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## **ABSTRACT**

This paper proposes a novel path towards a metaethical theory based on a substantive, universal, fundamental value. This proposal is developed out of critiques of Christine Korsgaard's, Sharon Street's, and Dale Dorsey's constructivist theories, specifically the critiques of 'empty formalism' (applied to Kantian Constitutivism), 'radical contingency' (applied to Humean Constitutivism), and an amoralist or skeptical challenge (applied to Perfectionist Humean Constitutivism). These critiques will be shown to lead ultimately, from one theory to another, to the conclusion that everyone naturally holds, as their most fundamental value and thus goal, a shared vision of goodness. It is with reference to this goal that we judge actions as right and wrong, and thus this goal constitutes a moral system with both motivational and normative force. Some objections and implications will be considered at the end.

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Two things fill the mind with ever new and increasing admiration and awe, the oftener and the more steadily we reflect on them: the starry heavens above and the moral law within.

(Immanuel Kant, *Critique of Practical Reason*, 1788)

## **I. INTRODUCTION**

In this paper, I seek to propose a novel path towards a metaethical account of moral normativity. To do so, I will first examine three constructivist theories—motivated, at least in part, by the skeptical vulnerability of realist theories—and argue that they too have vulnerabilities. Starting with perhaps the most famous constructivist, Christine Korsgaard and her Kantian theory of morality as self-constitution, I will argue that her theory is susceptible to a version of Hegel's 'empty formalism' critique of Kant's theory, but applied to Korsgaard's foundation of agency. One way we might be tempted to respond to this critique is by embracing Sharon Street's Humean constructivist theory, which substitutes held substantive values for formal standards, but I think this theory is susceptible to a different critique of 'radical contingency,' as explained by Dale Dorsey. Dorsey tries to address this problem in his

perfectionist Humean constructivist theory, which uses the notion of humanity’s evaluative nature in place of Street’s appeal to individual, contingent values. I’ll argue, though, that the problem here is akin to Korsgaard’s critique of realism, where the source of normativity has become external to the moral agent such that a skeptic can always ask why they should follow the standards of humanity. Thus, out of this examination, I will develop and propose a possible alternative that combines and seeks to achieve the goals of each of these views: the alternative being that all humans naturally share a most fundamental value, and that it is with reference to this value that we judge actions as right and wrong, demonstrating that this value constitutes a moral system with both motivational and normative force.

**Table 1.** *Outline of Argument, as Read From Left to Right*

	<b>Goal for Theory</b>	<b>Source of Normativity</b>	<b>Weakness</b>
<b>Korsgaard</b>	Immune to skepticism	Necessity of agency	Need substantive reasons to care about being agents
<b>Street</b>	End regress of normative questions within the practical point of view	Individual evaluative attitudes	Contingency of moral agency and lack of “common core” of moral reasons
<b>Dorsey</b>	Account for “common core” of moral reasons regardless of attitude	Humanity’s evaluative nature	Need internal reasons to care about humanity’s evaluations
<b>Me</b>	All of the above	Single shared fundamental value	Widespread disagreement

## II. KANTIAN CONSTRUCTIVISM

In her book *Self-Constitution*, Christine Korsgaard presents a metaethical theory she believes addresses problems with dogmatic rationalism/substantive realism.<sup>1</sup> “On such views,” she says, “the rightness of an action... is an objective fact about the external world, which the rational mind as such grasps, and to which it then conforms its beliefs and actions.”<sup>2</sup> Problems arise, however, if we ask why we must conform to these facts, for “there is no real answer. The

<sup>1</sup> Christine Korsgaard, *Self-Constitution: Agency, Identity, and Integrity* (Oxford: Oxford University Press, 2009), 64.

<sup>2</sup> Korsgaard, 6.

dogmatic rationalist can only reply: ‘well, that’s just what it *means* to be rational,’” and “the *goal* of acting rationally itself is taken for granted.”<sup>3</sup> Taking a purported principle of prudence as an example, “on this view,” she says, “the claim that it is irrational to pursue anything but maximum satisfaction [of one’s desires] is a pure dogmatic claim, based on nothing but a substantive conviction that maximal satisfaction... must be the good.”<sup>4</sup> Thus, “so long as we think of the principles of rational action as something that we *apply*—and therefore as something that we may or may not apply—when we deliberate about what to do, then we cannot really be obligated to perform morally required actions,” because the standard for morally required actions—substantive facts about the good—are susceptible to the skeptic’s question: “why must we apply this piece of knowledge? This is the truth in Hume’s complaint about the rationalists. Mere knowledge is external to the will, and external standards cannot obligate the will.”<sup>5</sup> We cannot derive an ‘ought’ from an ‘is.’

What Korsgaard argues her theory can accomplish, then, is to identify standards that can obligate the will—to explain the normativity of acting rationally and morally in such a way that does not rely on dogmatic answers and can meet skeptical challenges—and she thinks she finds these standards in what is constitutive of action and of the self, for “constitutive standards have unquestionable authority.”<sup>6</sup> I will now summarize how she arrives at this conclusion.

“Human beings are *condemned* to choice and action,”<sup>7</sup> she says. Like animals, we experience incentives, but unlike them, “when we become conscious of the workings of an incentive within us, the incentive is experienced not as a force or a necessity but as a proposal, something we need to make a decision about. Cut loose from the control of instinct, we must formulate principles that will tell us how to deal with the incentives we experience.”<sup>8</sup> Thus, Korsgaard, citing Kant, characterizes rationality as a “power of self-determination.”<sup>9</sup>

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<sup>3</sup> Korsgaard, 6-7.

<sup>4</sup> Korsgaard, 56.

<sup>5</sup> Korsgaard, 66.

<sup>6</sup> Korsgaard, 32.

<sup>7</sup> Korsgaard, 1.

<sup>8</sup> Korsgaard, 119.

<sup>9</sup> Korsgaard, 69.

What principles should we formulate? Korsgaard answers that our practical identities—“roles and relationships, citizenship, memberships in... groups,”<sup>10</sup> etc.—come with constitutive standards (“principles” when referencing activities)<sup>11</sup> which “govern our choice of actions”<sup>12</sup> similar to how the constitutive standards of a house govern the actions of a house-builder. A house’s function is to shelter, so a constitutive standard of a house is that it has sealed walls and a roof. A house that does not is less good *as* a house. Constitutive *principles* are thus normative because to *build* a house, one must adhere to the principle, or end up making a bad house, or even, at the extreme, nothing but a mere heap of matter.<sup>13</sup> A practical identity, or “a role with a point,”<sup>14</sup> also comes with normative principles. For example, “if you are someone’s friend, then you will find cooking a meal... to share it with her... worth doing, while committing adultery with her husband will be ruled out of court,”<sup>15</sup> because it would undermine your identity as a friend.

However, we can choose identities just as we can choose between incentives, so which identities should we choose? Since we are condemned to choice and action, we need some identity; we cannot abandon them all. And the one identity we cannot abandon is our identity as a rational human being or agent—essentially, our identity as a self-determiner of identities.<sup>16</sup> This identity also comes with standards, those of efficacy and autonomy (requirements for choice and action), so the constitutive principles of agency are the hypothetical and categorical imperatives,<sup>17</sup> “principles to which we necessarily are trying to conform insofar as we are acting at all.”<sup>18</sup>

These principles are also moral principles because, as Plato and Kant argue, just and moral actions unify—and are the result of the unity of—the soul.<sup>19</sup> Unity is essential to efficacy

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<sup>10</sup> Korsgaard, 20.

<sup>11</sup> Korsgaard, 28.

<sup>12</sup> Korsgaard, 20.

<sup>13</sup> Korsgaard, 29.

<sup>14</sup> Korsgaard, 21.

<sup>15</sup> Korsgaard, 20.

<sup>16</sup> Korsgaard, 24-25.

<sup>17</sup> Korsgaard, 83.

<sup>18</sup> Korsgaard, xii.

<sup>19</sup> Korsgaard, 151-158.

and autonomy because “in order to be autonomous, it is essential that your movements be caused [the ‘efficacy’ part] by you, by you operating as a unit, not by some force that is working in you or on you. So... to be an agent, you need to be unified—you need to put your whole self... behind your movements.”<sup>20</sup> This unity is established by a constitution, a procedural principle for governing the different parts of the soul.<sup>21</sup> The categorical imperative (CI) provides this principle: “Inclination presents the proposal; reason decides [using the CI] whether to act on it or not, and the decision takes the form of a *legislative act*.”<sup>22</sup> It follows then that, to the extent one acts immorally, one acts defectively, and “is less of an agent.”<sup>23</sup> Thus, in Korsgaard’s view, “if you constitute yourself well, if you are good at being a person, then you’ll be a good person. The moral law is the law of self-constitution.”<sup>24</sup>

## II.I CRITIQUE

I will now argue that the moral law cannot *just* be the law of self-constitution, because, akin to Hegel’s original critique of Kant, Korsgaard’s account of self-constitution is ‘empty formalism’ which, without additional substantive content, remains open to skeptical challenges.

The CI—Kant’s “supreme moral law”<sup>25</sup> and Hegel’s main target—says to “act only on a maxim that you can will as a universal law,”<sup>26</sup> with ‘can’ meaning ‘without contradiction.’<sup>27</sup> It is formal then because it doesn’t tell us what substantive maxims to act on, but rather tests through a procedure whether maxims brought to it are permissible.<sup>28</sup> Through a series of examples,<sup>29</sup> Hegel argues that the CI is ‘empty’ because it “cannot determine whether any particular ‘content’ is or is not a duty” without relying “on assumptions not implied by the law

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<sup>20</sup> Korsgaard, 213.

<sup>21</sup> Korsgaard, 142.

<sup>22</sup> Korsgaard, 154.

<sup>23</sup> Korsgaard, 174.

<sup>24</sup> Korsgaard, 215.

<sup>25</sup> Sally Sedgwick, “Hegel on the Empty Formalism of Kant’s Categorical Imperative” in *A Companion to Hegel*, ed. Stephen Houlgate and Michael Baur (Malden, MA: Wiley-Blackwell, 2011), 265.

<sup>26</sup> Korsgaard, *Self-Constitution*, 22.

<sup>27</sup> Korsgaard, 111.

<sup>28</sup> Korsgaard, 48-49.

<sup>29</sup> Christine Korsgaard, “Kant’s Formula of Universal Law,” *Pacific Philosophical Quarterly* 66, no. 1-2 (1985): 24-47. In which Korsgaard critiques these examples. I suspect she’s right, but I don’t believe my version of the ‘empty formalism’ argument relies on the original’s success.

itself.”<sup>30</sup> In her paper on this topic, Sally Sedgwick points out that Kant does assume background content “about who we are as rational natures... our unconditional or objective ends... our capacity to give ourselves law,” etc.<sup>31</sup> Hegel’s point in making the ‘empty formalism’ challenge then is to “reveal the [historical] *particularity* [because of the background content] of the very system of practical obligation Kant insists is universally and necessarily valid.”<sup>32</sup> My point will not be the same as Hegel’s, but I believe a similar type of critique can be applied to the background content Korsgaard also uses to justify the CI as “the principle of giving laws to ourselves,” “by means of which we constitute ourselves as unified agents,” and thus as “the moral law.”<sup>33</sup> Her theory is also formal, and, crucially, it rests on the claim of the necessity of action and thus agency.

“Constitutive standards meet skeptical challenges to their authority with ease,” Korsgaard points out, because, as discussed above, “these standards are ones that the object or activity must at least try to meet, insofar as it is to be that object or activity at all,”<sup>34</sup> and she believes that

The *only* way to establish the authority of any purported normative principle is to establish that it is constitutive of something to which the person whom it governs is committed—something that she either is doing or has to do... A constitutive principle for an inescapable activity is unconditionally binding.<sup>35</sup>

So, as we can see, the authority of her theory rests on the inescapability of action. “Maybe you think you can avoid it, by resolutely standing still, refusing to act, refusing to move. But it’s no use, for that will be something you have chosen to do, and then you will have acted after all.”<sup>36</sup>

In his paper on the ‘shmagency’ debate, Matthew Silverstein, though defending constructivism, argues against Korsgaard that, while “I cannot *intentionally* escape from agency except by exercising my agency... [that] does not entail that agency is *inescapable*. On the contrary, it provides the road map for escape: perform the right sort of intentional action, and

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<sup>30</sup> Sedgwick, “Empty Formalism,” 268.

<sup>31</sup> Sedgwick, 278.

<sup>32</sup> Sedgwick, 278.

<sup>33</sup> Korsgaard, *Self-Constitution*, 180, 179, 215.

<sup>34</sup> Korsgaard, 29, 32.

<sup>35</sup> Korsgaard, 32.

<sup>36</sup> Korsgaard, 1.

you will no longer be an agent.”<sup>37</sup> This is in line with the argument I will make, that Korsgaard, in eschewing substantive values from her theory of the *foundation* of morality, provides no reason to value agency, and such a value is important because, even if I must rely on agency to escape it, escape is an intelligible option. Consider someone depressed to the point of suicide; perhaps they must use at least minimal agency as a means to end their life, but the end of their life and agency is their end/goal, precisely because they see no other end/goal to life/agency.

This isn't only a problem for suicidal people, either; anyone, upon understanding Korsgaard's theory, can ask themselves, 'Why *should* I be an agent? What is agency *good* for?' Korsgaard says our practical identities are descriptions “under which you value yourself and find your life worth living and your actions to be worth undertaking,”<sup>38</sup> but she also says that they are “contingent in this sense: whether you treat them as a source of reasons and obligations is up to you.”<sup>39</sup> So, in deriving morality from our identity as a self-determiner of identities, from what is constitutive of the mere ability to choose, Korsgaard fails to provide a reason to choose anything at all. If our practical identities are optional, then, like the external, realist standards Korsgaard argues against, they “cannot obligate the will,” and the only identity Korsgaard says can obligate the will is the only one we have no reason, on its own, to adopt.

Korsgaard does briefly discuss this problem in her book, that “if you conceive yourself simply as a pure rational agent... it looks as if your empty self can have no reason to do one thing rather than another.”<sup>40</sup> She responds that this claim “assumes that the endorsement of our identities [the ‘filling’ of ourselves], our self-constitution, is a state rather than an activity,” but “self-constitution is not a state that we achieve and from which action then issues... it is action itself.”<sup>41</sup> But I think this response misses the mark. Action itself is what the skeptic is questioning the reason for, even if he acknowledges it as the activity of ‘filling’ oneself with

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<sup>37</sup> Matthew Silverstein, “The Shmagency Question,” *Philosophical Studies* 172, no. 5 (2015): 1132.

<sup>38</sup> Korsgaard, *Self-Constitution*, 20.

<sup>39</sup> Korsgaard, 23.

<sup>40</sup> Korsgaard, 43.

<sup>41</sup> Korsgaard, 43-44.

reasons. ‘What reason?’ is the relevant question, and if the answer is *just* to be a self-determining self, the question really remains unanswered, and the self remains empty.

This is why I think what makes any moral principle “unconditionally binding”—as “constitutive of something to which the person whom it governs is committed”—is not our commitment to choosing, but our commitment toward what we value as worth choosing. We must instrumentally value our agency, but not as an end in itself, or else we’d just have no end; agency is not the sort of substantive content that can be our end. It is also not, as an instrument, something we can form an identity around; we must constitute ourselves into something other than self-determiners for that capacity to have any worth. Thus, if Korsgaard’s theory is correct, skeptical nihilism is justified, and perhaps even inevitable. If she wants a theory that can achieve what realism cannot, then her theory needs supplementing.

To demonstrate this problem of ‘empty formalism’ further, I will examine an analogy Korsgaard uses to explain the parts of a soul (person) and how a constitution is needed to unify it and thus make it moral (“good at being a person”). She first cites Plato’s argument that, like a soul, a city is made up of parts, and that injustice comes from disunity among those parts.<sup>42</sup> She then considers whether a procedural or substantive conception of justice provides the normativity in this situation, writing,

There is a standing temptation to believe that the procedures themselves must derive their normativity from the substantively good quality of their outcomes. That cannot be right... since... then we’d be prepared to set those procedures aside when we knew that their outcomes were going to be poor ones. And... we don’t do that.<sup>43</sup>

Instead, “the jury’s acquittal stands, though we later come to believe that after all the defendant was guilty.”<sup>44</sup> Korsgaard also dismisses the possible reply that we accept some injustice from the procedures because of the “*usual* quality of their outcomes” by pointing out that it would be irrational to accept a procedure for that reason in a specific case where we know the outcome to be unjust.<sup>45</sup>

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<sup>42</sup> Korsgaard, 135-136.

<sup>43</sup> Korsgaard, 149.

<sup>44</sup> Korsgaard, 149.

<sup>45</sup> Korsgaard, 149.

This will be an appeal to intuition, but it just seems clear to me that, in such a specific case, we should reject the procedure. To hopefully ‘pump’ that intuition further, consider not only the case of a guilty man acquitted by a jury, but of an innocent man convicted by a jury. Western society, at least, places a higher value on freedom than punishment, as evidenced by our ‘innocent until proven guilty’ standard. This standard reveals that the main reason for the criminal trial procedure is to discover and prove the truth. Truth (as well as the outcome based on it) is our substantive goal, so to contrast the trial outcome with what we *know* is a bit difficult; the trial is usually the method for getting us closer to knowledge of the truth. But, again, if we have some more certain proof than the trial discovered that a man is innocent, I think we should find a way to release him. We can do that while valuing the unity of our city too, but if the two values—justice based on unity and justice based on truth—are at an impasse, I don’t think it is obvious that we should sacrifice even one person’s freedom for the sake of unity. Whatever value such unity would have, I would hesitate to call it the value of justice.

Korsgaard also discusses another example of procedural justice: “the person who gets elected holds the office, no matter how far he is from being the true representative of the general will”<sup>46</sup> This example seems closer to what John Rawls called “pure procedural justice... where the desirability of the outcome depends entirely on the carrying out of the procedures; there is no independent criterion,”<sup>47</sup> and as such it may indicate *some* place in a city (and perhaps the soul) for pure procedure. But even still, I think that, given *any* criterion for the general will, or the combined criteria of all individual wills, there will be some person who matches best, though we may never know who. Thus, as above, I think the main reason for the election procedure should be to try to discover this ideal candidate, and if the procedure strays too far from this outcome, revolution and reformation may sometimes be justified.

Thus, I posit, neither formal morality nor procedural justice is adequate on its own, without substantive values, to get Korsgaard what she wants from a moral theory.

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<sup>46</sup> Korsgaard, 149.

<sup>47</sup> Korsgaard, 150.

### III. HUMEAN CONSTRUCTIVISM

Sharon Street has a similar critique of Korsgaard's theory, and a similar solution to the one I've hinted at. For starters, she states that both Kantian and Humean metaethical constructivists agree that "the truth of a normative claim consists in its following from within the practical point of view... given a formal characterization. What separates them is their position on whether *moral* conclusions follow from within"<sup>48</sup> this point of view. Her theory "is characterized by a general skepticism about arguments which seek to establish moral values as following from the standpoint of 'agency' as such."<sup>49</sup> Rather "the substantive content of an agent's normative reasons is a function of his or her particular, contingently given, evaluative starting points."<sup>50</sup>

To make this critique, Street points out that relying on the necessity of one's identity as an agent or rational human being to justify it as the source of moral normativity<sup>51</sup> misunderstands constructivism, according to which "the standards that determine one's reasons are ultimately set by one's own judgments about what count as reasons."<sup>52</sup> And yet,

In asking whether one has reason to take anything at all to be a reason, one is posing a normative question; and yet... one is stepping back from and suspending one's endorsement of all values, thereby robbing the question of the standards that could make the question make sense. In effect, one is asking... Do I have a reason (as judged apart from the standards that determine what counts as a reason) to take anything to be a reason?<sup>53</sup>

Thus, this "alleged value of 'humanity' [or agency]... is not a coherent value, and hence cannot bring the regress of questions [about which practical identities we should choose] to a

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<sup>48</sup> Sharon Street, "Coming to Terms with Contingency: Humean Constructivism about Practical Reason," in *Constructivism in Practical Philosophy*, ed. James Lenman and Yonatan Shimmer (Oxford: Oxford University Press, 2012), 41.

<sup>49</sup> Street, 45.

<sup>50</sup> Street, 41.

<sup>51</sup> In her paper, Street addresses arguments from Korsgaard's book *The Sources of Normativity*, not *Self-Constitution*, but the arguments are similar enough (and Korsgaard cites *Sources* often in *Self-Constitution*) that I justify conflating the two.

<sup>52</sup> Street, 49.

<sup>53</sup> Street, 49.

satisfactory end”<sup>54</sup> as the normative “*source* practical identity”<sup>55</sup> that gives reasons for other identities but does not itself require a reason.

Where Kantian constructivism fails, Street believes Humean constructivism can succeed by answering that “eventually (at least in theory, if we pursue our reflections far enough) we get to a point where we have arrived at a coherent web of interlocking values”<sup>56</sup> we cannot coherently question. “The regress of normative questions comes to an end not with any substantive value, but with an understanding of the exact moment at which normative questions cease to make sense—namely, the moment one divorces oneself from the practical point of view altogether, refusing, for that moment, to take any value for granted.”<sup>57</sup> Street also dismisses the counterargument that “the Kantian may suggest: namely that *you*, as a source of value, are valuable.”<sup>58</sup> To show that this is not a necessary conclusion, she creates a thought experiment of a “reflective social insect” who values her colony but “takes her own self to be of only the most trivial and purely instrumental importance.”<sup>59</sup> This being then comes to believe in metaethical constructivism, concludes that the value of her colony comes from her own evaluation of it, and yet, Street claims, still does not need to value herself as anything more than a means to its well-being. Since valuing is where value comes from, and this being does not value herself, there is no external standard that can make her valuable to herself. To think there is is to be “making a mistake a bit analogous to... the realist’s,” the mistake of thinking that morality’s “requirements are categorical with respect to *any evaluative nature an agent might have*... In particular, if one lacks moral concerns altogether, then morality does not bind one.”<sup>60</sup>

### III.I CRITIQUE

I will now argue that, while closer to explaining the origin of morality, Street’s alternative to Korsgaard’s theory also has issues. I will first explain the issue I take with it

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<sup>54</sup> Street, 51.

<sup>55</sup> Street, 46.

<sup>56</sup> Street, 51.

<sup>57</sup> Street, 52.

<sup>58</sup> Street, 53.

<sup>59</sup> Street, 53.

<sup>60</sup> Street, 56, 55–56.

(which is semantic, though for the sake of clarity), and then move on to Dale Dorsey's (more substantive) critique.

Like Korsgaard (as a Kantian) and Dorsey (as will be explained next), I am uncomfortable with the conclusion that

Moral feeling is something that an agent ultimately either has or does not have as part of his nature, and if an agent has no trace of it anywhere in his evaluative makeup, or if that feeling does not run deep enough when push comes to shove, then this is not a mistake in any genuine sense, on the Humean constructivist view; in that case, the agent simply is not, at bottom, a moral agent.<sup>61</sup>

I, like Korsgaard, want to be able to say that the regress of normative questions does end with an inescapable “*source* practical identity” that grants “categoricity”<sup>62</sup> rather than contingency to morality. Street does clarify that, in one sense, being a moral agent may be so deeply constitutive of who I am that “it is not at all a contingent matter”<sup>63</sup> from the first-person perspective. She also says, though, that in another sense, “there is a perfectly intelligible conception of personal identity on which I can imagine myself without moral commitments.”<sup>64</sup>

The (semantic) issue I see here is that, as Korsgaard argues, “it makes good sense to identify the general *should* of deliberation with the *moral ought*... because [Kant's] theory proposes the moral law as a formal principle, and so as a way of deciding what we *should* do.”<sup>65</sup> While I don't agree the moral law is just a formal principle, I do agree with Street that there is only one way to answer normative questions, by reflecting on “one's starting set of values... the values that *are* you.”<sup>66</sup> Thus, it makes sense to identify ‘should’ with ‘ought’ because the alternative would be to insist “that though we can ask what we morally ought to do, we should not take for granted that that is what we *should* do, all things considered,”<sup>67</sup> which divides up practical reasoning into different types (e.g., moral, self-interested, familial, etc.).<sup>68</sup> Additional argument will be provided below that there is only one type of value (at least from the

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<sup>61</sup> Street, 55.

<sup>62</sup> Street, 56.

<sup>63</sup> Street, 57.

<sup>64</sup> Street, 56-57.

<sup>65</sup> Korsgaard, *Self-Constitution*, 51-52.

<sup>66</sup> Street, “Contingency,” 58.

<sup>67</sup> Korsgaard, *Self-Constitution*, 51.

<sup>68</sup> Korsgaard, 50.

perspective relevant to this second-order, metaethical debate), and if successful then it should become clear that one cannot answer any question about what one *should* do without being a “moral agent,” because morality cannot be absent from one’s evaluative nature, because it is the source of all evaluations.<sup>69</sup> Lacking “moral feeling” *is* a genuine “mistake” because, to invoke Korsgaard again, that is what makes someone bad “at being a person.”

#### IV. PERFECTIONIST HUMEAN CONSTRUCTIVISM

In his paper, Dorsey examines what he calls the “perhaps well-worn” objection to Humean constructivism, “the problem of ‘radical contingency,’” which says—in response to Street’s claim about normative reasons coming from contingent, evaluative starting points—that “while we certainly wouldn’t want to hold that all agents share all reasons, it would appear odd to hold that there are no reasons that we all share.”<sup>70</sup> Dorsey cites “the fact that children need minimal care to survive and flourish”<sup>71</sup> as a plausible reason everyone has to care for children, contrasting Street’s claim that someone who doesn’t have this value just doesn’t have this reason, and that is supposedly not their mistake. “These reflections seem to indicate that there is a subset of reasons that can be said to count in favor of our actions even if we lack the relevant valuing attitudes.”<sup>72</sup> Dorsey then proceeds to develop his own version of Humean constructivism that accounts for this “common core”<sup>73</sup> of reasons, which “seems to include the prevention of harm, the care of the sick, beneficence rather than maleficence, and so forth.”<sup>74</sup>

Following Hume’s metaethetics, Dorsey introduces “perfectionist Humean constructivism,” which claims that “normativity is not constructed by each individual’s valuing attitudes, but instead by humanity’s evaluative nature.”<sup>75</sup> Importantly, Dorsey doesn’t conceive

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<sup>69</sup> Evaluations of what flavor of ice cream to eat seem like obvious exceptions, but even in such trivial decisions there are likely right answers. If one *should* diet, then the flavor one likes less is better. If one has been too puritanical, then maybe one *should* indulge in the flavor one prefers. Even still, my contention here is just that there are not different types of evaluations, not that all matters have equal weight (the weight typically granted to the term “moral”); making the wrong decision about ice cream flavor may be a mistake too trivial to notice, but I contend that it would remain a mistake, all things morally considered.

<sup>70</sup> Dale Dorsey, “A Perfectionist Humean Constructivism,” *Ethics* 128, no. 3 (2018): 575, 579, 578.

<sup>71</sup> Dorsey, 578.

<sup>72</sup> Dorsey, 578.

<sup>73</sup> Dorsey, 578.

<sup>74</sup> Dorsey, 578.

<sup>75</sup> Dorsey, 585.

of this nature as “a value-laden or normative notion” but rather as “an empirical, contingent fact about the way human beings really are in our world: as a species, and as a contingent matter, we share certain values.”<sup>76</sup> Dorsey also adds that not just *general* agreement matters, but, at least, agreement among those “who have some acquaintance with the subject matter of the relevant judgment.”<sup>77</sup>

Thus, as we can say of someone who “has only one forearm bone... he lacks an important bit of human anatomy,”<sup>78</sup> we can say of someone who doesn’t care to care for their children that they lack an important bit of human nature, and that they “nevertheless [have] reason to care.”<sup>79</sup> If someone objects that this view may “grant[] authority to unacceptable attitudes,”<sup>80</sup> the objection, to be persuasive, would have to rely on general condemnation of the attitudes, thus showing them not to be a part of humanity’s evaluative nature. And where humanity’s evaluative nature does not issue a verdict (such as on one’s career), the grounding of reasons reverts to individual evaluative attitudes,<sup>81</sup> so some of the freedom of Street’s theory is retained. Dorsey also says his theory is still constructivist because “what matters is what matters to us, and that there is nothing that must matter to us. [His theory] simply identifies the relevant ‘us’ as—literally—us: humanity generally.”<sup>82</sup> Additionally, it is procedural because reasons are the product of a procedure, withstanding scrutiny from humanity’s evaluations.<sup>83</sup>

In response to the possible objection that empirical, statistical facts about what most people value “lacks normative force,” Dorsey says that without these facts, “our social world would be essentially unrecognizable” and “these reasons represent the shared human path through the social world we inhabit together.”<sup>84</sup> His response then is an ‘inference to the best explanation,’ motivated by the unintuitive result of Street’s theory.

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<sup>76</sup> Dorsey, 585, 586.

<sup>77</sup> Dorsey, 587.

<sup>78</sup> Dorsey, 586.

<sup>79</sup> Dorsey, 587.

<sup>80</sup> Dorsey, 597.

<sup>81</sup> Dorsey, 588.

<sup>82</sup> Dorsey, 592.

<sup>83</sup> Dorsey, 592.

<sup>84</sup> Dorsey, 598.

#### IV.I CRITIQUE

I will now argue that this theory reopens the problem of skepticism that both Korsgaard and Street tried to close. Dorsey is obviously right that “in any attempt at metanormative theory choice plausible results and implausible results must be balanced against each other,”<sup>85</sup> which is why I will first present the implausible aspects of his theory, and will then—using what was learned throughout this paper from each philosopher—present a possible alternative view that tries to arrive at a more positive balance.

Consider again what Korsgaard says about realism, where “the rightness of an action... is an objective fact about the external world,” and if questioned, the only reply is: “well, that’s just what it *means* to be rational,” and “the *goal* of acting rationally itself is taken for granted.” Now, Dorsey does argue for the goal of acting rationally—to preserve our social world—and while this might be prudent, the claim that we have reason to be prudent is also (Korsgaard says) “a pure dogmatic claim” which a skeptic can easily ignore. Dorsey even notes that

Some may simply lack any interest in taking up [humanity’s] point of view or in viewing their actions from this particular standpoint. But this causes no problems for [his theory]... This just entails that some will be uninterested in the standpoint from which normativity is constructed.<sup>86</sup>

But being uninterested in identifying the “us” in “what matters to us” with “humanity generally” is the same problem in Street’s theory of someone uninterested in the “common core” of moral reasons.

What of Dorsey’s analogy with human anatomy? Can’t we say of a skeptic that, just as there are standards of human anatomy, there are also standards of human nature, and to fail or to reject them is to be defective? This is a natural law argument, of which Philipa Foot was a proponent, and to which Korsgaard responded: “According to [Foot’s *Natural Goodness*] theory, we can identify a good human life in the same way we can identify a good plant or animal life, by consideration of the way the organism functions.” But, Korsgaard objects, Foot also asserts that

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<sup>85</sup> Dorsey, 600.

<sup>86</sup> Dorsey, 595.

One of the facts about the way human beings function is this: ‘Humans establish rules of conduct and recognize rights’... But this leaves everything to be said about *why* human beings establish rules of conduct and recognize rights—and whether our reasons for recognizing rights are such that we must do so...<sup>87</sup>

So, we can say of someone who “has only one forearm bone” that he is *different* in this empirical sense, but that fact doesn’t itself imply that he should *correct* the difference with an implant. He would have to have another, prior, and internal reason (e.g., wanting better use of his forearm, or wanting to be more normal) for the correction to follow. We cannot derive an ‘ought’ from an ‘is,’ thus we cannot derive a “defect” from a difference. So, when it comes to differences in our evaluative attitudes, if we need another reason to justify correction, then we don’t solve the problem Dorsey set out to solve, the problem of ‘radical contingency,’ for humanity’s evaluative nature is supposed to be where the regress of normative questions ends.

## V. ALTERNATIVE

As indicated in the introduction, I see a potential solution to this and the other problems brought up throughout this paper. Rather than appealing to humanity’s evaluative nature to explain moral normativity, I propose appealing to what explains that nature and the “common core” of reasons. In my view, this is a single most fundamental value that all individuals naturally hold, the realization of which is everyone’s implicit goal in their choices and actions. To give this view a tentative name, I will call it ‘moral perfectionist internalism’ (MPI): ‘moral,’ because, like Korsgaard’s theory, it claims there is only one type of evaluation, which is moral; ‘perfectionist,’ because, like Dorsey’s theory, “this view puts its trust in the normative authority of human nature;”<sup>88</sup> and ‘internalism,’ because, like Street’s theory, this view holds that “reasons for an agent must link up with that agent’s valuing attitudes or motivations.”<sup>89</sup>

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<sup>87</sup> Christine Korsgaard, “Natural Goodness, Rightness, and the Intersubjectivity of Reason: Reply to Arroyo, Cumiskey, Moland, and Bird-Pollan,” *Metaphilosophy* 42, no. 4 (2011): 383-384.

<sup>88</sup> Dorsey, “Perfectionist,” 585.

<sup>89</sup> Dorsey, 600.

Also like Korsgaard, I think MPI identifies a standard that can obligate the will and meet skeptical challenges.<sup>90</sup> As the hypothesized source and standard of all other evaluations, no one can coherently ask why they should care about their most fundamental value, because it is the commitment by which they judge commitments. To Street's goal, MPI also explains how normative questions end because it starts with the last value within the practical point of view, beyond which "one divorces oneself from the practical point of view altogether, refusing... to take any value for granted." Finally, like Dorsey wants, MPI can account for necessarily shared reasons by pointing to the shared necessary source of reasons.

Moreover, though I did not discuss it before, Korsgaard, in *Self-Constitution*, brings up another goal for theories of practical reason/morality, one that she does not attempt to achieve there. In commenting on the principle of prudence, she writes that

It seems overwhelmingly plausible to believe that there is a rational requirement that we should prefer the achievement of a conjunction of our ends to the achievement of any one of them. And once that idea is on the table, we also do seem to need some method of balancing our various ends against one another when they cannot be practically combined. That is why we need the missing principle, something besides the instrumental principle and the categorical imperative, since neither of them will do this job.<sup>91</sup>

While, as discussed above, the CI may be able to test our incentives and permit or forbid acting on them, it is unable to help us prioritize our permissible ends. Some ends or conjunction of ends will be better than others, not just allowed compared to others, and I think MPI can reveal this missing principle as the principle of the *best* end, by which *better* ends are judged.

Korsgaard objects to this principle being substantive for the same reasons as before, namely that its normativity couldn't be unquestionably established. But if Street's response is

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<sup>90</sup> Though I don't think it is coherent to require no dogmatic assumptions. All conclusions rely on premises, and at some point, there must be a first premise that is taken for granted, the same way there must be a "source practical identity." See, for example: Elijah Millgram, "Why Do We Think There Are Things We Ought to Do?" in *The Great Endarkenment: Philosophy for an Age of Hyperspecialization* (Oxford: Oxford University Press, 2015), 126-54. His argument is about why it is practically necessary to "screen off" some of the very long chain of arguments for our premises, but his examples also show the necessity of foundational, assumed premises, even with perfect reflection. Additionally, the criticism of dogmatism I utilized above was, if accurate, directed toward a premise that need not be dogmatic, and could (and should) be explained or rejected by further argument. For MPI, I rely on Street's point that no further argument is possible outside the practical point of view.

<sup>91</sup> Korsgaard, *Self-Constitution*, 57.

correct, then normativity must be established by substantive values. Korsgaard also says, “the need to balance precedes the theory of the good... Perhaps in general a thought about the unity of our agency rests behind the conviction that there must be some single or unified human good that we can always see ourselves as striving for in our actions.”<sup>92</sup> But if my response is correct, then unity must be good for some substantive end, or else we’d have no reason to care about it. Thus, I believe this missing principle is precisely a single, unified, and ultimate human good “that we can always see ourselves as striving for in our actions” “(at least in theory, if we pursue our reflections far enough),” and if MPI can reveal this, then that is another point in its favor.

## V.I. OBJECTIONS

But now I must consider a straightforward objection to MPI’s plausibility, the fact that moral disagreement is so pervasive, even about fundamental matters. In reply, I will argue that such disagreement is less valid than it appears, especially about fundamental matters. First, though, I must try to explain what this fundamental value I’m postulating is anyway.

I will not be able to define it in detail here, for it will not be as open-ended as an individual’s or humanity’s evaluative nature. Additionally, it will, by nature (*our* nature),<sup>93</sup> be obscure; try defining the value of love, for instance. But the “common core” provides something like navigation arrows pointing to and outlining it. Most broadly, I could say it is paradise or heaven, but more specifically, I think it includes such things as love, health, intellectual and physical stimulation, joy, beauty, purpose, etc., and not just for ourselves but for everyone.<sup>94</sup> Perhaps this is the controversial point, that everyone wants the Good for everyone else, too. But think of it like this: if a person has all the goods they value, but their family doesn’t, do they really have all the goods they value? Maybe they just care about their family, but no one else. Well, what about friends? And would their family and friends really be

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<sup>92</sup> Korsgaard, 58.

<sup>93</sup> Again, see Millgram, “Things We Ought to Do,” for discussion of the limits of our minds and circumstances.

<sup>94</sup> But perhaps I am not saying much more than that people call what they value most “paradise” or “heaven.” Can I say more about *why* we value what we do? Normatively, no, but metaphysically, there may be more to say, assuming MPI is plausible enough to warrant it. As a topic for future study, there would seem to be some relation between reality and our place in it that causes us to have this shared vision.

as loving, joyful, etc. as possible if their own extended families and friends were lacking goods? And what about the broader community? If it lacks goods, can it provide the utmost goods to the people that constitute it?

But what about people we don't need to interact with in any way? Perhaps a self-sufficient colony is founded on Mars. Must we value their well-being too? Pragmatically, no, but would we anyway? If we had what we most valued, which seems like it would include the virtues—such as generosity—and our caring about the Maritans would not cost us in any way, I would guess most people, even without too much reflection, would have the goodwill to value their well-being too. Even if that is granted, though, what if there are still some people who just genuinely wouldn't answer this way, no matter how much reflection they engage in? What if we could probe their psyche and determine objectively that they just don't, at bottom, value a universal paradise? I can't deny that such people *may* exist, but I think there is good reason to assume they don't until proven otherwise.

To start back at the beginning, in order to act on an incentive, we need to adopt a practical identity “under which you value yourself and find your life worth living and your actions to be worth undertaking.” We need further reason, however, to adopt particular practical identities. This reason can only come from within the practical point of view, from what we value. If we ask why we value a particular identity, we must refer to other values. Fundamentally, then, there must be some fundamental value that is itself unquestionable, and that gives reason to all our identities and actions. This is true for everyone, and I postulate that everyone truly values the same ultimate end: utopia. This will only be discovered through experience, but I think experience shows at least general agreement. The disagreement we do see is not dispositive of the theory because it is to be expected; we are fallible, fickle, not often reflective, often attached to things that we know to be destructive, etc., and we do have experience of learning we were incorrect about what we thought we valued. Maybe we thought we valued wealth above all else, and then learned through the pursuit of it that it is not fulfilling. Maybe we thought we valued pleasure above all else, but could be brought to realize we would rather not be hooked up to an ‘experience machine.’ Maybe we say we value fame,

but could be brought to realize we would prefer to be famous for being virtuous than scandalous. But what about someone who chooses fame over virtue, if those are the only options? My point is that we most fundamentally value a state of affairs in which those options are *not* mutually exclusive.

But could someone *actually, ultimately*, value wealth above all else? The answer seems clearer if we consider qualities further from the “common core.” Could someone *actually* value suffering, dishonesty, conflict, hate, etc., above all else? The problem of human evil is one I’ve discussed elsewhere, and unfortunately won’t have space to do so again here, but my succinct answer is that it is really a problem of ignorance, error, and akrasia. Even the sadist acts in pursuit of pleasure, which is generally agreed to be *a* good, so long as it isn’t corrupted by disregard for other goods. But to take the more intermediate “goods” seriously, could someone be genuinely unable to reflect and move on to what is more commonly considered the source of those goods? If that were the case, then MPI would say we’d be faced with someone unreasonable, in the sense that we’d be unable to reason with them. Perhaps we could cooperate to a point—to their limited point—but we could take them no further on our path toward our goal. Our good could not include them because they would be incapable of our good. We would not be able to treat them as ends in themselves, because, in my view, that would be to recognize us as having the same end, and to recognize each other as part of our end. To preserve *our own* value and sense of decency and *hope* for each other’s good, I’d say we should almost always assume the people we interact with are capable of our ideal (or better yet, that we are capable of theirs, as in: we should assume they are further along on the journey toward the Good than us, until proven otherwise).

So why is pervasive moral disagreement less valid than it appears, especially about fundamental matters? Because I think our disagreements are actually signs of more fundamental agreement. We must have some mutually accepted premise to use in our arguments about what conclusion follows. Were moral disagreements truly unending, that would indicate MPI is flawed, but then so would be our motivation for arguing. On the other

hand, if we think there has been and could be moral progress, then that would indicate there is a standard to make progress toward.

## V.II. IMPLICATIONS

To clarify, none of this discussion is meant to imply that people are fundamentally good. Just the opposite, in fact; *our own* ideal shows how flawed and far from it we are. But this clarification raises another possible problem: even with moral progress, actually achieving heaven on earth seems implausible.<sup>95</sup> Since MPI identifies morality with what we most value—i.e., what we consider most good—deprivation of that good would be an evil, so this again brings up the problem of evil, but here the problem seems to imply that we are almost necessarily stuck in an evil world—i.e., an imperfect world. As such, does MPI require us to take drastic action? Alternatively, could someone who recognizes that their ultimate goal is unachievable settle for a lesser goal or an intermediate good as consolation? It is a truism that all we can do is our best, but, interestingly, MPI, as a moral theory, would seem to assert that no one's best is good enough. Unfortunately, as an endorser of MPI, I will have to admit my inadequacy here, and leave this issue unexplored.

## VI. CONCLUSION

Beginning as I did with a quote from Kant, to conclude, I would like to cite Hume:

The general principles of taste are uniform in human nature: Where men vary in their judgments, some defect or perversion in the faculties may commonly be remarked; proceeding either from prejudice, from want of practice, or want of delicacy: and there is just reason for approving one taste, and condemning another.<sup>96</sup>

This is what I have been calling 'my view,' but 'my' view is not quite original, and many great philosophers have advocated for something like it, though I believe my framing of it as a result of constructivist theories is original. Because of this framing, this version of the argument has also relied on inference to the best explanation, and, like Dorsey, I do just mean here to

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<sup>95</sup> Again, see Millgram, "Things We Ought to Do."

<sup>96</sup> Dorsey, "Perfectionist," 583-584.

propose it as a potential best explanation, “as a view worth taking seriously and as an alternative... in the extant metaethical discussion.”<sup>97</sup>

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<sup>97</sup> Dorsey, 602.

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