is coherence. An alternative suggestion of the principle of reasoning might then be made in a manner which attaches it somehow to oughts and reasons. This would greatly increase the prospects for the strict ought, but it would probably also seem rather contrived. Perhaps this criterion could provide an account of reasoning to the best means and even with respect to reasoning to necessary means could be a closer assimilation to Aristotle’s amount of most concerns, so that which and how many concerns a person has taken plays a role in reasoning. Thereby we could approach Wiggins’ interpretation of Aristotle “The man of highest practical wisdom is the man who brings to bear upon the situation the greatest number of genuinely pertinent concerns and genuinely relevant considerations.”¹²⁴ But this kind of reasoning would demand a substantial ought in the principle of reasoning, and so it seems that it would have to be complementary to correct reasoning, in the sense that Aristotle spoke of it as practical wisdom. Yet there are substantial restrictions or oughts which do effect our reasoning although they are not accounted for within the logic of reasoning. Such as Harman’s demand for a restriction on which normative requirements one ought to occupy oneself with, which normative requirements one ought to focus on, which seems to be the description of actual norms which matter to our reasoning, yet which cannot be accounted for within the

¹²³ *Reasoning, Meaning, and Mind* p.21

¹²⁴ Wiggins: “Deliberation and Practical Reason”, essay VI in *Needs, Values, Truth*, Aristotelian Society Series Vol.6, Oxford, 1987, p.225

formalistic norms of reasoning. Such norms would then again need the same responsiveness towards them which ought facts need.

For Wiggins' reading of Aristotle "the greatest number of pertinent concerns" is tied to the formulation and solution of a higher goal. The fact that we search for the best specification of the goal and the best means to it is what constitutes our freedom as well as our practical reasoning. "The unfinished or indeterminate character of our ideals and value structure is constitutive both of human freedom and [...] of practical rationality itself."¹²⁵ If there is no evaluation and elaboration of the higher goal, as when this is determined by convention or law, then freedom is also restricted, and so is our ability to do that which we ought to do.

Conclusion

What has been at stake here is the contingency of the strict ought to the particularities of the situation and also to the subjective elements involved in how and what we see in the situation. In other words, there are two main kinds of contingencies, two kinds of restraints imposed on oughts. One is provided by the way things are, how particular situations in our spacio-temporal reality are limited and unideal. The other restraint is our minds. These contingencies seem to prevent us from finding ideal solutions and from having uncomplicated relations to ought. Ought facts seem to collide and to change from one situation to another. Every ought appears to be essentially adjustable, at least over time, since we in reality have to deal with flexible ought facts which sometimes are more or less important than other ought facts. When oughts conflict they are treated as gradable and reducible oughts, not as strict oughts. Failure to act in accordance with one ought is seen as justified in relation to another ought. In some cases this seems right in others it does not.

The fact that morality may demand more than we can do does not excuse us from trying. The significance of this is that if we deduce from the fact that we cannot satisfy all moral demands that we ought not to satisfy all moral demands, then we are cancelling morality (or let's just say ought) in its general nature. It is essential to normativity that it exists independently of that which is, that it always demands more. When a goal is attained,

¹²⁵ Wiggins, same, p.233

we aim to improve on that which is attained. Perfection is never attained. Williams, Wolf and Catherine Wilson all try to remove this normative demand which is always ahead of us by lowering normativity to that which is.

I have in some ways considered the prospects for a strict ought. My last words will be that the debate about morality and the moral ought must be supplemented by a focus on other aspects of persons. Normative requirements are enforced or protected by correct reasoning which holds a high status. Ought facts and reasons are however not discussed in relation to some other faculty of our rationality or morality which enforce and protect their power. In deciding between two horrors imagination should get us out of having to make a bad decision by providing another option and sensitivity to the concerns of others should prevent us from doing things we ought not to do. More imagination and sensitivity make us less limited, more free, and more as we ought to be.

In order for the moral ought, or any strict ought, such as is provided by matters of justice, to gain its right status in relation to other 'oughts', and other normative forces, the capacities which underlie our responsiveness to the ought facts must gain a proper status in relation to rationality and the other constituents of rationality, if we conceive of it as one of the normative forces of rationality as Broome does.

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