First Principles to Further our Understanding of What is to be Done

A dissertation submitted in partial satisfaction of the requirements for the degree Doctor of Philosophy in Philosophy

by

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ABSTRACT OF THE DISSERTATION

First Principles to Further our Understanding of What is to be Done

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The first chapter argues that certain axioms are equally justified as first principles for practical reasoning as they are for theoretical reasoning. In each case, these axioms should be accepted by anyone seeking to answer theoretical or practical questions because doing so is necessary if one is to have any hope of answering these questions. The second chapter confronts anticipated objections to this view, especially to the objectivism that it entails. The third chapter uses these axioms to consider what goods constitute basic reasons for action. The fourth chapter explores what practical norms emerge from recognizing these goods as reasons for action, in particular the rational error of acting for the sake of anything other than these goods, the failure to respond appropriately to the possibility of achieving goods in others, and the error of acting so as to impede these goods, which leads to a discussion of the Doctrine of Double Effect. Finally, the fifth chapter argues for an understanding of Warren Quinn’s revised Doctrine of Double Effect that aims to account for nonconsequentialist intuitions and to help nonconsequentialists understand when it is problematic to usefully involve others without their consent.
The dissertation of Michael David Skiles is approved.

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VITA

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Introduction

“the concepts of obligation and duty--moral obligation and moral duty, that is to say-- what is morally right and wrong, and of the moral sense of “ought,” ought to be jettisoned if this is psychologically possible; because they are survivals, or derivatives from survivals, from an earlier conception of ethics which no longer generally survives, and are only harmful without it.”

In “Modern Moral Philosophy,” G.E.M. Anscombe argues that such concepts as what is “moral right and wrong” and of “the moral sense of ought” acquired a “mesmeric” force over centuries of being understood as “that which is commanded or forbidden by God,” but now lack intelligibility outside of the Divine Law context in which these terms developed. Her thesis is well supported by the apparently intractable disagreements as to what these terms mean between not only consequentialists, deontologists, relativists and egoists, but also as to whether they mean anything at all with emotivists and various error theorists arguing in the negative. Indeed, few reputable fields of inquiry see such division about their most basic principles and so little prospect for a converging of opinions that regardless of whether Anscombe’s historical explanation of our present difficulties is correct, it appears at least worth giving her suggestion of stepping back from an investigation into these terms a try. Rival ethical theories have all laid claim to and offered competing definitions of commonly used contemporary terms such as what is “permissible,” “obligatory,” and what one “should” or “has reason to” or “morally ought” to do; and these terms appear to carry with them not only propositional content but also to evoke in us emotions of approbation or disapprobation that tend to obscure propositional analysis. In order to step back from contemporary turf wars over the use of these terms, let us look back to locutions with which we are less emotionally invested that seemed to function intelligibly in prior times.

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1 Elizabeth Anscombe, Modern Moral Philosophy, Philosophy 33, No. 124, January 1958, p.1
http://www.pitt.edu/~mthompso/readings/mmp.pdf
2 Elizabeth Anscombe, Modern Moral Philosophy, p. 26
Perhaps the most promising is discussion of what “is to be done.” Aquinas founded his account of Natural Law around the principle, “Bonum est faciendum et persequendum” and nearly 1,500 years earlier Cato the Elder urged his fellow Romans to war pronouncing “Cartago Delenda Est.” This latter phrase could just as easily have been uttered in Ancient Greek as diaphthartea Karchedon esti. Putting aside conventions of word ordering, let us examine this locution:

Cathage is [to be destroyed]

Catago est delenda

Karchedon esti diaphthartea

In each case, there is a noun, the equivalent of “is,” and a future passive participle. Conspicuously absent from these sentences is any moral term such as “must,” “ought,” or “should.” Indeed, to include these terms would be an ungrammatical redundancy; and yet these sentences already clearly articulate an imperative that Carthage be destroyed. In this passive construction, we might suppose that the implicit agent is “the Romans” and faithfully render Cato’s sentiment as “The Romans are to destroy Carthage.” Cato, speaking of his people collectively might render this, “we are to destroy Carthage;” Hannibal might disagree stating “you are not to destroy Carthage;” and historians may now debate as to whether the Romans were to destroy Carthage. In every case, normative propositions are expressed using only forms of “to be” suggesting a possibility of bridging the supposed is-ought gap.

When Sarah says, “I am to eat,” her mother tells her “you are to eat,” and her pediatrician, seeing she is underweight, says “Sarah is to eat,” they are all recognizing the same descriptive fact about Sarah; we might say that one of her attributes is that she is to eat. And yet, in Chapter 1, I shall argue, Sarah’s affirmation of this fact can explain her coming to eat just as
well as her affirming both that ‘P,’ and ‘if P, then Q’ can explain her coming to affirm ‘Q,’ making this fact also *prescriptive*, motivating, and action-guiding. Moreover, I shall argue the Humean would err in insisting that her coming to affirm Q or to eat must be explained by some further fact, such as that “she desired to affirm Q or to eat.” On the contrary, some fact would be necessary to explain her *not* doing so.

Another promising feature of this locution is that it presents a possibility to systematize unified first principles for all reasoning about “what is…?” Rather than assume that practical reasoning must be fundamentally different from theoretical reasoning at the outset, as would be the temptation if we started with such different locutions as “is” and “should,” in Chapter 1, I shall argue that there are rational principles that should guide every inquiry concerning “what is…?” that may be equally instantiated to practical and theoretical reasoning. I shall argue that we should accept these principles insofar as we seek to answer “what is…?” questions precisely because doing so is crucially necessary if we are to have any hope of answering these questions. Since this justification will be equally applicable to practical and theoretical questions, the burden will be on any objector to articulate a reason to be skeptical about practical objectivity without descending into general epistemic skepticism.

In chapter 2, I shall proceed to confront such objections. Then, in Chapter 3, using the principles set forth in chapter 1, I shall consider what goods constitute basic reasons for action. In Chapter 4, I shall consider what practical norms emerge precisely from recognizing these goods’ status as reasons for action, in particular the rational error of acting for the sake of anything other than these goods, the failure to respond appropriately to the possibility of achieving goods in others, which leads to a discussion of duties of beneficence, and finally to the error of acting so as to impede these goods, which leads to a discussion of the Doctrine of
Double Effect. Finally, in Chapter 5 I shall argue for an understanding of Warren Quinn’s revised Doctrine of Double Effect that I think fits well with nonconsequentialist intuitions and can help nonconsequentialists understand when it is problematic to usefully involve others without their consent.
Chapter 1. First Principles of Reasoning

In this chapter, I aim to set forth the first principles and definitions that we may use, in subsequent chapters, to determine what is to be pursued and which sorts of actions are to be done. As I set forth these premises for later argument, the reader would do well to note that nearly every norm of practical reason I suggest is preceded by an equally plausible and nearly identically justified principle of theoretical reason, such that I think it would present a serious challenge to motivate an objector’s embracing the theoretical principle, but not the practical. Rather than succumbing to global skepticism, then, I hope the reader will accept these modest principles, which I shall argue are no more than the minimum necessary for us to have any hope of understanding much at all. Moreover, I hope that my Aristotelian colleagues will find in this chapter many of the resources necessary to defend the conclusions that follow from Aristotle’s robust conception of nature and of human flourishing, in a manner that is no more metaphysically permissive than the commitments of our modern Humean interlocutors.

Let us call reasoning the consideration of questions. While there may be other sorts of questions, let us focus on the theoretical questions of the form “what is the case?” and the practical questions of the form “what is to be done/pursued?” both of which I take to be species within the genus of “what is…?” questions. Let us call consideration of the former type of

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3 The below argument is at least considerably inspired by Thomas Aquinas, *Summa Theologiae* 1-2 Question 94, article 2. Discerning, however, whether any of what I say is a good interpretation of Aquinas is beyond the scope of this paper.

4 I prefer “is to be” over common locutions like “should be” or “ought to be” because these latter terms have often been imbued with a decidedly moral and “mesmeric” force, which is difficult to analyze and threatens to distract us from our present pre-moral inquiry into the first principles of practical reasoning. While Anscombe, in “Modern Moral Philosophy” uses these terms clearly and effectively in this pre-moral sense, I prefer to avoid the ambiguity; moreover, the practical “is to be” has the added benefit of allowing us to demystify the prescriptive by considering it in the language of the descriptive.

5 I expect that all other questions are reducible to questions of this genus, or else that their irreducibility is a linguistic accident that reflects no difference in the nature of these questions. For instance, “what will the temperature be tomorrow?” and “what was the weather yesterday?” may be reduced to “what is the
questions “theoretical reasoning” and consideration of the latter type “practical reasoning.”

Moreover, let us call considerations that intelligibly bear on theoretical questions “theoretical reasons” and considerations that intelligibly bear on practical questions “practical reasons.”

Finally, when considerations intelligibly bear on questions by counting in favor of a possible conclusion to that question, let us call them “reasons for” that conclusion; and when considerations intelligibly bear on questions by counting against a possible conclusion to that question, lets us call them “reasons against” that conclusion.

While many theoretical questions are considered for practical purposes, as one seeking to know “is coffee healthy?” may do so strictly to settle whether she will make coffee drinking a part of her daily routine, and while indeed practical reasoning often appears directed to actual weather a t1 or t3,” where these variables are defined according to an established reference point. Words like “who” function just like “what,” but convention dictates they are to be used instead when the expected answer is a person. If not for this grammatical convention, one could just as well ask “what is the person who owns this house?” other conventions establish possessive pronouns in virtue of which that same sentence might be translated “whose house is this?”

As we progress, I trust the reader will appreciate how this taxonomy aids our pursuit of understanding in our present inquiry. The more standard Aristotelian taxonomy would equate “practical reason” with reason “directed to a work.” One might think that some questions of “what is to be done” do not appear directed to any action on the part of the reasoner, as when a reader of Mark Twain considers whether the fictitious and historical Huckleberry Finn was to facilitate Jim’s escape to freedom, even though he errantly believed this to be immoral “stealing.” One might call this, and many exercises in Moral Philosophy, “theoretical reasoning about practical reason.” Conversely, a driver may consider a decidedly theoretical question, such as “what is the fastest way to get home?” disposed to drive whichever way she determines fastest; moreover, many agents seem to act upon settling questions of different forms, such as “what would I like to do?” or “what shall I do?” I have no argument against other taxonomies for other domains of inquiries; I have simply chosen the most expedient taxonomy for this inquiry.


T.M. Scanlon, What We Owe to Each Other, (Cambridge University Press; Cambridge; 1998). Chapter 1. Section 11.

While we consider some questions with the utmost care, we appear to settle other questions immediately. For instance, sometimes we open the door and our minds may work so quickly to the conclusion “it’s raining!” that we lack the time to notice that we are even considering the question “is it the case that it is raining?” and are taking the facts that there are dark clouds and water is falling from the sky as reasons for this conclusion. Similarly, people may err by taking considerations that are not reasons for conclusions to be reasons for them. Regardless of how one goes about considering questions, let us not deny the name of “reasoning” to such consideration, because we may easily distinguish between the likes of “considered reasoning,” “instantaneous reasoning,” “sound reasoning,” “poor reasoning,” etc.
doings and pursuits, we may observe clear and immediate aims of each type of reasoning, regardless of whether these aims are instrumental to some further aim. Reasoning about “what is the case?” is clearly aimed at understanding what, if anything, is the case. On the other hand, reasoning about “what is to be done?” is aimed at understanding what, if anything, is to be done; we may put aside for the moment whether sometimes this understanding, itself, may sometimes constitute or partially constitute an intention. Let us now consider what principles inquirers must employ if they are to have any hope of achieving their aims of understanding what is the case and what is to be done/pursued.

I. Theoretical Reasoning

While some inquirers aim at much deeper levels of understanding, seeking to know not only what is the case, but why it is the case and could not be otherwise and what all of the entailments of these affirmations are, the minimum level of understanding to which all inquirers necessarily must aim to even count as inquirers is more shallow. For instance, a squire may ask “is it the case that the knight’s sword is rusty?” and may, upon seeing some red stuff on the actually rusty sword, affirm that it is rusty, thereby attaining some real degree of understanding that it is rusty, even if he does not know that rust is an oxide, rather than a species of algae, and even if he would have counterfactually errantly reached this conclusion if he had seen dry splattered blood upon this sword. But if the squire affirmed, “it is not the case that the sword is rusty; and, yet, in the same respect, the sword is rusty,” we might impute to the squire some understanding of English syntax and vocabulary, but we could not impute to him even some

10 If someone is not trying to determine the answer to questions of what is the case or what is to be done, but is simply trying to bring herself to believe or intend something for some practical benefit, that is more aptly termed something like “mental gymnastics” or “self-delusion” than “reasoning,” and the norms I offer for reasoning do not directly apply, since they are norms for determining what is the case and what is to be done, not “what to believe” or “what to intend.” However, there will remain an independent practical question of whether she is to thusly delude herself, and the norms for answering that question will be the norms we establish for practical reasoning.
minimal understanding of whether the sword is rusty, because the latter part of his affirmation
would rob the former of any understandable meaning, because “it is not the case that the sword is
rusty” could have no understandable meaning if it were not, at the least, taken to exclude its
being the case that the sword is rusty. Let us now formalize this insight.

For any proposition, P, let us call “the denial that P,” which we shall symbolize as “~P,”
the affirmation that “it is not the case that P is the case.” Assuming P is predicated of precisely
the same proposition, rather than an implicitly time-indexed and variable proposition, or different
respects in which P may or may not hold, “It is not the case that P is the case” cannot be
understood to even the minimal degree necessarily aimed at by all inquiries of whether P, and yet
not taken to exclude its being the case that “P is the case.” Accordingly, the statement, “it is not
the case that P is the case; but P is the case” lacks any meaning that could be understood because
the affirmation of the latter part of that statement robs the former of any semantic intelligibility
and vice versa. Thus, to simultaneously affirm and deny P is incompatible with attaining the
minimal degree of understanding of whether P is the case to which all inquiry concerning
whether P is the case is necessarily aimed. Whenever we are aiming to understand whether P is
the case, whatever reasons give us any hope of coming to understand whether P and drive us to
seek this understanding give us equally strong reason to restrain ourselves from affirming that
which would be incompatible with the attainment of this understanding. So, we should consider a
candidate **First Principle of Theoretical Reasoning (FPTR)**, “we shall take our denials that P
to exclude the affirmation of P, and our affirmations of P to exclude the denial that P.” We are
clearly justified in accepting this principle when engaged in theoretical reasoning, i.e. that
activity aimed at understanding what is the case, not only because doing so is necessary if we are
to achieve that aim at all, but also because even if *per impossible* P’s being the case did not
preclude P’s not being the case in some domain, it would simply follow that we could not possibly attain any understanding of what is the case in that domain at all. So, since accepting the FPTR is necessary for any hope of achieving our aim of understanding and could not possibly undermine our attainment of any understanding, it would be absurd not to adhere to the FPTR while we aim at understanding.\textsuperscript{11}

At this juncture, I should make clear that the FPTR does not preclude the occasionally epistemically valuable exercise of simultaneously entertaining, with due caution, two doctrines that contradict one another. For instance, the well-accepted norms of physics led Lord Kelvin to conclude that the earth was no older than 100,000 years old, while the conclusions of the best geology and evolutionary biology of the time entailed that the earth must be considerably older than this. During this time, for the purposes of other experiments, it might have been perfectly reasonable for a single scientist to simultaneously rely on the norms and assumptions of all three disciplines, and to affirm conclusions on that basis. But such a scientist should not have unintelligibly concluded, “oh well! The earth must be older than 100,000 years old; and yet it must not be the case that the earth is older than 100,000 years old.” Rather, it was precisely the recognition that this conclusion was incompatible with any meaningful understanding of the age of the earth that led scientists to challenge Kelvin’s assumptions and figure out where the assumptions of physics had erred, and how they should be improved. To be clear, when

\textsuperscript{11} Recent Discoveries in the likes of Quantum Physics should lead us not to reject the FPTR, but to reject inferences that would intuitively seem valid and yet leave us vulnerable to contradiction. For instance, it might be natural to infer from the fact that a particle is in position A that it is not in position B and from the fact that it is in position B that it is not in position A; but if we allowed these inferences and also accepted the theory of quantum superposition, this might lead us to affirm that a particle is in position A and B and also not in positions A and B. So, understanding quantum theory requires that we simply affirm that the particle is in both positions A and B, and its being there precludes its not being there. In like manner, if it were possible for Schrödinger’s cat to simultaneously be both dead and alive, it would follow that being dead does not imply being not alive and being alive does not imply being not dead. So, we should affirm that the cat is both dead and alive, but deny that the cat is either not alive or not dead.
affirming A for the purposes of one inquiry leads one to correct conclusion B, and affirming ~A for the purposes of another inquiry leads one to correct conclusion C, if one affirms the conjunction (A∧B∧C∧~A) one will at most be attaining some understanding of whether B and C, but will not by that affirmation achieve any understanding of whether A. Understanding of whether A, and indeed deeper understanding of why B and C are the case, will require that one eventually apply the FPTR to the question of whether A.

As a corollary of the FPTR, we may also make an assumption of objectivity; “what is the case is the case and is not not the case, and what is not the case is not the case.” As with the FPTR, this principle is obviously warranted because “it is not the case that P is the case” cannot be meaningfully understood if it does not preclude “P is the case;” and we have compelling reason to exclude those affirmations that would be incompatible with understanding whether P while aiming at understanding whether P. Now, suppose we take ourselves to have attained some actual understanding of whether P when we concluded that P is the case; if, then, George came to affirm that P is not the case, we must recognize that George is missing out on this understanding of P’s being the case that we have attained. That is, concerning the question of whether P is the case, we must suppose that we are “correct” and that George is “incorrect.”

With the FPTR in place, we might now begin to understand what is the case as well as what is not the case; but we shall need more axioms if we hope to understand much beyond mere truths of logic. Humans take themselves to understand that they live in a world that somehow resembles that which they perceive with their senses; but it does not, of logical necessity, follow from the fact that I seem to feel, smell, and taste an apple in my hand that there is one. It is conceivable that I am dreaming or hallucinating and, indeed, even conceivable that a demon is
deceiving me at every turn. But the question, “is it the case that there is an apple in my hand?” is clearly distinct from the question, “can I coherently doubt that there is an apple in my hand?” Answering the latter question affirmatively does not settle the question of whether it is the case that there is an apple in my hand; it simply informs us that my answer to the former will fall short of indubitable certainty. Since, by asking whether there is an apple in my hand, we are aiming at understanding whether there is an apple in my hand, we should consider what further first principles we must accept if we are to have any hope of achieving this aim at all.

Let us first consider how, when we are already more inclined to affirm a certain conclusion than to affirm any other conclusion or to suspend judgment, we might justifiably affirm it and put aside interminable self-doubt. One truth that I take to be analytic is, “if we settle a question by affirming a conclusion, we will necessarily affirm whatever conclusion we are most inclined to affirm, at that moment.” To make this truth analytic, I stand neutral as to which things could incline one to an affirmation; so, for instance, regardless of whether one thought practical considerations could incline one to an affirmation, one could accept this truth. This truth seems inescapable, because even if we believed that our first-order inclinations to affirm, such as sense data and certain inferential tendencies, were so radically misguided or their affirmation had such deleterious practical consequences that we should affirm the contradictory (or a contrary) of what they incline us to affirm, we would thereby simply be acquiring second-order inclinations to affirm the contradictory of our first-order inclinations; and we would affirm on the basis of these second-order inclinations if and only if they more inclined us at the moment.

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13 Since denials that P are affirmations that it is not the case that P is the case, for simplicity, I shall typically speak only of affirmations henceforth. I shall also put aside denials that are grammatically constructed as affirmations, such as “P is the case in no conceivable world.”
than any contrary inclinations. A consequence of this is that if there is some possible understanding of what is the case available to those considering a certain theoretical question, it will inevitably only be attained by those who are either already inclined to that affirmation, antecedent to reasoning, or who have other inclinations in virtue of which they may come to be inclined to that affirmation as a result of reasoning, persuasion by others, etc. Furthermore, we can see that it would be impossible to put the principle “let us affirm the contradictory (or a contrary) of what we are inclined to affirm” into practice, because *ex hypothesi* this principle would, itself, incline one to a certain affirmation; but then the re-application of this principle would incline one to affirm its contradictory, and so on, entangling one in an infinite loop from which there could be no escape. Because being mired in such a loop would make it impossible to achieve our aim of understanding, when seeking understanding, we should instead allow ourselves a principle that would enable us to achieve any possible understanding: “When we are inclined to settle a question by affirming a certain conclusion and think it so unlikely that we will better achieve understanding by waiting to settle that question that suspending judgment would most likely be to the detriment of one’s general pursuit of understanding, let us settle the question by affirming what we are inclined to affirm.” Let us call this the Principle of Affirmation (POA).” Of course, it is inevitable that some of those who obey the POA will come to affirm errors, but if they are to be subject to rational criticism for their errors, certainly the focus of that criticism should not be that they affirmed as they were inclined to affirm, as rational beings necessarily must do. Rather, one might rationally criticize their being inclined to affirm by insufficient evidence, or flawed reasoning by which they came to errant inclinations to affirm, or a lack of due diligence in seeking out or vetting evidence before settling a question, or one might offer independent arguments for the falsity of that affirmation, etc.
Moreover, if we are to achieve our aim of understanding at all, it seems clear that we would need some sufficient reason to adopt higher-order inclinations to affirm the contradictory or a contrary of that to which our lower-order inclinations incline us, because a general and arational self-doubt of one’s theoretical inclinations, if it gives one reason for second-order inclinations to oppose one’s first-order inclinations, so also gives one reason for third-order inclinations to oppose one’s second-order inclinations, fourth-order inclinations to oppose one’s third-order inclinations, and so on. But, while universal and arational self-doubt is anathema to any understanding, there is no shortage of reasons to oppose errant inclinations. For instance, when my arm looks bent when I’ve placed it in water, since the FPTR excludes our affirming both that my arm is bent and that it is not bent, and since I feel that my arm is extended straight rather than being bent and deformed, I have a dilemma. I have seen straws in water appear so bent that they even seem to lack physical continuity with their above-surface parts even as, holding those parts, I have moved the entire straw and felt it run up against the ice within; and I have repeatedly removed said straws wholly unbent and intact. Moreover, putative experts in science have told me that water refracts light, distorting the appearance of objects. These facts incline me to reject some of the affirmations to which my sight inclines me, namely that my arm is bent. Let us now consider why, in seeking understanding, we should countenance such observational and testimonial reasons.

We often ask questions about the future, such as “will it rain today?” and “in which direction will the sun set?”, etc. It appears a nearly universal inclination of humans, having seen the sun set in the west every single day, to assume, in the absence of any evidence to the contrary, that it will likely continue to do so; and prior experiences incline nearly everyone alive to take dark clouds to bear affirmatively on the question of whether it will rain, and clear skies to
bear negatively. However, Hume famously argued that there was no necessary connection between prior occurrences and future occurrences; and he showed the manifest circularity of justifying future reliance on such inductive inferences on the grounds that, in the past, such inferences successfully predicted the future. But, again, I am not claiming any of these first principles are somehow truths that we know—rather, they are presuppositions we must accept if we are to have any hope of attaining understanding in their domain of inquiry. To have any hope of achieving our aim of understanding how the world will be, we must suppose the Principle of Induction, that the world and its constituents will continue to behave in manners roughly conformable to the ways they have been observed to behave, unless our observations give us reasons to suppose they will behave differently; and we also must suppose that our memory of these observations is more reliable than not. Without these suppositions, we have no more reason to believe a rock will continue to be, than that it will spontaneously come out of being, or transform into a chicken. If these suppositions are somehow errant, then there simply is no hope whatsoever of attaining any actual understanding of how the world will be, and so no chance of spoiling such a hope by the adoption of these suppositions; but, as with the FPTR, in countenancing these inductive principles, we countenance precisely those principles we must if we are to take advantage of any hope there may be of attaining the understanding at which our inquiries are aimed. To illustrate this, consider the following tables outlining possible scenarios:

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There are also many epistemic inclinations it appears we must allow not because it is conceptually necessary if any understanding is to be attained, but because it is practically necessary for us to get far at all toward such understanding. For instance, we have what appears to be the testimony of countless contemporaries of Caesar that he crossed the Rubicon into Italy with a legion. Moreover, his having crossed coheres with everything else we take ourselves to know about Roman history, and explains the civil war that ensued. In virtue of this evidence, I am inclined to affirm that Caesar did cross the Rubicon, rather than to wait for some conceivable
day, probably long after my death, upon which an array of telescopes and mirrors might be launched light-years into space with the capacity to facilitate actual viewing of this incident.

To have any hope of understanding much at all about Roman political history, nowadays, one must look to the testimony of historians. Often this examination should be critical, with careful attention to what biases or contradictions might undermine the author’s credibility, and whether their accounts fit with archaeological evidence and with the testimony of other historians. But similar reliance on testimony is also practically necessary to attain much understanding of the present.

For instance, suppose we are asking, “who received the most votes for President?” If we each took it upon ourselves to personally count, by hand, every single one of the far more than one hundred million ballots, we might never finish. And we would still be relying on the testimony of election officials that the ballots were appropriately cast and untampered. Rather than devoting our entire lives to achieving some slightly greater measure of certainty at the expense of pursuing every other inquiry, insofar as we are seeking to understand what is the case, we should adopt principles that appear likely to enable us to understand much, rather than little. Our assessments that certain epistemic shortcuts are “more likely” to help us acquire understanding, than lead us astray, will have to be somewhat inductive: In the past, our government has never appeared to systematically deceive its citizens as to the vote count, and history has revealed a tendency for far smaller and less pervasive conspiracies to leak out and reveal themselves. Similarly, I have found myself far more able to predict the weather a week into the future, by relying on meteorologists’ predictions, than by looking up at the sky. By relying on expert testimony, non-experts in most fields have tended to settle questions far more quickly and accurately than they could on their own. Induction gives them reason to continue to
rely on such expertise, in that their relying on expertise in the past has generally led them to reach correct conclusions that they were later able to independently verify. Similarly, induction gives them reason not to rely on the testimony of purported “experts” who have failed to offer reliable predictions.

It also appears crucially necessary, if we are to understand how the world is and make predictions about how the world will be, with any efficiency, that for the purpose of most questions, we conceive of the world as filled with greater-than-atomic entities. To settle the question of whether it is safer to walk on an open plain containing group of animals A, rather than group of animals B, it would be radically inefficient and impossible for most to examine the atomic structure of both groups and reach conclusions on that basis. We are quite inclined to see group A as “a pride of lions,” and group B as “a herd of cattle;” and though it is not an infallible heuristic, I am sure we could inductively discover that a far higher percentage of humans who walked among cattle emerged uninjured, than of those who walked among lions. We could also inductively discover that people who put “pens” to paper wrote legible marks far more quickly than people who attempted to write with “carrots;” in virtue of this, one might inductively infer that pens are more characteristically suited to writing than carrots. Similarly, when we bring our children home two masses of fur, we can assume that we are to feed “the cat” a diet of fish, and “the gerbil” seeds, fruits, and vegetables, precisely because these diets fit with the diets observed to be characteristic of cats and gerbils; it would neither be necessary nor appropriate to experiment on them to discover such. It appears that reference to nearly all of the entities often called “natural kinds” will be useful in answering some sorts of questions; for instance, conceiving of living beings in terms of their species, variety, and sex can help answer whether they may reproduce with each other, and conceiving of most matter as composed of the
molecules on the periodic table of elements can help one predict how it will react.\textsuperscript{15} However, for answering other questions, it may be just as useful to conceive of the world in other terms; for instance, fire inspectors may divide the world into the “flammable” and the “nonflammable.”

When sufficient observation enables us to inductively determine that “x is a pen” bears affirmatively on the question of whether x will write when put to paper, and that “y is a wild lion” bears affirmatively on the question of whether y will hunt and kill for food, we may catalog our observations regarding pens and lions with the generalizations that “pens tend to write” and “lions tend to hunt.” We may also make more precise and less general statements such as, “pens with ink tend to write, while pens without ink do not tend to write.” While the phrase “tends to” is used in numerous ways, for our purposes let us stipulate that $x$, or x’s, tend(s) to $\Phi$, iff the fact that $z$ is $x$, or an instance of $x$, bears affirmatively on the question of whether $z$ will $\Phi$. Now, suppose there were a weak virus that would kill if not for the fact that even the weakest immune system invariably stops it. Here we should say that that virus would tend to kill if not for immune systems, because $z$’s being an instance of that virus would bear affirmatively on the question of whether $z$ would kill if not for immune systems. I should also note that though this use of “tends to” is probabilistic, the fact that “$z$ is $x$ or an instance of an $x$” will often bear affirmatively on the question of whether $z$ will $\Phi$, even when $z$’s being $x$ does not render it more than 50% likely that $z$ will. For instance, it is quite natural to say, “coitus tends to cause conception,” even if the probability of conception following any single sexual act, or even a month’s worth of such, is

\textsuperscript{15} Because it is typically less cumbersome to express ideas in language that presupposes the persistence of objects through time, I shall typically do so. For instance, I shall say, “we have ample inductive basis to suppose that when a hungry lion is left alone with raw meat, that it will eat the meat.” But these locutions should give the skeptic no cause for alarm, because presumably they may all be translated into more cumbersome phrases that are neutral as to whether objects persist through time. If, however, they could not, then my arguments for our need to conceive of the world as filled with objects admitting of certain tendencies, and for our need to make predictions about them relying on inductive inferences would also ground our need to suppose that these objects persist through time.
well under 50%. This is because, in spite of this low probability, it is still clear that the fact that a fertile person has engaged in coitus bears affirmatively on the question of whether she will conceive.

Now, suppose Elizabeth is absolutely infertile, but has no means of being certain that she is and, so, that it is reasonable for her to be unsure whether her probability of conceiving following an act of coitus is some low figure on the one hand, or 0% on the other. Because coitus could not diminish her probability of conceiving, and because the average of even a low positive probability and zero is still positive, Elizabeth might reasonably take the fact that she will engage in coitus to bear affirmatively on the question of whether she will conceive, and, thusly, aim to conceive by engaging in coitus. Thus, assuming there are no conclusive reasons not to do so, Elizabeth may reasonably act as she would if coitus tended to bring about her conception, even if she does not know whether it does.

It is to at least this limited extent that we must suppose for the sake of our inquiry that reasoning about “what is the case” and “what is to be done/pursued” tends to produce understanding of “what is the case” and “what is to be done/pursued.” If we did not suppose that our considering questions of “what is the case” and “what is to be done/pursued” at least bore affirmatively on whether we might, by considering these questions, come to understand “what is the case” and “what is to be done/pursued,” we could not intelligibly be said to be aiming at this understanding by considering these questions. But since we could attain no understanding without reasoning, there is no probability that reasoning as a whole might undermine our attainment of understanding. As such, there is at worst a 0% chance of attaining understanding and at best some positive chance of attaining understanding through reasoning. So, we may rationally take the fact that we will reason to bear affirmatively on whether we will come to
understand. Thus, assuming there is no conclusive reason not to do so, we may rationally act as we would if reasoning tended to bring about understanding, even if we cannot know with indubitable certainty that it does. Since, then, the goal of this chapter is to consider what principles we must accept if we are to take advantage of any hope there may or may not be to attain understanding, we shall henceforth suppose that reasoning does tend to produce understanding. Let us call this the Assumption of the Productivity of Reasoning.

Because conceiving of multitudes of atoms as “dogs” or “pens” enables so many heuristic assumptions about their tendencies with considerable accuracy, stating that such predicates as “dog” and “pen” apply to such multitudes is often taken to be a satisfactory answer to many questions. For instance, when asking why a certain creature is running about in public naked, sniffing the posteriors of strange dogs, the answer “because it’s a dog!” is a satisfactory answer while “because he’s a human!” is not, demanding an explanation of e.g. why he is deranged, because that activity has been observed to be characteristic of dogs, but not of humans. Perhaps more detailed explanations are possible, by e.g. inductive observation that when a creature’s neurons are arranged in certain precise ways, they stimulate its muscles to move in such ways as cause that creature to attain olfactory stimuli from the posterior of dogs. However, the “explanation,” “because its neurons were arranged in x way” would not be of a radically different kind from “because it’s a dog.” Because there is no necessary connection between either fact obtaining and a creature’s thereafter sniffing a dog posterior, one who accepts Hume’s arguments on induction and does not acknowledge Aristotle’s Four Causes can consider each of these facts an explanation only because induction has shown that when these facts have obtained, the sniffing of dog’s posteriors has occurred significantly more often than when these facts have

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16 This appeal to what the thing is, in answering questions about the thing, is what I take to be behind Aristotle’s notion of a “formal cause.”
not obtained. In the absence of the more robust notion of causal explanation, we can say then that $X$ *epistemically explains* fact $F$ for an agent, $A$, in the event that, supposing $A$ had not yet settled the question of whether $F$, $X$ would affirmatively bear on the question of whether $F$. It is this epistemic sense of “explains” that I shall employ in this paper. Whether $X$ is an “insignificant,” “good,” or “excellent” explanation of $F$, in turn, will depend on how strongly $X$ would affirmatively bear on the question of whether $F$ for $A$.

In this way, the fact that “she is a human who affirms both that ‘P,’ and ‘if $P$, then $Q’” is an excellent explanation of her coming to affirm $Q$; and the fact that “she has affirmed $Q$” explains her coming to believe that $Q$. Though there is no necessary connection between these facts and their consequents, induction on prior instances of reasoning would render it quite unreasonable for us agents not to take these facts to strongly bear affirmatively on the question of whether she will believe $Q$. Moreover, it appears that affirming and believing $Q$ so often follow from these facts that we can scarcely even imagine instances in which these consequences did not obtain without there being some further fact that explains their not obtaining, such as “she was distracted from completing her reasoning,” or “she was delusional or drugged,” or, “she had strong independent reasons to deny $Q,” or “she had strong emotional inclinations to reject $Q,$ regardless of how strong the evidence of $Q$ appeared to her.” Thus, these facts seem to explain her affirming and believing that $Q$ so well that it would be a mistake to insist that her coming to affirm or believe $Q$ must be explained by some further fact, such as that “she desired to affirm or believe that $Q$;” rather, some further fact would seem necessary to explain her failure to affirm or believe that $Q.$
II. Practical Reasoning

Recall our assumption that reasoning about “what is to be done/pursued?” even if only undertaken as a means to actual doings or pursuits which may be its ultimate aim, is immediately aimed at understanding what, if anything, is to be done/pursued. Let us also suppose that the minimum depth of understanding to which all practical inquiry in virtue of counting as “practical inquiry” aims is analogous to that of theoretical inquiry. Let us now consider what principles we must employ if we are to have any hope of attaining such understanding.

Whenever we seek meaningful understanding of whether passive descriptions of x obtain, we must suppose that such descriptions are relational predicates such that there is at least some conceivable agent, y, of whom the active forms of these descriptions obtain in relation to x. For instance, because “seen” is passive, “the tree will be seen” cannot be meaningfully understood unless it is taken to imply that some agent will see the tree. In like manner, since, for any conceivable action or object of pursuit, φ, “φ is to be done/pursued” is a future passive construction, it cannot be meaningfully understood unless it is taken to imply that at least some agent(s) in some conceivable circumstance(s) is to do/pursue φ. For instance, the affirmation of “the coffee is to be brewed by John,” cannot be meaningfully understood if it is not taken to imply that “John is to brew the coffee;” and “the coffee is to be brewed” is unintelligible if it does not imply that at least some agent, in some conceivable circumstances, is to brew the coffee. Similarly, the claim that φ is to be done cannot be meaningfully understood unless it is taken to imply that at least some agent(s) in some conceivable circumstance(s) is to do φ. But the claim that φ is to be done need not be any stronger than this; it may not actually be possible

17 By “agent,” I simply refer to anything capable of doing anything. We can reserve the term “rational agent” for those who could act upon their understanding that φ is to be done, but rational agents are not alone in doing what is to be done. For instance, it follows from the fact that I am to pour water into the cup, that water is to flow into the cup. When soil is to be eroded, organisms are to be hydrated, and compounds are to be dissolved, water is very often an agent that is to bring about these effects.
for any agent to pursue $\phi$, or all actual circumstances might render it irresponsible for any agent to pursue $\phi$ because doing so would require neglecting other states of affairs that are to be pursued.

Let us call “the denial that $\phi$ is to be done/pursued,” the affirmation that “it is not the case that $\phi$ is to be done/pursued.” As long as the agents and circumstances implied by these passive constructions are held constant, “It is not the case that $\phi$ is to be done/pursued” cannot be meaningfully understood and yet not taken to exclude it being the case that “$\phi$ is to be done/pursued.” Accordingly, the statement “it is not the case that $\phi$ is to be done/pursued; but $\phi$ is to be done/pursued” cannot be meaningfully understood because the affirmation of the latter part of that statement robs the former of any semantic intelligibility. So, to simultaneously affirm and deny that “$\phi$ is to be done/pursued” is incompatible with attaining the minimal degree of understanding of whether “$\phi$ is to be done/pursued” to which all inquiry concerning whether “$\phi$ is to be done/pursued” is necessarily aimed. Whenever we are aiming to understand whether “$\phi$ is to be done/pursued,” whatever reasons give us any hope of coming to understand whether “$\phi$ is to be done/pursued” and drive us to seek this understanding give us equally strong reason to restrain ourselves from affirming that which would be incompatible with the attainment of this understanding. So, we may consider a candidate First Principle of Practical Reasoning (FPPR), “we shall take our denials that $\phi$ is to be done/pursued to exclude the affirmation that $\phi$ is to be done/pursued, and our affirmations that $\phi$ is to be done/pursued to exclude the denial that $\phi$ is to be done/pursued.” We are clearly justified in accepting this principle when engaged in practical reasoning, i.e. that activity aimed at understanding what is to be done/pursued, not only because doing so is necessary if we are to hope to achieve that aim at all, but also because even if $per impossible$ its being the case that $\phi$ is to be done/pursued did not preclude it not being the
case that $\phi$ is to be done/pursued, it would simply follow that we could not possibly attain any understanding of whether $\phi$ is to be done/pursued. So, since accepting the FPPR is necessary for any hope of understanding what is to be done/pursued and could not possibly undermine our attaining of any understanding of such, it would be absurd not to adopt the FPPR while we aim at said understanding.\(^\text{18}\)

As a corollary of the FPPR, we may again make an *assumption of objectivity*: that what is to be done/pursued is to be done/pursued and is not not to be done/pursued, and that what is not to be done/pursued is not to be done/pursued. As with the FPPR, this principle is obviously warranted because “it is not the case that $\phi$ is to be done/pursued” cannot be meaningfully understood if it does not preclude “it is the case that $\phi$ is to be done/pursued;” and we have compelling reason to exclude that which is incompatible with the understanding we seek while we are seeking that understanding. Now, suppose we take ourselves to have attained some actual understanding when we concluded that Jeremy is to $\phi$; if, then, George came to affirm that Jeremy is not to $\phi$, we must recognize that George is missing out on this understanding of whether Jeremy is to $\phi$ that we have attained. That is, concerning the question of whether Jeremy is to $\phi$, we must suppose that we are “correct” and that George is “incorrect.”

For the same reasons discussed on pages 11 and 12, I also take it to be analytic that if one settles a question of "what is to be done/pursued?” with the conclusion that $\phi$ is or is not to be done/pursued, one will necessarily affirm as to be done/pursued precisely what one is, at the moment of settling the question, inclined to affirm as to be done/pursued. Moreover, simply instantiating POA yields for us the appropriate response to this analytic truth if we are to have

\(^\text{18}\) Since denials that $\phi$ is to be done/pursued are affirmations that it is not the case that $\phi$ is to be done/pursued, for simplicity, I shall typically speak only of affirmations henceforth. I shall also put aside denials that $\phi$ is to be done/pursued that are grammatically constructed as affirmations, such as “$\phi$ is to be done/pursued by no one.”
any hope of practical understanding, “When we are inclined to settle a question by affirming that
φ is to be done/pursued and think it so unlikely that we will better achieve understanding by
waiting to settle the question of whether φ is to be done/pursued that suspending judgment would
most likely be to the detriment of one’s general pursuit of understanding what is to be
done/pursued, let us settle the question by affirming what we are inclined to affirm.” Our first
order inclinations in practical reasoning, however, rather than sense data, will be inclinations to
regard such things as knowledge, friendship, and the sustenance of one’s bodily well-being as
ends to be pursued and certain actions that destroy these ends as to be avoided. Precisely to
which ends the integral directiveness of our first-order practical inclinations incline us is beyond
the scope of this chapter, but will be taken up in subsequent chapters.

If Sarah affirms that φ is to be done/pursued without limitation, or takes herself in her
circumstances to be among those agents by whom she affirms, “φ is to be done/pursued,” she
will be logically committed to affirming, “I am to do/pursue φ.” Just as I argued that the fact that
“she is a human who affirms both that ‘P,’ and ‘if P, then Q’” is an excellent explanation of her
coming to affirm Q, so too does it seem that “she is a human who has affirmed, ‘I am to
do/pursue φ’” is an excellent explanation of her doing/pursuing φ. Though there is no necessary
connection between this fact and its consequences, induction on prior instances of reasoning
would render it quite unreasonable not to take these facts to bear affirmatively on the question of
whether she will do/pursue φ. Moreover, it appears that doing/pursuing φ so often follows from
this fact that we can scarcely even imagine instances in which these consequences did not obtain
without there being some further fact that explains their not obtaining, such as “she was
distracted from completing her reasoning,” or “she was delusional or drugged,” or “she had
strong emotional inclinations not to do/pursue φ, regardless of how strongly she was inclined to
affirm that \( \varphi \) was to be done/pursued.” As such, these facts seem to explain her doing/pursuing \( \varphi \) so well, that it would be a mistake to insist that her coming to do/pursue \( \varphi \) must be explained by some further fact such as that “she desired to do/pursue \( \varphi \);” rather, some further fact would seem necessary to explain her failure to do/pursue \( \varphi \).

A Humean might want to retort that every intentional action must be explained by a desire and a belief. However, it seems to me that most of the apparent explanatory power desire-based accounts of deliberate action seem to offer is illusory. Certainly bodily desires such as hunger, thirst, and lust can explain quite a few actions; but noticing that people often swim against the currents of their passions “to do their duty” or “to be fair” or “to be moral,” Humeans have sought to explain such actions with “desires to be fair, moral, or dutiful.” Thus, contemporary Humeans have largely come to agree that in order for Hume’s claim that a desire is necessary to motivate every action to be true, “desire” must be defined in a modest dispositional manner, such as “a mental state about how some aspect of the world is to be, which would dispose one under certain conditions to act to bring the world into that state of being.”

Of course, by the time desires are defined so dispositionally, Hume’s claim that they are necessary to motivate all intentional action becomes trivial. It is inherently unfalsifiable, since if ever one found a mental state with motivational efficacy, including the rational affirmation that one is to perform a certain action, in virtue of its having motivational efficacy, it would immediately count as a desire. Nor does the fact that the dispositional account offers the modest posit that desires are “mental states about the way the world is to be” render it even conceivably falsifiable, because Humeans have limited desire’s explanatory domain to the already clearly mental-state-involving realm of intentional actions, which they only circularly define as “those

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19 This is roughly the definition offered by Michael Smith in “The Humean Theory of Motivation,” *Mind*, Vol 96, No. 381 (Jan, 1987): 36-61
actions which are caused by desires, beliefs, and the exercise of a rational capacity in the right way.”

Thus, what is left of the Humean assertion about the motivational inertness of reason without desire may be reconstructed “in order for there to be an intentional action, i.e. an action motivated by a desire (i.e. disposition to act) and a belief in the right way, there must be some desire (i.e. disposition to act) to motivate it,” which is plainly tautological and no more informative than the theoretical equivalent, “In order to come to believe P, one must be disposed to believe P.”

Indeed, when desires are offered as an explanation for an agent’s disposition to pursue a non-instrumental end, it is a mere virtus dormativa. In his play, The Imaginary Invalid, Molière lampoons physicians as laughable quacks when they explain that the cause of opium’s disposition to make one sleep is that it has a “virtus dormativa,” meaning a “disposition to make one sleep.” Since, while explaining “why opium is disposed to make one sleep,” one could not even consistently deny that “it is disposed to make one sleep,” one has said nothing new and, so, done nothing to explain the phenomenon. The Humean commits the same error when he seeks to explain why Sarah is pursuing knowledge for its own sake by saying that “she desires to know.” As established above, all this means is that “she is disposed to bring about states of affairs in which she knows.” This is a worthless posit that explains nothing: we ask why she intentionally Φ-ed and we are told, with but a thin veneer of jargon, that it is because she was disposed to intentionally Φ.

Now, this does not mean that talk of desires and virtus dormativa is never useful. When asked why Anne got so tired after taking an allergy pill, while Sally did not, one could explain that Sally took a pill that was “non-drowsy,” while Anne took one that was “drowsy,” i.e. “disposed to make one sleepy.” This explanation, at least, tells us that the explanation is to be

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20 This is roughly Darwall’s formulation.
found in some property of the pills rather than, for instance, in the fact that Anne did not sleep the night before. However, this explanation leaves what it is about the pill that makes her drowsy fundamentally unexplained. Similarly, positing a desire can meaningfully explain certain actions by elucidating the ends to which they are means. For instance, one can say, “the reason she got coffee was that she desired to stay awake to read a book, not that she desired the taste of coffee.” This answer tells us that her end is staying awake, but leaves the reason that she takes reading the book as a non-instrumental end unexplained. Thus, Humeans have not prima facie shut the door to the possibility that humans pursue non-instrumental ends because of a rational understanding that they are to be pursued as ends in themselves.

III. Tendencies and Tendings Towards

While the two phrases are often used interchangeably, it will aid clarity to introduce a distinction. I find that the phrase “tends to” more naturally lends itself to the probabilistic sense discussed above, while “tends towards” lends itself to a more teleological meaning. Moreover, while I think “tendency” is ambiguously used for both concepts, I shall only use it to describe what things “tend to” do. While our lung’s expanding tends to bring oxygen into the body, it also tends to bring in allergens, and pollutants; yet we would probably not want to say that breathing “tends towards” bringing allergens and pollutants into the body. Moreover, when a man’s pumping water into a house also tends to have the effect of casting shadows, making noise, and exercising his arm muscles, when none of these other affects are among his purposes in pumping, we are disinclined to say that he “tends towards” or “intends” these effects.\(^{21}\) As such, for the sake of a clear distinction, I suggest that we stipulate, for any being or activity, x, that “x tends towards y iff x is presently structured in such a way as tends, or has tended, or is believed

to have tended, (whether for x itself or for other beings or activities structured in the same way as x), to realize y, and the tendency, past, present, or merely believed, of that structure to realize y explains why it is the case that x is now thusly structured.” For instance, the fact that Joe’s fixing his hands on a pump and moving his arms up and down tends to bring water up into the house explains why Joe positions his hands where he does and moves his arms in the manner that he does, i.e. it explains why his action has the structure that it does, which tends to bring water up into the house. Similarly, if Rob noticed that Joe’s structured activity of pumping tended to bring water into the house and wanted to replicate this effect at a later time when, unbeknownst to him, there was a leak in the pipe that would no longer make it the case that pumping would tend to bring water into the house, still, Rob’s structured activity of pumping would tend towards bringing water into the house because the structured activity of pumping’s prior tendency to bring water into the house explains why it is the case that Rob’s present actions are thusly structured. Finally, if someone falsely told Derek that operating that pump tends to bring water into the house, when it never did, and Derek began operating the pump because he believed this lie, his structured activity of pumping would tend towards bringing water into the house because his belief that the structured activity of pumping tends to bring water into the house explains why it is the case that Derek’s present actions are thusly structured. Moreover, in addition to saying that Joe, Rob, and Derek’s actions tend towards pumping, while they are performing these actions, we can say that they themselves tend towards pumping, because in performing these actions their physical and mental beings are structured in such a manner as tends to pump, precisely because it tends to pump, or is at least believed to do so. In like manner, since we know that oxygenated blood is essential to animal life, when we observe that our lungs are connected to a trachea and nose on one end, and alveoli on the other, and that their expansion tends to bring
in oxygen through the nose and trachea which then tends to enter the bloodstream through the alveoli, we are certainly inclined to suppose that the act of inhaling is structured so as to bring about oxygenation and, so, tends towards oxygenation. Moreover, when we suppose that the tending of these organs thusly structured to facilitate respiration explains their being thusly structured, we suppose that they collectively “tend towards respiration” and so constitute a “respiratory system.” I shall now argue for why we should make these suppositions.

Recall our discussion on pages 17 and 18 about how we are better able to answer many questions by conceiving of the world as occupied by greater-than-atomic entities, such as “dogs” or “pens,” and making heuristic assumptions about how these entities will behave, based on our observations. One heuristic assumption that seems critically necessary to understanding and predicting the behavior of all such entities that we are inclined to call “living” is that they are so structured that they tend to move themselves, in the manners characteristic of their variety and species, in such ways as tend to propagate and sustain the capacity for self-movement of themselves and of beings sharing a recent common ancestor. For instance, plants tend to grow leaves up towards the sun, and roots down into the ground, as is suited to their photosynthesizing energy and attaining water and nutrients from the soil necessary for life. Imagine that one is a paleontologist who has discovered new fossils of a dinosaur with sharp teeth and claws, and one is asking “was this probably a herbivore or a carnivore?” One certainly should conclude “carnivore,” on the grounds that sharp teeth and claws are well suited to hunting and chewing meat; but this presupposes that these parts of the dinosaur will be well suited to sustaining the life of the dinosaur through attaining nutriment. Without the assumption that the parts of the creature will be well suited to sustaining the life of the creature, no such inferences would be possible. Indeed, this assumption is so pervasive, that in the rare cases that it is unclear how an
organ tends to promote life, scientists still assume it at least had some function in the evolutionary history of the species; hence they ask what the human appendix’s function is, or might have been, not whether it ever had a tendency to promote human life—a possibility they seem to exclude at the outset as anathema to biology.

I say creatures’ motions tend to promote the life of “beings sharing a recent common ancestor” to account both for beings that reproduce themselves and, so, share common ancestors with their offspring in the prior “grandparents” generation, but also to account for such beings as worker bees and ants that tend to further the procreation of “queens” sharing recent common ancestors, rather than themselves. Moreover, I say that we should assume that living beings tend to sustain the continued living of beings sharing a recent common ancestor “in ways characteristic of their variety and species,” because our inductive observations certainly incline us to expect dogs to reproduce dogs, not chickens or flowers, and to eat food for nourishment, not sprout leaves for photosynthesis.

Sometimes the very characteristics that tend to promote the life of an animal can be destructive of it. For instance, the proclivity to pleasure and aversion to pain is necessary to drive most animals to seek out nutritious food, reproduce themselves, and avoid conditions likely to damage their capacity for continued living. But the dog’s aversion to pain may render him unlikely to cooperate with veterinary injections that are conducive to his health; and it may even lead him to sit still and suffocate from smoke, rather than run through flames to safety. But the tendency to pursue pleasures and avoid pain sufficiently often tends to promote the life characteristic of animals, and sufficiently rarely to be detrimental to it, that they are clearly best understood as instances of the broader tendency of living beings to, in ways characteristic of their variety and species, maintain and propagate their own lives and the lives of beings sharing a
recent common ancestor. Moreover, the possibility that one tendency may conflict with another tendency does not undermine the heuristic usefulness of supposing that there is such a tendency. For instance, suppose that the human tendency to pursue knowledge sometimes led humans to pursue knowledge at the expense of their health and longevity: still, positing both of these tendencies would enable one to predict that humans would tend to promote their life when it did not conflict with the pursuit of knowledge and vice versa.

Having established that we should presume that all living beings are so structured that they tend, in manners characteristic of their variety and species, to propagate and sustain themselves and beings sharing a recent common ancestor, we should now consider whether this tendency explains why they are so structured. If so, it would then follow from our above definition of “tending towards” that all living beings, in manners characteristic of their variety and species, tend towards the propagation and sustenance of themselves and of beings sharing a recent common ancestor. One robust way of explaining why x is the case is to explain why it would be impossible or difficult for x not to be the case. In this manner, one could effectively explain why it is not the case that any humans have traveled to Pluto. Similarly, when one has proven that a 747 is flying, and explained why it could not do so without an engine, one has explained well why it must be the case that it has an engine. In like manner does the tendency of the structure of the respiratory system to oxygenate and, thereby, sustain life explain why it is the case that it is so structured. The fact that species of animals requiring oxygenated blood have survived for innumerable generations under Darwinian pressures that have tolerated only the “survival of the fittest,” coupled with the fact that it would be impossible for them to have done so unless they had organs structured in such a fashion as tended to oxygenate blood and thereby

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22 As with reductio ad absurdum, sometimes called “indirect derivation,” it is sometimes necessary to show the impossibility of P not being the case, when one cannot, or cannot efficiently, directly show that P is the case.
sustain their lives, explains why it must be the case that they have had organs structured in such a
fashion as tends to oxygenate blood. This is clear because the fact that a species has survived
natural selection, coupled with the fact that, in order to have survived, the species’ organs would
need to be structured in such a manner as tends to oxygenate its blood, would bear affirmatively
on the question of whether the species’ organs are structured in such a manner as tends
to oxygenate its blood. Therefore, since the tendency of the respiratory system’s structure to
oxygenate and, so, sustain life explains why it is the case that it is thusly structured, we may say
that the respiratory system tends towards oxygenation and, so, towards the sustenance of life. In
this same manner, one by one, we could show that every vital organ and every organ system, and
the totality of all of an organism’s organ systems working in concert, and all biological
processes, tend towards the propagation and sustenance of the life of the organism and organisms
sharing a recent common ancestor.

Moreover, it is clear that none of the species we see today could have survived many
millennia of natural selection unless its members tended not only to sustain and reproduce
themselves, but also to do so in the manner characteristic of its species. For example, it is
characteristic of ducks that their offspring be ducks, and that creatures that begin as ducks remain
ducks even as they grow and develop. If ducks were not so structured as to tend to sustain and
reproduce themselves in these characteristically “duck” ways, there could not possibly be all of
these creatures that behave in characteristically “duck” ways, because they all would have been
morphed or reproduced into non-ducks. Thus, the duck structure’s tendency to sustain and
reproduce itself in ways characteristic of ducks, coupled with the facts that otherwise ducks
could not exist and yet they do exist, explains why it must be the case that ducks are so
structured as to tend to sustain and reproduce themselves in ways characteristic of ducks. Thus,
ducks tend towards sustaining and reproducing themselves in ways characteristic of ducks. As with ducks, the same argument can be given that each member of every established species tends towards sustaining and propagating themselves and beings sharing a recent common ancestor, in the manners characteristic of their species.

IV. The Good

I doubt that a finite set of necessary and sufficient conditions can be offered to determine the applicability of many words. But even for words for which such necessary and sufficient conditions can in principle be discovered, it is certainly possible for even all of the most competent users of a word to be ignorant of them. For instance, for thousands of years, humans used “water”, “aqua,” etc. to refer to all and only that which we now know to be instances of the molecule H2O, even though none of them knew it to be H2O. Accordingly, when scientists first began examining bits of the stuff people tended to call “water” under microscopes and found it to be H2O, there doubtlessly would have been a period of time during which it was a very open question, for any instance of that stuff, “sure, it’s water, but is it H2O?”

This reflects the possibility that definitions, outlining the necessary and sufficient conditions for the applicability of a word, may be sensibly proposed as something more than an analysis of the cognitive content of that word. It turned out that H2O was co-extensional with the stuff competent users had called “water;” but for all the speakers at the time knew, it could have turned out that the stuff called “water” was made up of several different molecular structures; indeed, “jade” turned out to be both jadeite and nephrite. To settle and close the question of whether being H2O was a necessary and sufficient condition to the applicability of the word, “water,” scientists needed to prove that, indeed, “H2O” had the same logical extension as that which the most competent speakers tended.

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23 I do not think Moore would actually take his argument to apply to the non-natural-property definition of “good” that I offer; but I am simply pre-empting what I think would be an overly expansive attribution of his “naturalistic fallacy.” http://fair-use.org/g-e-moore/principia-ethica/s.13
to call “water.” But there also might have been a need to argue with some who might have had disagreements about what should be called, “water.” For instance, some speakers might have thought that “water” should only be called such in liquid form, and others might have thought that “water” was a suitable name only for potable water, thereby excluding sea water. Against such schools of thought, scientists might have defended the H20 definition of water by noting its practical expedience, and the ability to expediently express these ideas in terms of water, e.g. that not only water can become ice, so there is a need to differentiate solid H20 from other compounds, and that the phrase “non-potable water” is available and reflects the reality that the liquid is principally just water that contains contaminants.

One definition outlining a necessary and sufficient condition for the application of a term, that I think would be helpful to accept and that corresponds more to competent use than any other definition of that term is that “each thing’s ‘good’ is ‘that towards which it tends.’”24 Rather than yielding a univocal referent across all things, this definition is more like, “each number, x’s, square root is whatever number, y, when multiplied by itself, yields x” in that it requires an examination and operation on the thing/number to yield a determinate referent.25 For instance, because the tendency of sharp things to cut explains why it is the case that knives are structured so as to be sharp, knives tend towards cutting and, so, the good of knives, or at least one of the goods of knives, is cutting. Because the tendency of medical practices to heal explains why it is the case that these activities have the structure that they do, e.g. surgeons do not just cut around at random but in manners that have been observed to cure ailments, medical practices tend towards healing and the good of medical practices, or at least one of the goods of medical practices, is healing. Additionally, because we are assuming for the purpose of this inquiry that

24 *Summa Theologiae* 1-2 Question 94, article 2.
reasoning tends to produce understanding, and that we structure our thinking in the form of reasoning because we aim at attaining the understanding that reasoning tends to produce, it follows that the tendency of reasoning to produce understanding explains why our thinking is thusly structured. It follows, then, that our rationally structured thinking tends towards understanding and, so, that understanding is its good, or at least one of its goods. Finally, because the tendency of all living being’s structures to sustain the lives of themselves and of organisms sharing a recent common ancestor, in manners characteristic of their variety and species, explains why they are so structured, we may accept what shall henceforth be called the Organism Assumption, “that all living beings tend towards sustaining and promoting the lives of themselves and of organisms sharing a recent common ancestor, in manners characteristic of their variety and species; and this is their good, or at least one of their goods.”

When a mother tells her whining child that eating broccoli is “good for” him, she probably is not claiming that said eating is constitutive of his wellbeing, so much as conducive to it. As such, it appears that what is “good for,” a thing, though sometimes used to express the same idea as what is the “good of” a thing, is more often used to refer to whatever enables a being to achieve its good(s); and I suggest using the term thusly to avoid ambiguity. For instance, because a good of a knife is cutting, it is good for a knife to be sharp; because humans tend toward understanding, a good of humans involves understanding, and so it is good for humans to be of sound mind. Of course, often the good of a thing can also be good for it, as when human understanding helps humans attain further understanding. Let us also stipulate that to “benefit” a being, coming from the Latin bene facere meaning, “to do/make good” shall be taken to mean either to bring about at least part of that being’s good, or to do something that is good for that being.
Many tendings towards can be explained entirely by other more fundamental tendings towards. For instance, the fact that gasoline pumping tends to provide cars with the fuel they need to drive places explains why people engage in the structured activity of gasoline pumping, because people tend towards driving places. If their cars, then, suddenly stopped requiring gasoline to drive, we would not expect them to fill their cars with gasoline anymore, because we recognize that their tending towards driving places completely accounts for their tending towards gasoline pumping. As such, their tending towards gasoline pumping is *instrumental* to their more fundamental tending towards driving places, and so may be called a merely *instrumental good*.

When one tending towards is completely explained by another tending towards, but is not instrumental to achieving the good of that tending towards, let us call it a *false good*, because though the being or activity does, at one level, tend towards an end, at a more fundamental level that being or activity does not tend towards that end. For instance, if Joe mistakenly believed that his diesel engine car ran on regular gasoline, and he filled it with regular gasoline, in light of his false beliefs, his tending towards driving places would explain his tending towards regular gasoline pumping; but because his tending towards filling his car with regular gasoline will not actually further the objects of his tending towards driving places, supposing it does not further the objects of any of his other tendings towards, gassing up his diesel will be a *merely apparent good*, which is the intentional species within the genus of false goods.

Similarly, the Organism Assumption explains why a mouse, Jerry’s, instincts and appetites so incline him that he tends to consume what appears to his senses as nourishing food; thus, Jerry’s instincts and appetites tend towards consuming that which appears to his senses as nourishing food instrumentally to tending towards sustaining his life in the manner characteristic of mice. And when Jerry structures his movements in such a manner as tends to move him
towards a particular block of cheese that appears to be food, and when he structures the movement of his teeth in such a manner as tends to chew that cheese, he thereby tends to consume that cheese; and since this tendency is explained by his tending towards consuming that which appears to be food and his tendency to sustain his life, he tends towards consuming that block of cheese instrumentally to attaining nourishment which is instrumental to sustaining his life in the manner characteristic of his species. But suppose that, here, the makers of mouse poison have exploited Jerry’s tendencies and, in lacing the cheese with poison, have made a poison that appears to Jerry’s senses to be nourishing food. Now, in moving towards and chewing this poisoned cheese, Jerry will be tending towards consuming this poisoned cheese, but the poisoned cheese will be a merely apparent good for Jerry because at a more fundamental level he is tending towards his nourishment and survival, not his poisoning and death.

Occasionally, the tendency of a structure to attain a false good can explain why it is thusly structured. For instance, suppose that in 2015 the smoking-addicted Ron judged that he should give up smoking but that in 2017, he has still not overcome his addiction nor given up smoking. We might say that the fact that the appetitive part of his brain was structured in an addicted-to-nicotine manner throughout 2016 explains why it remains structured in an addicted-to-nicotine manner in 2017; because its being thusly structured tended to compel him to smoke and had it not been so structured in 2016, he would have given up smoking and so his brain would not still be structured in 2017 in an addicted-to-nicotine manner. It follows, then, that the appetitive part of Ron’s brain would tend towards compelling him to smoke. But because of the Organism Assumption, we may assume that the appetitive part of Ron’s brain fundamentally tends, in manners characteristic of humans, towards sustaining his life and that of organisms sharing recent common ancestors. It tends to produce effects that further those ends in driving
Ron towards food, sex, and the avoidance of pains, which are typically harmful. But here, when it tends towards that which will tend to destroy Ron’s life, driving Ron to keep consuming nicotine is a false good of the appetitive part of the brain, because it more fundamentally tends towards that which will tend so sustain it.

Finally, since practical reason tends towards understanding what is to be done/pursued, if Devin’s practical reasoning concludes in error, and he wrongly concludes that φ-ing is to be done/pursued, when it is not, and Devin comes to φ because he is seeking to do what is to be done, then φ-ing shall be a merely apparent good for Devin. This is because though he does structure his acting self in such a manner as tends to φ, and the fact that it tends to φ explains why he structures himself thusly, nevertheless his φ-ing more fundamentally tends towards doing what is to be done.

One might object to the preceding definition of “good” that there appears to be a general sense of “good” that does not seem to be said as the good of any particular thing, and can be at odds with the good of some things. For instance, one might intelligibly say, “because the good of chemical-weapons making is the production of chemical weapons, the good of chemical-weapon making is not good,” or “because the good of viruses, qua living beings, is to maintain and reproduce themselves, the good of viruses is not good.” Such uses of “good,” if they are meant to be intelligible, as opposed to strictly emotive, might mean something like “to be pursued.” But the idea that the good is “that which is to be pursued” can be accounted for as an instantiation of the general definition of good as that towards which each thing tends. Recall that on pages 28 and 29, I argued that rational beings tend to do those actions that they take to be effective means of pursuing that which they affirm is to be pursued. For such agents, the fact that the structure of their actions tends to bring about that which they affirm is to be pursued, explains why they
adopt actions of that structure. Thus, whenever an agent acts because that action’s structure tends to bring about an end that the agent has affirmed is to be pursued, that action and, indeed, the agent himself insofar as he structures himself according to that action, tends towards that end, and that end is the good of both that action and that agent. It follows, then, that “that which is to be pursued” is that towards which rational agents tend \textit{qua} rational agents, i.e. that towards which agents tend insofar as they tend to act on the basis of their understanding of what is to be done/pursued. Others who might want to say that the good is “pleasure” or “the good will” or “the goods of the soul” surely would not deny that these goods are to be pursued and, so, these accounts of the good can also fit under this definition. Indeed, this conception of “good” can harmonize even with one who thought that the good is “that which God wills,” because surely a proponent of such a view would grant that if God wills x, then God tends towards x, and does so on the basis of His determination that x is to be done/pursued. Thus, since the definition of the good as, for each thing, that towards which it tends appears to fit with all intelligible accounts of good that have been offered and to share the logical extension of that which the most competent speakers tend to call “good,” I suggest that use of this definition shall be helpful in our pursuit of understanding.
Chapter 2. Confronting Skeptics of Objective Answers to Practical Questions

In the preceding chapter, I argued that we are justified in accepting certain rational principles, while we are aiming at understanding, because rejecting them would severely hinder us in the pursuit of that aim. Every principle for practical reasoning that I offered was preceded by a nearly identical theoretical analog, in the hopes of showing that the principles of practical reasoning are no less justified than their theoretical counterparts. But some might object that while these are the principles we should adopt if we were seeking practical understanding, we should not be seeking practical understanding at all, because they find it implausible to suppose that there are any objective answers to questions of what is to be done/pursued. Others might insist that practical reason should not be presumed to admit of the same logical treatment as theoretical reason on the grounds that there appear to be many actions that are “permissible but not obligatory.” They may assume of these permissible actions that they are neither to be done nor not to be done; this would show that the Law of the Excluded Middle (LEM) does not hold for practical reason and, in turn, would show that practical reason admits of rather different logical rules. Thus, I shall now address these purported independent reasons to suppose that the aim of attaining practical understanding is futile, and show that they offer no more reason to be doubtful of practical objectivity than they do of theoretical objectivity, thereby showing that any interested in attaining any understanding at all, theoretical or practical, should not be dissuaded by these concerns.

I. Evolutionary Considerations

The earliest groups of humans presumably would have been more likely to survive and reproduce, if they had tendencies to take one another’s perspective, help one another, and aversions to murder and theft. Such tendencies likely might have so substantially fostered
cooperation and minimized conflict, that the presence of inclinations towards fairness and beneficence in us today may be explained by their historical evolutionary benefit. Similarly, one could likely give an evolutionary explanation of why, for instance, humans came to inductively take prior occurrences as predictive of future occurrences; there would, almost certainly, have been an evolutionary advantage to doing so. For instance, any humans who did not act on the assumption that nourishment could be found in the same animals and fruits that nourished them before probably did not live long enough to reproduce. But the fact that evolutionary biology might explain why we engage in inductive reasoning does not undermine the fact that we should continue to rely on inductive assumptions, which remains our only hope of understanding what will be the case. All of our patterns of reasoning may have an evolutionary explanation; but to suggest that this possibility means we should reject all of our rational dispositions would be self-referentially inconsistent, because this suggestion would, itself, be the product of potentially evolutionarily explainable patterns of reasoning. Accordingly, it will be a non-starter to suggest as a general principle that our taking certain states of affairs as to be pursued is to be discarded if an evolutionary explanation can be given for our tendency to do so.

Still, if our inclinations to affirm that certain actions are or are not to be done are explained by natural selection, then, for the reasons argued on pages 32-33, the tendency of our inclinations to promote the survival of organisms sharing a recent common ancestor explains why we are so inclined. Thus, these inclinations tend towards the survival of organisms sharing a recent common ancestor; and conclusions the reaching of which promote survival may, but need not be, actually correct. However, the Principle of Affirmation reminds us that if we are to settle questions by affirming conclusions, we necessarily must do so on the basis of our inclinations to affirm. Thus, every time reasoning concludes in understanding, it does so on the basis of an
inclination to affirm a correct conclusion. Moreover, our Assumption of the Productivity of Reasoning directs us to assume that reasoning tends to produce understanding. It follows, then, that we should assume that the preponderance of our inclinations to affirm tend to incline us towards correct conclusions rather than incorrect conclusions.

Still, we are more likely to attain understanding when we can root out those inclinations that do not tend to produce understanding, which we can in turn assume to be those conclusions that do not cohere with a preponderance of our inclinations to affirm. Consequently, we should critically evaluate such tendencies as racism, factionalism, and xenophobia which may have served an evolutionary benefit when our primitive ancestors had good reason to be wary of those outside of their group, but which do not cohere with our more rationally exigent inclinations towards fairness, and beneficence and to regard all humans as equals, for which I shall argue in chapter 3. Though I shall not address these cases, there are also arguments to be made that disinclinations to all manners of non-procreative sexual acts emerged from the evolutionary benefit of directing sexual inclinations towards procreative ends, which would require reexamining whether these disinclinations should persist as there is no longer any shortage of humans on this planet. There are also arguments to be made that e.g. certain taboos against eating certain foods or cultural norms such as male circumcision, might have played an important role in keeping our ancestors healthy in times when lesser hygienic resources were available; but may no longer serve a purpose. However, while evolutionary considerations may give us cause to critically consider nearly all of our moral beliefs and to work to bring them into reflective equilibrium; they do not appear to undermine any of the preceding arguments that there are objective answers to questions of what is the case, and what is to be done.
II. Moral Relativism

Different societies throughout different periods of time have held different moral beliefs; indeed, there is widespread disagreement even within many societies. However, this phenomenon does not appear unique to questions about what is to be done. For any given domain of inquiry there are likely billions of people who do not know all of its axioms. Furthermore, even the most enlightened persons in a field, when responding to the same evidence that admits of both reasons to affirm and deny a proposition, P, often come to disagreement about P. Just think of some of the unending debates among physicists, economists, etc. over the likes of quantum physics, string theory, and what monetary and fiscal policies are most conducive to sustainable prosperity. Finally, some people will believe such absurdities as that there was no Holocaust, cling to the most unwarranted of superstitions, or even insanely reject logical axioms. But none of these disagreements give us any cause to doubt that there are objective facts about what is the case. Thus, the sheer fact of pervasive moral disagreement should not lead us to doubt that there may be objective answers to questions of what is to be done/pursued. What remains to confront this particular challenge to moral objectivity is to offer plausible account of what these answers are and to show that they may be arrived at by a process every bit as sound as scientific inquiry, which is the endeavor of this entire project.

However, while moral relativism does not undermine the notion that there are objective answers to practical questions, it certainly can undermine our warrant to suppose that we have arrived at the right answers. In many cases, where others appear to have an equally good rational capacity and have access to just as much information as we do, the fact that they reach different conclusions is often a good reason for us to critically examine our own beliefs. Although the Principle of Affirmation will entitle us ultimately to affirm as we are inclined to affirm, after
making due efforts to examine the question at hand, we can be more confident in holding the beliefs most broadly held by reasonable people of good will. For instance, we have more reason to accept Peter Singer’s principle of equal consideration of interests and Rawls’ impartial consideration of the interests of all behind his veil of ignorance, because they seem to accord with teachings of most other philosophies and religions:
III. Reasons Internalism

Bernard Williams, John Rawls, Peter Railton, and others have advanced strongly desire-based conceptions of reasons for action, which do, indeed, admit of real standards for practical reasoning. Williams finds it unnatural to say that if one desires to drink gin, and reasonably believes that a cup of petrol is gin, that one, therefore, “has reason” to drink from said cup.26 Railton expresses similar worries.27 Accordingly, Railton, following Williams, proposes that a person, A, has normative reason to perform an action, Φ, if and only if Φ-ing would satisfy A’s “objective interests.” To determine whether Φ-ing satisfies A’s objective interests, Railton utilizes an imaginary “A+,” an idealized instance of A with flawless instrumental rationality and full knowledge of what capacities and opportunities are available to A, what the long-term effects of every possible course of action would be and how they would bear on A’s desires at present and as they would come to develop. Railton holds that Φ-ing satisfies A’s objective interests, if and only if A+ would want A to intend to Φ28 in the event that A+ knew that A+ would be, as soon as the intention to Φ was formed, placed in A’s position and reduced to A’s cognitive state.29 Although Williams does not state how far reasons internalists should extend requirements for an end to be a normative reason, he is open to such requirements as that it would be chosen by the agent if the agent had perfect foreknowledge of how his choices would

29 This clarification that A+ should be thrust into A’s position as soon as the intention is formed was proposed by Michael Smith to avert worries that A+ might not care what happens to A even as she would care what happens to A+, and to recognize that some agents have reason to perform certain actions to account for their lack of self-control. For instance, an A+ might like to keep liquor in his house to drink in moderation; however, if he knew that A was incapable of such moderation, A+ might judge it best not to have alcohol around at all.
impact his present and future desire satisfaction insofar as he presently desires future desire satisfaction, and flawless instrumental rationality,\textsuperscript{30} which is roughly Rawls’ formulation.\textsuperscript{31}

Although their idealization conditions do much to establish grounds for rational criticism, their desire-based accounts of reasons still yield conclusions that are profoundly at odds with common usage of “reason” in the standard normative sense. For example, Railton and Williams would have to acknowledge that a son seeking to gain his father’s inheritance, Devon, does not have reason to abandon his plot to kill his father whenever it is the case that Devon+ would want Devon to kill his father. Such a Devon+ is not a far stretch of the imagination; indeed, there have been many criminals who have held the reasonable belief that there was little likelihood of getting caught and that the desire satisfaction to be achieved by their crimes outweighed the risks of the desire dissatisfaction they would experience if caught. Some such individuals simply did not desire to conform to the purported requirements of morality, or did not do so sufficiently to establish, via a sound deliberative route from their “subjective motivational set,”\textsuperscript{32} that they had reason not to commit their atrocities.

Not only does moral obligation fail to yield normative reason on the desire-based reasons account; indeed, even the greater future desire satisfaction of the agent himself may be completely subordinated to his present desires. Derek Parfit notes that according to the desire-based reasons theory, one cannot rationally criticize someone who is indifferent to his own expected future suffering, even if he knows that said suffering will be against his future desires, if he does not presently desire that his future desires be fulfilled. He offers an example, \textit{Blue’s Ideal}: After informed and procedurally rational deliberation, \textit{Blue’s} strongest desire is that the


\textsuperscript{32} This is the term Williams uses to include not only present desires, but those that could be discovered through optimal practical deliberation.
rest of his life consist only of unrelieved suffering. Blue, therefore, chooses the plan that would give him such a life. In this case, it is assumed that he expects that this will even go against his future desires, but he cares only about his present desires. According to Rawls, the best life for the present Blue to realize would consist of unrelieved suffering.\(^{33}\) Parfit, further, argues that it does not matter that this is far-fetched, since this example is scarcely a leap from the case in which Rawls himself conceded this of a person who would want to spend the rest of his life counting blades of grass, if counting blades were “his only pleasure.”\(^{34}\)

The reason, it seems, these Humeans have bitten these bullets and have so radically departed from the mores of common moral discourse is their adherence to the dictum that “ought implies can.” They find it mistaken to insist that one could have reason to do that which one could never bring oneself to desire to do and, thus, could never do. They also appeal to the fact that when people talk about reasons for acting, they tend to think of them as the sorts of propositions that could be reasonably given as advice. They suggest, as did Williams, that it is just unreasonable for one to badger a person with the claim “you have reason to \(\Phi\),” when no matter what he could never be motivated to \(\Phi\).\(^{35}\)

In sum, then, the primary claims advanced by Reasons internalists are A) only desires can motivate actions and B) since A is true, it is false to say of a person, \(P\), that \(P\) should \(\Phi\) when \(\Phi\)-ing would not further any at least potentially-discoverable desire of \(P\). From each of these claims has emerged a corollary A1) that non-means-end reasoning cannot motivate action and B1) that there are no objective standards of correct practical reasoning beyond the desire-based reasons discussed above.

\(^{33}\) Derek Parfit, *Climbing The Mountain*, p. 40-44  
http://peasoup.typepad.com/peasoup/files/1Climb26JulyUS.pdf  
But recall that on pages 25 to 28, I argued that if A is true, it must be so trivially true that even a rational judgment that Φ-ing is to be done could count as a desire. Moreover, contra A1, I also argued on page 25 that we have just as much warrant to suppose that Sarah’s judging that she is to Φ explains her subsequently Φ-ing, as we have warrant to inductively suppose that any event explains a subsequent event, including that any other sort of desire might explain an action. This leaves us now to consider B and B1.

I find it telling how we, without the slightest hesitation, brush aside parallel difficulties in matters of theoretical reasoning. Irrespective of whether Henry might be able to be so persuaded, we do not see ourselves as “browbeating” tyrants when we tell Henry that he should not commit the Gambler’s fallacy, believing that after a “streak” of 7 consecutive heads, the coin is now more likely to land on tails. On the contrary, we insist that he ought to evaluate the probability of each random event independently. Furthermore, we do not deem it to be out of some unfathomable imperiousness that teachers assess their student’s math homework and correct their mistakes. Finally, we esteem and defer to experts in such fields as theoretical physics who claim that their discoveries are objectively true and correct, even if only a few of their most enlightened colleagues could ever hope to understand these truths.

Now, although the Humean “advice” model (B), which states that one should only say of a person, P, that P “should”, “ought to” or has “reason to” to Φ if P could possibly come to Φ, does admit of the problem that one can only rarely be certain of the range of an agent’s motivational capacities, it does make a fair point. While I’m not sure the same point can be made of the “has reason to φ” locution, I grant that it would at least be uncharitable to say of seriously mentally challenged persons who are incapable of φ-ing that they “ought to φ,” or “should φ,” where “φ-ing” is something that every non-mentally-challenged person ought to do. But the
same can be said in the epistemic domain. One should not say of a severely mentally challenged person that he ought to believe a multitude of facts or theorems that he could never learn.

Frankly, one should not say of even the most brilliant person that she should believe everything that is true, because there is more to know than any one person could ever know. But the fact that we acknowledge that some people are incapable of learning certain epistemic truths does not constitute a denial that there are such truths! Still, let us grant for the sake of argument that one is not to believe those truths which one could not possibly ever come to believe. More generally, let us grant that Humeans are correct that “ought implies can.” From it, coupled with our assumption that the same logical rules apply to practical reason as theoretical reasoning, we may derive from Proofs A-C below, a Principle of Possibility (PP), “What one will do/pursue/believe in every possible world, one is to do/pursue/believe; and if it is not the case that there is a possible world in which one does do/pursue/believe φ, then it is not the case that one is to do/pursue/believe φ.”\(^{36}\)

Proof A: If one is to φ, then there is a possible world in which one does φ
1. If one ought to φ then one can φ (ought implies can)
2. If one is to φ, then there is a possible world in which one does φ (1 translated into our terms)
3. one is to φ (assuming antecedent to derive consequent)
4. there is a possible world in which one does φ (2, 3 mp) Q.E.D.

Proof B: If one is to not φ, then there is a possible world in which one does not φ.
1. If one ought to [not φ], then one can [not φ]. (ought implies can instantiated to [not φ])
2. If one is to not φ, then there is a possible world in which one does not φ (1 translated into our terms)
3. one is to not φ (assuming antecedent to derive consequent)
4. there is a possible world in which one does not φ (2, 3 mp) Q.E.D.

Proof C: If one will φ in every possible world, then one is to φ; and if it is not the case that there is a possible world in which one does φ, then it is not the case that one is to φ.

\(^{36}\) Interestingly, this proof shows that the Humean is committed to allowing inferences in which they derive “ought” conclusions from strictly “is” premises, as it follows that if it is the case that one will φ in every possible world, then one ought to φ; and, indeed, inferences of this form will be pervasive if they assume that what agents will do is determined by physical laws antecedent to their reasoning about what they are to do.
1. If it is not the case that there is a possible world in which one does not φ, then it is not the case that one is to not φ, (B contrapositive).
2. If one will φ in every possible world, then it is not the case that one is to not φ. (1 Double Negation Elimination (DNE)).
3. If one will φ in every possible world, then it is not not the case that one is to φ. (2 3)
4. If one will φ in every possible world, then one is to φ. (3 DNE)
5. If it is not the case that there is a possible world in which one does φ, then it is not the case that one is to φ. (A contrapositive). Q.E.D.

From Proof A, we may also prove a corollary of PP, the Principle of Necessary Means (PNM), “if one is to φ and there is no possible world in which one does φ unless one also ψ’s, then one is to ψ:”

Proof D: if one is to φ and it is not the case that there is a possible world in which one does φ unless one also ψ’s, then one is to ψ.
1. One is to φ and it is not the case that there is possible world in which one does [φ and not ψ] (Assume Conditional)
2. If one is to φ, then there is a possible world in which one does φ (Proof A)
3. If one is to [φ and not ψ], then there is a possible world in which one does [φ and not ψ]. (A instantiated to [φ and not ψ]).
4. If it is not the case that there is a possible world in which one does φ and not ψ, then it is not the case that one is to φ and not ψ. (3 contrapositive).
5. It is not the case that there is possible world in which one does [φ and not ψ] (1 simplification)
6. It is not the case that one is to φ and not ψ. (4,5 mp)
7. If one is to φ, then one is to ψ. (6 material implication).
8. One is to φ. (1 simplification)
9. one is to ψ. (7,8 mp) Q.E.D.

Now, the Humean may insist that though certain things objectively are or are not the case, regardless of whether particular persons can believe them and so are to believe them, although there may be objective facts about what each agent is to do depending on what they can be motivated to do, nevertheless there cannot be any agent-independent truths about what is to be

37 In *On Denoting*, Bertrand Russel exposes a danger in inferring negations with narrow scope from negations with wide scope, since “If it is not the case that the present king of France is bald” does not seem to presuppose that there is a French monarch, while “The present king of France is not bald” does. Inference in the opposite direction, however, seems to remain secure, e.g. “Queen Elizabeth II is not bald” does imply that “It is not the case that Queen Elizabeth II is bald.” We shall continue to presuppose the same should apply to the practical. We cannot infer from “it is not the case that unicorns are to fly” to “unicorns are to not fly” because the latter presupposes the existence of unicorns, which the former does not. But it certainly does follow from the fact that one is to not swim, that it is not the case that one is to swim.
done, because all that is to be done is dependent upon what agents can do. In reply, I would concede that it follows from the PP that if one absolutely cannot determine oneself to \( \Phi \) on the basis of an understanding that one is to \( \Phi \), then one is not to \( \Phi \). However, this still does not entail B1 because it may yet remain true that \( \Phi \)-ing is to be done by all agents who could determine themselves to \( \Phi \) on the basis of their understanding that they are to \( \Phi \), just as it remains it remains true that the fact that the interior angles of a triangle add up to 180 degrees is to be believed by all agents who could determine themselves to believe this fact on the basis of their understanding that this is the case. If this were so, we could say of \( \Phi \)-ing that it is to be done by all agents able to do so, insofar as they are rational. Moreover, rationally limited people could not be said to be determining that they are not to \( \Phi \) or believe basic truths about triangles through their limited acts of reasoning, in which they could not possibly determine that they are to \( \Phi \) or believe these truths, because \textit{ex hypothesi} that their reasoning is thusly limited, what they will do has already been determined antecedent to their reasoning.\textsuperscript{38} In this next section, I shall explain why one might think that sometimes the determinations of reason might not be determined antecedent to reasoning. Of course, if one rejects the possibility of one’s reason freely determining what one is to do, if one’s intuitions and inclinations are disposed in the manner congenial to the attainment of practical understanding, one may, though \textit{ex hypothesi} already determined to do what one is to do, still use the assumptions outlined in this work as the means by which one comes to do what one is to do. Such a person would fortuitously be doing what would be to be done by all agents insofar as they could determine themselves according to their understanding of what is to be done, if only there were such agents.

\textsuperscript{38} Additionally, one could certainly argue that agents are blameworthy if they brought themselves into a state of rational limitation through their own free choices, or argue for a compatibilist account of blame.
IV. Freedom, Determinism, Permissibility and the Will of God

One may doubt that concerning everything that conceivably could be done, either it is to be done or is not to be done, on the grounds that this seems incompatible with the widely-held assumption that many actions are permissible but not obligatory. Theists also may worry that since Divine omnibenevolence guarantees that it is incompatible with God’s nature to ever do that which is not to be done, God is to do everything that He does, which seems to suggest that God is obligated to do everything that He does, rather than freely conferring favors upon His people that He would be perfectly free to withhold.

To assuage this worry, I suggest that just as it is a tautology that all things are as they are either because of themselves, factors outside of themselves, or some combination of the two, we may stipulate a Legislative Tautology, “what each agent is to do is determined either by that agent, by factors other than the agent, or some combination of the two.” Suppose I am to drink water but, as with Buridan’s ass, there are two cups equidistant from me and no factors beyond me have determined which of the two cups I am to drink from. It follows from LT that the only way I could drink water is if I determine which cup I am to drink from; and it follows from the fact that I am to drink water and the fact that my determining which cup I am to drink from is a necessary means to my doing so, coupled with the PNM, that I am to determine which cup I am to drink from. Rational agents who are to determine from among several options under circumstances in which no option is more supported by reasons than any other are generally able to bring themselves to “pick” an option, or else to flip a coin or otherwise abdicate to factors other than themselves to determine what is to be done.39

39 One might doubt that “picking” to drink from cup A rises to the level of “determining that cup A is to be drunk from.” But if one is to drink from cup A or cup B, and the only way one will drink from either cup is if one drinks from the cup one picks, then one’s picking A determines which of the two cups one is to drink from, in a sense of “determines” that is not deliberative.
We are clearly inclined not only to affirm that one is to drink from some equidistant cup, rather than indecisively die of thirst, but also that one is in general to eat, even when this requires arbitrary food choices, to educate oneself even when there are reasons that count in favor of attending different colleges, and to recreate even when there is no decisive reason to prefer either hiking or playing on the beach. I shall discuss in Chapter 3, which things are to be pursued and their incommensurability; but suffice it here to suppose that there are many worthwhile pursuits and that where choice is necessary to do any subset of the worthwhile things one could do, then one is to choose which things to do, rather than idle in indecision. In making these choices among permissible options, one determines for oneself that the option one chooses is to be done. In like manner, the Theist can simultaneously affirm Divine Freedom, Omnipotence, and Omnibenevolence by supposing that God could have created any one of several incommensurably good universes, and that the universe we inhabit is simply the universe from among these that God chose to bring into being, thereby determining that it was to be.40

Now, if one adopts an eternalist perspective, one could say that the fact that an agent A at t2 determines that φ-ing is to be done at t3 establishes a fact that φ-ing is to be done that is simply unknown prior to t2. That is, at t1, it is true that A will determine at t2 that φ-ing is to be done. One could also deal with future contingencies by saying that prior to t2, there is some fact of the matter about what A will determine and so some fact of the matter about what is to be done, but these facts have simply not yet been determined. In any case, I leave it to the reader to supply their own preferred solution to the Problem of Future Contingency, and would simply

40 The Theist still needs to answer “the problem of evil,” which is beyond the scope of this paper, but I suspect the view that our world is one of several incommensurably good possible worlds may be easier to defend than the view that our universe is the best of all possible worlds; now, one need only defend the weaker claim that no other possible world would be objectively better than this one, which could be plausible given a strong incommensurability thesis and faith that God’s eternal plan promises to yield goodness beyond human comprehension.
note that the possibility that not all that is to be done is determined at the dawn of time would pose no more threat to LEM than the possibility that not all that will be the case is determined at the dawn of time.

Furthermore, regardless of whether one is a Theist or Atheist, it does not appear one could reject as simply bizarre the notion that a being may determine for itself what it is to do, because both are committed to the theoretically equivalent notion that beings may be the cause of their own existence, with Theists asserting that God is the cause of His own being, and Atheists asserting either that the matter and energy in the universe is the cause of its own existence, or else that random and uncaused quantum processes are the cause of all that exists. What remains to be considered, however, is whether all that will be the case and all that is to be done is determined from the moment of Creation, or The Big Bang and perhaps other random or quantum events, or whether rational agents might play a role in these determinations.

I shall now present an unargued sketch of a Theistic picture according to which one might think God could leave room for such freedom. The purpose of this sketch is simply to show that nothing about the account of practical reason that I offer is inherently incompatible with free will and a traditional conception of God; though I leave it to each person of faith to fill in their own sketch and determine its compatibility. God might know precisely how we will choose and ordain from eternity by His singular act which constitutes all that is and ever shall be that our bodies shall move in accordance with these choices. In doing so, He would also be ordaining that our bodies are to move in accordance with these choices, though He need not also concur with our reasons for choosing these movements. Of course, this would not leave us free to move our bodies since it would remain God who is willing the being of our bodies in slightly different positions at each Planck instant; even if He does so on account of how we will
determine our bodies are to move, we lack the power to either move our bodies ourselves or to compel God to do so for us. But while traditional theistic metaphysics supposes God must constitute each thing’s being for each moment of its existence, and constitute each particle in different positions at different times to facilitate movement and change, the aspect of the intellect that tends to reason may have an immaterial part. If this is so, then we could see how humans might be made in God’s image and likeness, because humans could never materially be like the immaterial God. Yet our immaterial God is by His nature the cause of all being; so He might have made our intellects such that they by their nature are the cause of their own determinations of what is the case and what is to be done. It is conceivable that God could simply cause and sustain the being of these immaterial parts, whereupon they, being simple like God and admitting of no component parts that God needs to move, can carry out their characteristic activity with no need for Him to further intervene.

One worry one might have if one believes in physical determinism or that God has determined what physically will happen and, thus, is to happen, is that it might appear reasonable to conclude that what is to happen is not what one is inclined to affirm is the best outcome, but simply the outcome most likely to occur.\textsuperscript{41} For instance, the Bad News Bears’ pitcher, Amanda, might reason, in playing against the Yankees, that it is almost certainly the case that they will lose, and so almost certainly God’s will (or physically determined) that they will lose and so that they are to lose. Accordingly, she might reason that it would be wrong for her and her teammates to try to win, since they are almost certainly not to win. This line of reasoning strikes me as mistaken, and not solely because we are strongly inclined to reason differently. She would be correct that the Bad News Bears probably are not to win; but if they truly are determined to lose, then their trying to win could not possibly interfere with what is already determined to happen.

\footnote{Calvin Normore raised this worry.}
However, if, against the odds, they are determined to win or can determine for themselves that they are to win, then their efforts will prove precisely the means by which what is to be done is done. Moreover, the question of whether they are to win is entirely distinct from the question of whether they are to try to win; it may well be that God wills that they are to lose but that their efforts to win are to bring enjoyment to crowds and develop useful skills in them. It follows then that sometimes one should not try to do what is to be done, and should try to do what is not to be done. Moreover, agents determining how they are to act should concern themselves primarily with what they are to do in light of their circumstances and legitimate roles, rather than what is to be done in general. For instance, even if it means trying to acquit one who is not to be acquitted, opposing lawyers are not to impartially seek to bring about justice because their playing their adversarial roles in concert with judges and juries is deemed more conducive to achieving justice and upholding civil rights.
Chapter 3. Determining What is to Be Pursued

In the preceding chapters, I have argued for the *prima facie* possibility of our coming to understand objectively what is to be done, and what principles we are epistemically justified in assuming as we conduct this inquiry. On page 22, I argued that the insight that x is to be pursued implies that some agent(s) are to do something to pursue x. Each of our actions change some aspect of the world around us, bringing about a new state of affairs, even if these changes go no further than simply a repositioning of our limbs or a reflection on certain thoughts. I take it that most actions we perform as a result of affirming that φ-ing is to be done involve our first affirming that some aspect (or all aspects) of the state of affairs in which φ-ing is done is to be pursued and that φ-ing is the means of attaining that state of affairs that we are most inclined to pursue. This antecedent affirmation that some aspect of the state of affairs in which one φ’s need not be done each time one affirms one is to φ, as we often stop reflecting on the reasons that motivated us to adopt certain habits and intentions. For instance, we typically do not reflect on the value of dental health every single time we brush our teeth; however, this habit likely developed in childhood as we obeyed some adult who thought our oral health was to be pursued, and is now sustained by our occasional reflection in which we affirm that our oral health is to be pursued. In this chapter, I shall explore what presuppositions are needed to support such judgments that actions that further our wellbeing are to be pursued.

I. Discerning Fellow Subjects of Non-Instrumental Value

I take it to be a contingent, though universal, fact about human psychology that humans do not begin acting on the basis of their rational determinations of what is to be done, if at all, until after they have long habitually acted on the basis of appetitive proclivities to pleasure, aversions to pain, instincts, and perhaps some other varieties of inclinations. They eat food, play,
and even ask their parents questions about the way the world is and why it is so, without antecedently making any judgments bearing such propositional content as, “I am to eat,” or “it would be good for me to play.” Because they structure their activities in such manners as tend to nourish them, bring them fun, etc. and it is the fact that their activities tend to bring about these objects that explains why they thusly structure their activities, they tend towards these objects and these objects are among their goods. But after non-rationally acting for the entirety of their young lives, most humans eventually come to reason about how they are to act. Having experienced many instances of, e.g. playful fun, rather than idle boredom, health, rather than painful and debilitating illness, knowing, rather than remaining ignorant, and nourishment, rather than hunger or thirst, they find themselves inclined to affirm that the states of affairs in which they are healthy, having fun, and well-nourished are to be pursued, or, more colloquially, that these states of affairs are “good.”

The POA informs us that they are justified in using such inclinations as starting points for their practical reasoning about what is to be pursued. Whereas the basic theoretical inclinations are sense data and certain inferential tendencies, it appears that the only possible basic practical inclinations, in virtue of which all questions of what is to be pursued are to be answered must be inclinations to regard certain states of affairs as to be pursued. In section 4, we shall consider precisely which objects are to be pursued, and whether they are to be pursued for their own sake, or only insofar as they bring pleasure and avert pain. Our procedure for this inquiry shall be to consider what account of what is to be pursued best accords with the totality of our basic inclinations to regard certain states of affairs as to be pursued or avoided. But first we must consider, in which beings states of affairs are to be pursued for their own sake.

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42 I take this picture of developmental psychology from Germain Grisez.
Judgments that states of affairs are to be pursued, but not as ends in themselves, cannot be meaningfully understood unless one supposes that they might help bring about some state of affairs that is to be pursued as an end in itself. As such, in many beings, states of affairs are only intelligibly regarded as to be pursued because of their capacity to thereby achieve states of affairs to be pursued in other beings. For instance, supposing one does not regard the life of a virus or the fixing of a gun as to be pursued in themselves, one can only come to meaningfully understand that they are to be pursued if one understands that these states of affairs might contribute to states of affairs that are to be pursued for their own sake, such as saving lives through inoculation or feeding a hunter’s family.

Now, when humans just beginning to reason are inclined to affirm that objects of their natural inclinations, such as their coming to know and to play, are to be pursued, they do not appear to suppose that this is only the case because these objects might enable them to realize states of affairs to be pursued in others; and yet their judgments that these objects are to be pursued do not strike them as the least bit unintelligible. Thus, they must be inclined to suppose that these objects to be realized in themselves are to be pursued as ends in themselves. From this inclination, because of the assumption of objectivity, they may infer that these objects to be realized in themselves are to be pursued and are not not to be pursued, from which it would follow that if they or anyone else failed to recognize that these objects were to be pursued they would, to that extent, be lacking in understanding of what is to be pursued; and if they or anyone else judged that these objects were not to be pursued, they would be wrong. Let us say that when a being is such that objects are to be realized in that being as ends in themselves, that being is (or is part of) a subject of non-instrumental value.
Moreover, when we first come to reason, not only are we profoundly inclined to regard ourselves as subjects of non-instrumental value and devoid of inclinations to the contrary, but it appears that we must do so if we are to reason about what is to be pursued at all. This is because although we are immediately inclined to regard objects as to be pursued in ourselves, we can only recognize objects to be pursued in others by assuming that those others are sufficiently like ourselves that the objects that would be to be pursued in us are also to be pursued in them. Humans seem to rampantly project the same needs and wants onto others beings, and can sometimes err in doing so. A child might be reduced to tears when she sees her doll damaged or destroyed, projecting onto the doll an aversion to pain and a tending towards persisting in being that is in herself but not in her doll. She might also suppose that since grapes are nourishing for her, they must also be nourishing for her dog, thereby causing her dog kidney failure. Even among humans, she can err in supposing that the peanuts that are good for her are good for her friend who is deathly allergic to them. But, given that we can never know another’s mind in the same way we know our own, if there is to be any hope of understanding the good of our fellows, whenever there is no reason to suppose these projections would err, we must project ourselves onto others: we must suppose that when they behave in the manner we would when pained, sick, or bored, that these conditions in them are not only like ours but are also to be avoided in them; and we must judge that since they behave as we would upon attaining nourishment and knowledge that these things are also to be pursued in them.

Since, then, we are entitled to suppose that we are subjects of non-instrumental value, because this supposition is necessary for us to make much progress at all towards potentially understanding what is to be pursued, we must consider the fact that every other practical reasoner has made this same supposition on precisely the same grounds. It follows then that our grounds
for thinking that others would err if they did not regard us as subjects of non-instrumental value just as strongly ground the conclusion that we would err if we did not regard them as subjects of non-instrumental value. As such, it would be unreasonable not to suppose that they are subjects of non-instrumental value as well.

But a moment’s reflection will inform us that there are more subjects of non-instrumental value than there are persons now reasoning. Let us suppose our first-ever practical judgment came on our 5th birthday when we chose between reading a book about bears that our grandfather gave us, or playing a video game. We conclude that we are to read the book, because the state of affairs in which we know about bears is to be pursued. But weeks before this first practical judgment of ours, when buying the book for us, our grandfather also concluded that our coming to know about bears on our birthday is to be pursued by us, and he also judged that he is to pursue this state of affairs too, to make this possible for us. The assumption of objectivity tells us that, in our both affirming that the same state of affairs, our coming to know about bears on our birthday, is to be pursued, we must either all be correct or incorrect. Assuming our judgment now is correct, then, so also was our grandfather’s judgment made before we began practical reasoning. Similarly, suppose that we judge that our living a healthy life is to be pursued. It seems most clear that we need not suppose that when she was pregnant, our mother was incorrect when she judged that our living a healthy life is to be pursued and, accordingly, abstained from alcohol and drugs that might have harmed our development. And even before she conceived and could have had any idea which possible person, if any, might be thusly benefited was she wrong to suppose that the health of any future children she might have is to be pursued and,

43 While I don’t take this to be exactly the point of Kant’s second formulation of the Categorical Imperative, this discussion is certainly inspired by it. Immanuel Kant, Mary Gregor trans., “Practical Philosophy” in The Cambridge Edition of the Works of Immanuel Kant, (Cambridge University Press; Cambridge; 1996) p. 80
accordingly, wean herself off her drug and alcohol addiction? It appears she must be correct, because her judgment regarding any possible children she may have instantiates to us, her actual children; and so, if our judgment that our health is to be pursued is correct, so was hers. Indeed, should we come to serve our country, judging that our ability to live in a free republic is to be pursued, we should look back with gratitude upon our ancestors, however distant, who might have immigrated judging that the freedom of all of their descendents to live in this country is to be pursued.

In light of the fact that we are inclined to regard as correct the judgments of our predecessors that the objects to which we are inclined are to be pursued, even when they only did so regarding future or possible persons as subjects of non-instrumental value, rather than us specifically, we have strong inductive reason to suppose that we will make correct judgments by regarding future or possible persons as subjects of non-instrumental value. We may reach the converse of this conclusion by considering the lack of understanding exhibited by predecessors who acted without recognizing that our needs are to be pursued. Accordingly, when we suspect that many people in the year 2080 will judge that the state of affairs in which they live healthy lives is to be pursued, we have reason to join them in judging that the state of affairs in which whomever is alive in 2080 is healthy is to be pursued and, accordingly, that the state of affairs in which, e.g. whomever is alive in 2080 can breathe clean air is to be pursued.

These considerations, I believe support the conclusion that we should regard every possible practical reasoner as a subject of non-instrumental value. I shall support this conclusion further in the next sections by arguing that we are inclined to regard certain objects as to be pursued, in themselves, in every possible practical reasoner. I shall, thereafter, further support
this conclusion in subsequent chapters by showing that it will lead only to moral requirements that accord with most of our inclinations.

But, first, there remains the question of whether beings who can never be expected to practically reason might also be subjects of non-instrumental value. The arguments I have presented that we must suppose all possible reasoners are subjects of non-instrumental value does not in any way imply that only possible reasoners should be regarded as such. The preceding has only demonstrated that all possible reasoners are equal in the respect that they are subjects of non-instrumental value. But most are inclined to affirm that the wellbeing of all sentient creatures is at least a pro tanto good and most are inclined to revolt at the thought of gratuitously inflicting torture on animals; and while such inclinations can be rationalized by noting that cruelty to animals might dispose one to be cruel to humans, it is clear that most are inclined to condemn cruelty to animals without needing to even consider the possibility that this might eventually lead to human harms. While we are inclined to affirm some duties to animals, we are also strongly inclined to regard the wellbeing of humans as significantly more important. In the absence of any strong reasons to oppose any of these inclinations, all that is left for a comprehensive ethics is to establish a reflective equilibrium as to what constitutes the well-being of non-reasoning animals and how far the well-being of possible practical reasoners can rightly be put above those of non-reasoning animals. But this is beyond the scope of the present project which shall simply consider how humans are to treat themselves and one another.

II. Methodology for Determining the Basic Human Goods to be Pursued

Many axioms of logic, geometry, mathematics and other epistemic domains are taken non-controversially as reasons within their fields A) because we are strongly inclined to accept them, B) because they admit of no counter-examples and are, thus, plausibly reasons in
themselves rather than merely closely correlated with reasons, and C) because their acceptance is necessary if one is to have much hope of attaining understanding in the areas of inquiry in which they are axioms at all. Because of the Principle of Affirmation, we have established that we are entitled to affirm axioms when such conditions are met; however, when there are counter-examples and it is discovered that a consideration does not always support a conclusion, one should, if possible, refine one’s account of the reasons that bear on such questions. For instance, Newton’s theory of universal gravitation was used for centuries to predict the motion of bodies with mass. However, once it was discovered that applying Newton’s theory of universal gravitation failed to yield correct predictions with bodies of extremely low mass or approaching the speed of light, while Einstein’s Theory of General Relativity was not susceptible to such errors and could altogether offer more precise predictions than Newton’s, scientists came to regard Einstein’s theory as correct and Newton’s as incorrect. Similarly, before either theory of gravitation, people followed Aristotle in the belief that every instance of the element, earth, had a natural tendency to move towards the center of the planet. Both Aristotle’s theory and Newton’s theories are far simpler to apply than Einstein’s, and for the purposes of answering many everyday predictive questions might be perfectly convenient shortcuts; but clearly nobody should apply these theories to making the sorts of predictions concerning which they have proven to be inaccurate, especially when more accurate theories are available. Thus, when seeking to discover what states of affairs are, non-instrumentally, to be pursued, such that they might be regarded as pro tanto reasons in themselves for any actions that might bring about these states of affairs, we should want to see them exhibit A, B and C; if so, we shall be no less justified axiomatically assuming these states of affairs are to be pursued than we are in accepting any of our other axioms. With this in mind, let us now consider what account of what is to be pursued...
best accords with the totality of our basic inclinations to regard certain states of affairs in humans
as to be pursued or avoided.

III. False Candidate: Pleasure

I find it doubtless that many are inclined to regard pleasure as to be pursued in itself:
from ordinary hedonists to principled utilitarians, many have devoted much of their efforts to the
pursuit of various pleasures in themselves and in others. Furthermore, many pleasant states of
affairs certainly do strike nearly everyone as to be pursued. However, I do not think that it is
precisely in virtue of being pleasant that these states of affairs are to be pursued. Just as the
theories of natural place and universal gravitation were, for ages, taken as axioms in inquiry only
to be cast aside when shown inadequate in predicting the movement of certain bodies which
served as counter-examples, so too it should be with pleasure, because sometimes we are clearly
not inclined to regard certain possible instances of pleasure as to be pursued. Indeed, there are
some cases in which, far from to be pursued, instances of pleasure strike one as repugnant and to
be avoided even when they will have no ill effects outside of themselves. Assuming one could
ensure no ill effects: Would it be correct to realize intense sexual pleasure in a man each time he
beheld his son or mother? Would it be correct to convince a person of many falsehoods so that
she might bask in the joy of believing she knows much? Would it be correct to replace a
mother’s grief of learning her son has cancer with unabated jubilation that he will suffer? Would
it be correct to confer upon a man the joys of believing he is in a loving relationship, while his
“girlfriend” is, all the while, cruelly mocking him behind his back? Would it be correct to
intensify the pleasure a sadist feels at the suffering of others?

I answer all of these questions with a resounding “no!” Quite apart from any further
harms they might cause, I think most are inclined to affirm that these states of affairs are far from
intrinsically to be pursued. It actually strikes me as quite correct that, upon learning her child has cancer, a jubilant mother should wish that she felt the pain of appropriate grief. In like manner, the man who feels intense sexual pleasure at the sight of his mother or son has every reason to work to dissipate these feelings, just as the sadist has reason to seek to grow in love for his fellow humans until his wretched delight in their misfortune is replaced with empathy. Finally, it strikes me as correct that one should seek genuine friendship and knowledge, rather than the pleasure of falsely believing oneself to have attained such. Accordingly, a state of affair’s admitting of pleasure does not make that state of affairs to be pursued; therefore, pleasure fails to meet desiderata B and, so, if one has available a better understanding of what states of affairs are to be pursued in themselves, a state of affair’s admitting of pleasure should not, in itself, be taken as reason to suppose that an action that might realize that state of affairs is to be done.

IV. The Basic Human Goods

Towards such an understanding, I offer a list of certain features of which some states of affairs admit, which I shall call Desirability Making Features (DMFs), that I think most readers will be inclined to regard as to be pursued in themselves.\textsuperscript{44} Although I have already argued that we should suppose that all possible rational beings are subjects of non-instrumental value, this list is carefully crafted in the hopes of satisfying many Kantians or Platonists who might think that good willing is the condition of the goodness of any other goods. I think such thinkers should find in this list no object not to be pursued in a person of ill will, for in such a person the realization of these objects should only tend to move them towards doing what is to be done, and these objects all also present themselves as to be pursued in themselves. Although performing

\textsuperscript{44} Though this list of basic goods is notably different, especially in having appropriateness conditions built into each good, nevertheless it is inspired by the list of basic goods found at: Germain Grisez, Joseph Boyle, and John Finnis, “Practical Principles, Moral Truth, and Ultimate Ends,” \textit{American Journal of Jurisprudence}, 32, 1987, p. 107-108.
actions that would realize some instances of these states of affairs may be unreasonable for other reasons, I do believe that no instance of these features of states of affairs considered in itself should strike the reader as anything less than to be pursued.

Just as we rationally tend to take these states of affairs as to be pursued, so too do we also often emotionally, instinctively, and sensibly tend towards these states of affairs; accordingly, I shall describe after each feature the pleasures that typically accompany it that often strike one superficially and prior to careful reflection as to be pursued, but are not actually to be pursued if detached from these features which will retain their status as goods to be pursued in themselves even in the absence of these pleasures. I hope these features, which I list following a dash after a nickname\textsuperscript{45} for each good, will strike the reader as to be pursued insofar as they may be realized in any possible subjects of non-instrumental value.

1) Health–The Capacity of a Person to Achieve What is to Be Done:

Let us say that beings are “healthy” to the extent that they are well disposed to achieve that towards which they fundamentally tend. So, e.g., because of the organism assumption, we might suppose that dogs are healthy insofar as they are capable of sustaining and reproducing themselves in the manner characteristic of dogs. Because, however, humans most fundamentally tend towards that which is to be done, what may count as “health” for a human might vary depending on his state of willing. For instance, when a muscular man is suffocating an innocent and this is not to be done, he would be better able to achieve what is to be done if he were suddenly so frail that he might be subdued and, perhaps, shown the error of his ways.

One cannot have health if one does not have life which is the minimal manifestation of health and precondition for all other goods to be realized within a living being; and saving lives

\textsuperscript{45} I offer these nicknames only to ease discussion and do not take the DMF’s to be the definitions of these words as they’re more commonly used.
and maintaining health are often regarded as among the most urgent goods to be pursued. Certainly health is conducive to many other goods, but this will be shown true of all categories of good, and one need not make such inferences to regard these states of affairs as to be pursued in themselves. When a man devotes his life to painting every last blade of grass with nail-polish, this rightfully should strike one as sufficiently baffling to call for an explanation. If he answered that he did so for its own sake, this would strike one as unintelligible because there is nothing in this state of affairs which we are inclined to affirm is to be pursued. If a person devotes his life to the pursuit of an instrumental good, such as money, one might ask why he is acquiring the money; if he answers “for its own sake,” this should strike one as an odd fetishism, for paper notes have value only insofar as they can be used to attain states of affairs that are to be pursued in themselves. However, when one asks a person why he is seeking to be healthy, a reply of “because I want to be healthy” is perfectly intelligible and satisfying. Though further reasons could be offered, they need not be because we are already inclined to affirm that this state of affairs is to be pursued in itself.

Associated with this good are such pleasures as feelings of well-being, release of endorphins, enjoyable tastes, pride in one’s physique, and the absence of pain. But these pleasures can accompany states of affairs that are not to be pursued: when anorexics takes pride in their toothpick figure as they near starvation, we are not inclined to affirm that this pride is to be pursued. Similarly, the pleasure of the savory tastes that propelled our starving forbears to eat the right foods is not clearly to be pursued in the modern morbidly obese person who might quite reasonably wish eating junk food were not so pleasant. Conversely, the state of affairs in which a person is physically fit seems to be pursued even if one’s brain fails to release the pleasant endorphins most would experience in vigorous exercise.
2) Friendship-A relationship rooted in a mutual willing the good of the other for the sake of the other:

Humans do not merely tend to cooperate with one another for survival but, rather, tend to socialize and engage with others emotionally for its own sake. Aristotle held that there are three types of friendship: those based on pleasure, those based on utility, and those based on a genuine and mutual appreciation of the goodness in the other and an active willing the good of the other, for the sake of the other. It is this latter category of friendship that I think we are inclined to affirm is to be pursued in itself; and I shall call this mutual good willing “love.” I do not see how a loving friendship in any being of non-instrumental value could ever fail to be intrinsically good. Because this good requires a selfless willing what is actually good for the other, for the sake of the other, true friendships among evil persons will be rare. But when they occur, even if their association might lead them to do evil things, precisely insofar as they love and are loved, they are only better off; and their selfless love for one another might well sparkle like a diamond in the rough of their wickedness to reveal that there is some good in even the worst of persons.

Now, friendship’s being a reason for action will not mean that one must enter into a loving relationship with everybody; time is finite: one can only respond to so many reasons for action. Furthermore, some people are so incompatibly disposed that they could never form friendships with one another, thereby rendering friendship among such persons impossible and, thus, not to be pursued. States of affairs that would be to be pursued are only actually to be pursued when they might possibly be realized, because if one knows they cannot possibly be realized, no course of action will be intelligible as the pursuit of that state of affairs.

46 Aristotle, Nicomachean Ethics, Chapter 8 Translated by W. D. Ross
http://classics.mit.edu/Aristotle/nicomachaen.8.viii.html
Associated with this good are such feelings as admiration of one’s friend, joy at her successes, joy in being and doing things with her, and the joys of being loved and appreciated. However, as mentioned before, these pleasures hardly seem to be pursued when they are mistaken. When one’s friend is a spy milking one for intelligence, or the person one admires portrays himself in a manner that is utterly untrue to himself, or if to gain another’s love one must play the part of a character radically different from one’s true self, these joys no longer seem to be pursued in themselves; and they do not constitute real friendship because either the love is not mutual or it attaches to a fictitious character rather than an actual person.

3) Community-A Harmonious Relationship Among Persons Cooperating Towards Some Good to Be Pursued:

When groups of people cooperate towards the pursuit of some state of affairs that is to be pursued, they form a “community.” Consider a philosophy department; ideally it consists of people cooperating towards the pursuit of understanding philosophy and educating students in that subject. Because we share these ends with fellow members of the department, we are inclined to think we have at least some prima facie reason, beyond that which we have to all human beings, to amicably associate with members of the department, to help them in need, and to will their good. Many communities overlap, and most people are members of many, as members of the philosophy department are also members of the broader philosophical community and members of the university community, of which the same holds true, though more diffusely. Communities can even be as large as “the moral community,” comprised of all persons willing to cooperate in the pursuit of the good of all persons, or as small as a chess club. The depths of interaction and beneficence with non-friend community members is generally more superficial than that of friendship; however, this good does, in part, account for why we
exchange warm greetings, engage in small talk, and help community members with needs that we are well situated to address. We recognize the importance of this harmonious relationship, when we consider how bad it is for people who share the community’s ends to be unduly ostracized and alienated from the community, or to alienate themselves through insufficient regard for the community’s members, as the miserable Ebenezer Scrooge did before his conversion. We also consider it toxic when communities are filled with bitter animosities, rather than a cordial spirit of camaraderie.

One might enjoy such feelings as a sense of belonging and pride when the good of community is realized. However, these feelings are not always to be pursued. If a person believes himself to be cooperating with others towards a common good, when they are actually simply secretly using him, the state of affairs in which he would feel like he belongs and take pride in this non-existent community does not appear to be pursued. Similarly, when Gary takes pride in membership in a group that is not oriented towards states of affairs that are actually to be pursued, such as the Ku Klux Klan, this pride does not strike me as to be pursued; indeed, the eradication of Gary’s sense of belonging to that group seems to be pursued.

4) Justice- That One Prosper More Insofar as one is Benevolent, Hard-working, and Dutiful:

When Jack is routinely cruel to his employee, Henry, who is a benevolent, dutiful, and hard-working person, and suddenly we are in a position to make one of them much better off, we are inclined to affirm that, all things equal, conferring this benefit upon Henry is to be pursued. Furthermore, through tort action, we seek to transfer resources from those who have unjustly imposed costs upon others, to compensate their victims for these costs. Indeed, when the liable party shows particular disregard for a victim’s well-being, we find it appropriate to more than compensate the victim, by assessing punitive damages.
Furthermore, when no transfer of wealth could serve to ensure that victims are rendered no worse off than their assailants, many have sought to inflict retributive harms such as imprisonment and even execution, not as deterrence or rehabilitation, but simply because “justice demands it.” There is clearly something to be pursued about the state of affairs in which victims are no worse off than their assailants as a result of their assaults. When this is taken to “an eye for an eye” retribution, the state of affairs is to be pursued qua an instance of “ensuring that victims are better off following an assault than their assailants,” but to be avoided qua privation of basic goods in the assailant, which is the means by which the former is attained.

5) Reader’s Choice in the Category of Conjugal Relationship: Marriage, Committed and Loving Relationship among 2 adults, Committed and Loving Relationship Among Any Number, etc.:

Determining what precisely is to be pursued in the domain of conjugal friendship is beyond the scope of this paper, because what people take to be reasons in this domain is too controversial and rapidly evolving to hope for a present consensus. Although consensual monogamous adult heterosexuality enjoys nearly universal acceptance, proponents of homosexuality, polygamy, pedophilia, or bestiality sincerely regard consensual and loving relationships of these sorts as to be pursued, while opponents of each of these often regard them as abhorrent; and many who are proponents of some of these relationships are opponents of others. Furthermore, there is much disagreement about the degree to which, if these relationships are to be pursued at all, participants in these relationships must be committed to the likes of permanence, exclusivity, shared-ownership and decision-making, unconditional mutual support, etc. Some hold that, in the absence of these commitments, these relationships are not to be

47 Although as recently as 1995, most Americans did not approve inter-racial marriage. news.gallup.com/poll/163697/approve-marriage-blacks-whites.aspx
48 Which a narrow, but growing, majority of Americans have considered morally acceptable since 2010. news.gallup.com/poll/1651/gay-lesbian-rights.aspx
pursued and constitute selfish exploitation, while others find these relationships are perfectly to be pursued “for as long as love lasts” as long as there is a mutual understanding of expectations.

In addition to this good, there is the related good of begetting a new person who is a genuine embodiment and continuation of their loving union.\(^49\) This is why parents want to make sure they go home from the maternity ward with the child that is theirs and find it beautiful and appropriate that their child should resemble them. This also accounts for the efforts of many couples to conceive \textit{in vitro} when they cannot do so naturally, rather than adopt children in need, and explains why researchers have sought to enable lesbian couples to conceive children that are genetically their own.\(^50\)

Whatever the reader’s views on these matters, sexual pleasure, feelings of erotic love, and of the joys of being loved will err if they are realized in a relationship that one does not regard as to be pursued such as those that are nonconsensual, exploitative, etc.

6) Religion-A Harmony With a Greater-than-human Source of Meaning (Only to be Pursued if There is Such a Source of Meaning):

It is also clear that many humans exhibit a fundamental longing for a relationship with a greater-than-human source of meaning. It seems that nearly all peoples throughout history have adopted some sort of transcendent religion. Furthermore, I follow Eric Voegelin in thinking that most of those who have not devoted themselves to a deity have filled this void with inner-worldly realities, such as their race or nation, ideologies that they “worship” beyond epistemic rationality, or even sports teams, celebrities, or heroes whom they idolize. The patriot who salutes a flag, cringes at the desecration of that symbol, sings patriotic hymns, and yearns for the opportunity to fight and die for his country, not out of a desire for community with his

compatriots, or to protect other goods or promote rational national ideals, but out of love of the nation as such, and who longs to ultimately be buried in a flag-draped coffin has, in a real sense, made his country his transcendent source of meaning and shown his desire to be subsumed by it.\textsuperscript{51}

In any event, one cannot have a relationship with a greater-than-human source of meaning if that source of meaning is merely imagined and not actual. Accordingly, those who worship false gods may have pleasant “transcendent” experiences, but do not realize this good. I know of no tradition that holds it to be intrinsically good to worship gods they know to be false. Most religions, such as Christianity, Judaism, and Islam hold that that worshipping other gods is not to be done. Hinduism, and other doctrines that hold that there are many ways “up the mountain of truth” would, accordingly, grant that people of other religions are achieving a relationship with the transcendent and, so, are realizing this good. Atheists hold that there are no gods and certainly would not find anything intrinsically to be pursued in inventing and worshipping them. Certainly, some might encourage religious devotions they regard as false because of psychological and moral benefits that might emerge from such; but these values are extrinsic to the feelings of a transcendent relationship in itself. It does seem that nearly all would grant that if a person can be just as moral and just as psychologically well off without buying into a delusional superstition, then she is better off. It also seems that nearly all who believe in a greater-than-human source of meaning hold that, so much as possible, a harmonious relationship with that greater-than-human source of meaning is to be pursued. Accordingly, it seems that there is broad agreement that for all x, if x is a purportedly greater-than-human source of meaning if that source of meaning is merely imagined and not actual. Accordingly, those who worship false gods may have pleasant “transcendent” experiences, but do not realize this good. I know of no tradition that holds it to be intrinsically good to worship gods they know to be false. Most religions, such as Christianity, Judaism, and Islam hold that that worshipping other gods is not to be done. Hinduism, and other doctrines that hold that there are many ways “up the mountain of truth” would, accordingly, grant that people of other religions are achieving a relationship with the transcendent and, so, are realizing this good. Atheists hold that there are no gods and certainly would not find anything intrinsically to be pursued in inventing and worshipping them. Certainly, some might encourage religious devotions they regard as false because of psychological and moral benefits that might emerge from such; but these values are extrinsic to the feelings of a transcendent relationship in itself. It does seem that nearly all would grant that if a person can be just as moral and just as psychologically well off without buying into a delusional superstition, then she is better off. It also seems that nearly all who believe in a greater-than-human source of meaning hold that, so much as possible, a harmonious relationship with that greater-than-human source of meaning is to be pursued. Accordingly, it seems that there is broad agreement that for all x, if x is a purportedly greater-than-human source of meaning if that source of meaning is merely imagined and not actual. Accordingly, those who worship false gods may have pleasant “transcendent” experiences, but do not realize this good. I know of no tradition that holds it to be intrinsically good to worship gods they know to be false. Most religions, such as Christianity, Judaism, and Islam hold that that worshipping other gods is not to be done. Hinduism, and other doctrines that hold that there are many ways “up the mountain of truth” would, accordingly, grant that people of other religions are achieving a relationship with the transcendent and, so, are realizing this good. Atheists hold that there are no gods and certainly would not find anything intrinsically to be pursued in inventing and worshipping them. Certainly, some might encourage religious devotions they regard as false because of psychological and moral benefits that might emerge from such; but these values are extrinsic to the feelings of a transcendent relationship in itself. It does seem that nearly all would grant that if a person can be just as moral and just as psychologically well off without buying into a delusional superstition, then she is better off. It also seems that nearly all who believe in a greater-than-human source of meaning hold that, so much as possible, a harmonious relationship with that greater-than-human source of meaning is to be pursued. Accordingly, it seems that there is broad agreement that for all x, if x is a purportedly greater-than-human source of

\textsuperscript{51} Eric Voegelin (1986), The Political Religions, (Lewiston, N.Y.: E. Mellen Press, 1986; 1st German ed. 1938)
meaning, then a relationship with x is to be pursued if and only if x actually is a greater-than-human source of meaning.

7) Knowledge- Coming to Better Understand What is the Case:

While humans do often pursue the good of knowledge instrumentally, most humans also love to learn, investigate, and discover what is the case for its own sake. It is perfectly intelligible why one might want to learn more of ancient history or of philosophy, not for any further end, but as ends in themselves.

Now, it might appear that some knowledge is not to be pursued, as when a terrorist wants to discover how nuclear bombs are built. But in such circumstances, the terrorist could scarcely be said to generally grow in understanding as he will now be affirming all sorts of incorrect judgments, such as that it is the case that he is to do x, y and z to create a bomb and then use it to murder millions. His learning about uranium enrichment as such is not problematic; if he were securely imprisoned for life, there would be no cause to deny him physics books. It is simply evils outside of this understanding, such as practical errors that will accompany them and lives destroyed that are to be avoided.

As mentioned above, there is a certain pride or satisfaction that one experiences in learning and knowing. However, this satisfaction of believing oneself to know much does not strike me as to be pursued in the fellow who thinks he has “discovered” that Jews are behind all of the world’s problems and that the Holocaust was fabricated. Accordingly, we should take the good to be in actually understanding what is the case, not in a potentially vain satisfaction of thinking oneself to know much.

8) Practical Reasonableness/Agential Integrity- The Condition in Which one Determines What is to be Done, and in Which one’s Status as a Person who Determines What is to be Done is
Respected by Oneself and Others, Allowing one to Conform One’s Actions With One’s Determinations:

The good will is not good because of what it effects or accomplishes or because of its adequacy to achieve some proposed end;...it is good of itself. ... Even if it should happen that...this will should be wholly lacking in power to accomplish its purpose, and if even the greatest effort should not avail it to achieve anything of its end, and if there remained only the good will..., it would sparkle like a jewel in its own right, as something that had its full worth in itself. (Immanuel Kant)\textsuperscript{52}

As Kant noted, we regard it as intrinsically good when a person acts dutifully, even if her good actions yield no further good results. Furthermore, countless people have abstained from fulfilling their desires in various ways precisely because they judged that doing so was “wrong.” In like manner, many others have given up advantages and resources in favor of “doing their duty” or “because it was the right thing to do.” Additionally, not every moral philosophy has fallen on death ears; rather, some have motivated many to adhere to their dictates. All of this serves to show that many take the judgment that “Φ-ing is to be done” as a reason to Φ and that “Φ-ing is wrong” as a reason not to Φ. Accordingly, they take practical reasonableness, the state of affairs in which they conform to the dictates of practical reason as, intrinsically, to be pursued; and they take the state of affairs in which their actions are at odds with the demands of practical reason as to be avoided. Fully realizing this good, then, requires both that an agent have correct practical judgments and that she adhere to these judgments.

This good is also clearly achieved more completely when the correct practical judgments one adheres to are one’s own practical judgments, or others’ practical judgments that one has oneself come to regard as correct, rather than judgements one adheres to only out of compulsion, \textsuperscript{52} Foundations of the Metaphysics of Morals, first section, third paragraph.
because the merely compelled agent has not internalized the practical reasons for which the mandated act is to be done. Thus, fully achieving practical reasonableness requires that one’s \textit{agential integrity} be respected once one has established oneself as a developed person capable of moral behavior. Moreover, practical reasonableness is completely undermined when one’s agential integrity is so violated that one’s actions are not even taken by oneself as to be done qua complying with some coercive order; but, rather, even this option is removed. Such extreme cases include the likes of torture to elicit a behavior or confession, which seeks to annihilate one’s mental capacity to continue to act as one has determined one is to act, or acts in which control of one’s bodily person is commandeered, such as when one is pushed where one does not want to go, or forcibly restrained and entirely subjected to another’s will. On the less extreme end of the spectrum, being prevented from doing as one has determined is to be done by walls, invasions of privacy or fear of loss of social standing can also diminish one’s freedom to act according to one’s determinations. I argued in Chapter 2, Section IV that through practical reasoning, we are able to objectively determine what is to be done. From this, it follows via the assumption of objectivity that we or others would err if we failed to recognize either this agential ability to determine what is to be done, or the practical implications of these determinations, whether they be that one is to do or help in doing what is to be done, or that one is to empower others or abstain from interfering with them so that they can achieve what is to be done.\footnote{I am influenced here by Kant’s second and third formulations of the categorical imperative.}

There are many feelings commonly associated with this good. One is the staving off the guilt one might otherwise have felt, in favor of a contentment in having done what is right. Other feelings include self-righteousness, or self-admiration of one’s own goodness. Finally, some enjoy a sense of freedom in acting according to the determinations of their own reason, and escaping the “enslavement” of their non-rational impulses. Certainly it does not strike me as
intrinsically good that one should feel the contentment of having done what is right, or indulge in self-admiration and blissfully marvel at one’s autonomous self-legislation when one has, in fact, acted wrongly. Accordingly, I think we are inclined to affirm that it is practical reasonableness and not any of its accompanying pleasant feelings in isolation that is to be pursued.

9) Skilled Performance- Excellence in the Execution of One’s Chosen Good Actions:

Humans are also fulfilled not only by the end results, but also by the work they put in to getting there. If everyone could effortlessly achieve the physical perfection and skill of the world’s greatest athletes, there would be nothing to admire in these athletic accomplishments; and they would have nothing of which to be proud. Likewise, we observe that many wealthy people continue to work, and many retirees take up crafts or intellectual pursuits as hobbies precisely because they find fulfillment in work and in being challenged. Thus, work, understood as a skilled performance or manifestation of dedicated efforts, is intrinsically to be pursued. When we would not choose to work, it is because work might exhaust us, otherwise keep us from attaining other worthwhile goods, or is so monotonous that it is not an outlet through which one can express one’s creativity or rise to a challenge.

10) Communicative Integrity- A Harmony Between One’s Inner Beliefs and Outward Expressions Thereof:

It is better in itself for a person’s outward communicative self-constitutions to be in harmony with her inner-beliefs. When people facing persecution are compelled on pain of death to renounce their god or desecrate holy symbols thereof, in having to speak and act contrarily to their deeply held inner-beliefs, they suffer a real harm that renders the choice to accept martyrdom, instead, intelligible. Similarly, it is most unfortunate when hostile political

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54 I am influenced here by discussions with Christopher Tollefsen
environments prevent one from speaking one’s true beliefs and force one to remain silent or even tacitly assent to what one regards as unjust, for fear of ostracization.

Certainly the realization of communicative integrity can lead to immense pain and even death; but, in itself, it certainly seems to be pursued. This is part of why so many have been willing to accept great consequences to avoid lying and have gone to great lengths to speak their minds. Associated with this good is a lack of the disharmony and guilt many feel when lying, or remaining silent in the face of injustice. However, this lack of disharmony and guilt are not intrinsically to be pursued, because compulsive liars grow so used to lying that they have desensitized themselves to any feeling of such disharmony; and a person who stays silent and just ignores injustices long enough might rid himself of guilt. It seems that both of these forms of jadedness are to be avoided.

11) Emotional Rectitude-A Harmony of One’s Emotional Inclinations with What is to Be Done

Although practical reason always requires that one do what is correct, irrespective of one’s emotions, the dutiful person is better off when her emotions harmonize with what is to be done. For instance, one is much better off who, though governed by practical reason, also rejoices in such duties as helping those in need, feeling a warmth and tenderness in connecting with them and a joy in their prosperity. This harmony of emotions with rational judgments of what is to be done is what, for Aristotle, differentiates the virtuous person from the merely continent person. However, a harmony between one’s choices and emotions is not to be pursued when one’s choices are wrong. For Aristotle, the vicious person, who is the worst off, is characterized by being both emotionally inclined to do what is wrong and judging what is wrong
to be correct, while the merely *incontinent* person is driven to do wrong by his emotions but at least correctly judges that such actions are not to be done.\textsuperscript{55}

Associated with this good are often such feelings as the joy of feeling one is doing good, and the inner-peace of not being at war with oneself. However, these feelings can fail to be good, as when the eugenicist rejoices in her contributions to what she believes will prove a better world, or when a man murdering for money feels no remorse in so doing.

12) Emotional Soundness- The Conformity of One’s Feeling to What Feelings Are Merited:

Emotions and feelings can be appropriate or inappropriate. In “Moral Beliefs,” Philippa Foot noticed that fear had the function of averting one from harms posed by dangers, and that it was inapt to take there to be a danger or exhibit fear when there was no risk of harm.\textsuperscript{56} When a man stands in front of a bus bearing down on him, he should generally be afraid; failure to be afraid suggests a failure, not only, to recognize that his continued living is to be pursued, but also a clear malfunctioning of his instinctive psychological mechanisms of self-preservation. This is, of course, unless his is an act of courage, in which case he is not undervaluing his own life, but simply pursuing other goods he takes as more exigent and suppressing the instinctive feelings of fear which may, now, no longer be good if they would fail to harmonize with his duty and, so, make him merely continent, rather than virtuous. Accordingly, it is reasonable for soldiers to simulate combat conditions so often that they grow numb to the fears that might dissuade them from acts of valor. Additionally, when fear is just not appropriate because there is no danger and fear is unhelpful, as with fear of public speaking, or claustrophobia, we take the elimination of these inappropriate fears as to be pursued.

\textsuperscript{55} Aristotle, *Nicomachean Ethics*, Chapter 7 Translated by W. D. Ross
http://classics.mit.edu/Aristotle/nicomachaen.7.vii.html

Similarly, if the tragic death of one’s son is an occasion that merits sorrow, then one is to feel sorrow, not elation. If one were elated, and not on account of religious beliefs that one’s son is better off, one’s elation would reveal an under-valuing of one’s son’s life. Just as his life merits the appraisal by rational agents as to be protected and pursued, so does its privation merit grief. It would be reasonable for such a person, then, to reflect on the negative aspects of this loss in the hopes of conjuring appropriate feelings of grief.

In like manner, when a sadistic Nazi laughs and rejoices at the cruel extermination of innocents, it shows that he radically undervalues their good. Even nausea can be inappropriate when, for instance, a racist vomits at the sight of an interracial kiss; in such an instance, his being grossed out by this interracial relationship reflects a rational failure to fully appreciate that romantic relationships are to be pursued irrespective of race. Perhaps such a person might even judge that these relationships are to be pursued, degrading nausea at the sight of such to the status of akratic impulse; still, such a person would be better off if all of his thoughts and emotions harmonized with what is correct. In both cases, they have reason to purge themselves of these feelings, perhaps by positively engaging people of these races until they fully appreciate their equal status.

Additionally, consider how common it is to chide another that “that’s not funny!” especially when that person laughs at another’s misfortune, or at jokes that make light of the struggles of marginalized communities. This suggests that we tend to regard laughter as having appropriateness conditions; and, again, laughter at the suffering of another suggests an undervaluing of goods to be pursued in that person. Similarly, if a person takes torturing and dismemberment of other persons to be fun, we should reject this and insist that “it’s not fun!” Here, again, we might insist that a person who appropriately valued goods in other persons
would not find the bringing about of their privations as fun. A person so emotionally inclined has reason to strive to rid himself of these inclinations by, for instance, “putting himself in the other’s shoes” or seeking to habituate himself into emotions of benevolence through acts of charity.

The characteristically aesthetic experience of taking something to be beautiful also seems to have appropriateness conditions. While I am no philosopher of art, it does seem that the fact that an overwhelmingly greater portion of people find the Sistine Chapel and *Les Miserables* beautiful than find beauty in vomit and screeching nails on a chalkboard is a phenomenon that merits explanation, the simplest of which might be that there is something about the former subjects, but not the latter, that merits this response of aesthetic appreciation. Of course, not all people can appreciate all that is beautiful, but their longing to do so is much of what drives people to do such things as take art and music appreciation courses. I suspect that most controversial art forms that enjoy broad acceptance but only in certain niche communities, like rap and country music, actually are beautiful, but that they speak to experiences, respectively, of inner-city or country life in a manner that makes it difficult for those who have not had those experiences to fully appreciate them. The same goes for religious art or patriotic hymns; they can be quite beautiful, but one is only likely to appreciate the beauty they have to offer if one is of that religion or takes pride in that nation. In order to appreciate these forms of art, one would need to engage with these cultures, which some take the time to do. In any event, I trust that most will agree that the likes of the sight of human dismemberment is not beautiful and that one’s taking it to be beautiful reflects an undervaluing of human life that is to be avoided.

Finally, when one knows that a romantic relationship with another is unreasonable or impossible, one is better off losing feelings of erotic love towards that person that draw one in a
direction contrary to that judgment. Certainly, doing so is often taken as a reason; consider how common it is for one “trying to move on” to seek diversions or to quickly romantically engage with another to “get his mind off of her.”

It would not surprise me if there are other emotions with appropriateness conditions, but these are just a few that I have enumerated to give the reader a sense that bringing one’s emotions into harmony with what emotions are merited by one’s circumstances is to be pursued. The feelings associated with the realization of this good will be whichever feelings are appropriate, ranging from grief to joy; clearly these feelings will not be intrinsically to be pursued when they are not appropriate.

13) Aesthetic Appreciation- Engagement with What is Beautiful:

Nearly all humans go to considerable lengths to engage with beauty. We go to operas and plays, read novels, watch sunsets, and listen to music. That our doing so is not baffling in the way that admiring feces or cacophonies would be, is best explained by the assumption that the former but not latter things are beautiful. Accordingly, the intelligibility of our admiring the former objects stems precisely from their being beautiful and our practical understanding that engagement with beauty is to be pursued.

As discussed in the emotional soundness section, the experience of beauty is generally accompanied by a positive and distinctively aesthetic emotion. However, this emotion of taking something to be beautiful is not appropriate when the object is not beautiful, and, so, not intrinsically to be pursued.

14) Play- Engagement with What is Fun or Funny:

Another key component of human fulfillment is the good of play, understood as stimulating engagement with what is fun or funny. People play sports, joke with friends, and play
fetch with dogs. We can also observe, in this good, how important the fulfillment of one good can be to the fulfillment of another, in observing that play is often a very important way of developing and sustaining friendships, and that it is in the context of great friendships that one will often find play to be most fulfilling.

Associated with these goods are the emotions of fun and laughter. However, as discussed in the “emotional soundness” category, these emotions are not to be pursued when their objects are not actually fun or funny.

V. Remarks on How Possible Instances of Basic Goods All Serve and are the Only Basic Reasons to Suppose that States of Affairs Realizing Those Instances Are to Be Pursued

A. That Every Instance of a Good Serves as a Reason In Itself to Suppose Actions Realizing that Good Are to be Done

The reader might wonder if every possible instance of these goods constitutes a reason to conclude that actions realizing that good are to be done, when these instances are miniscule or bringing them about would be unreasonable. To this, I reply that since a reason for action is anything that counts in favor of that action, and since each basic good is always, in itself, to be pursued, it follows that one has at least some reason to conclude that any action which one foresees would bring about any basic good is to be done, regardless of whether this reason is vanishingly small, would be outweighed by countless stronger reasons rooted in other goods that one could pursue, or would be otherwise unreasonable. As a consequence, for instance, I concede that nearly everyone who could inherit money from his uncle, has a reason to conclude that his uncle is to be killed. This follows from the fact that nearly everyone could achieve some goods with the help of more money, and the realization of such goods counts in favor of every course
of action that would bring them about. Of course, there are countless goods, which would be obstructed and norms of practical reason, which would be violated by such actions. As I shall subsequently discuss, it is in virtue of such norms of practical reasoning that it would be objectively incorrect for one to conclude that one’s uncle is to be killed, even though one has a reason to do so. I find it important, however, that we acknowledge that there is a reason, even if negligible, self-undermining, and immoral, because it is precisely in virtue of this reason that the practical judgments of those who have killed their relatives in pursuit of inheritance are intelligible to us. Their judgments are abhorrent, but not utterly baffling, because we can understand their reasons which account for their unjustified motive.

B. That These Basic Human Goods are the Only Human Goods to be Pursued

The reader might also wonder whether this list of basic goods accounts for all of the states of affairs in humans which we are inclined to affirm are to be pursued in themselves. I expect that it does; many actions will actually be in pursuit of multiple goods. But I shall consider a few cases to give the reader a sense of how the basic goods can be offered as reasons to explain judgments that actions are to be done and, insofar as they cannot, these judgments seem unreasonable:

One might wonder, given the list of goods above, how we might account for the considerable efforts to which we go to acquire tasty food and beverages. Indeed, the good of health make sense of eating in general, but not of the efforts to make the food taste good, which are often pursued even to the detriment of this good. To this, I reply that there are several intelligible reasons at stake. First, if one dislikes the food one is eating, one’s senses and emotions will be in disharmony with one’s choice to consume it, while if one enjoys one’s food, one’s senses and emotions will be in harmony with one’s choice to eat; accordingly, making food
taste good realizes the good of emotional rectitude, so long as it is independently correct to judge that the food is to be eaten. Now, it can be independently correct to regard the food as to be eaten because it promotes one’s health or, as with alcohol, because eating tasty food is conducive to socializing that promotes friendships or one’s business endeavors, or because the promise of the pleasant diversion of food serves as a necessary motivator for one to accomplish one’s work. But when no such goods as these can account for one’s choice of food that really is not conducive to one’s health, we are no longer inclined to rationally affirm that the food is to be eaten; its consumption is an akratic indulgence.

In pursuing “entertainment,” one is usually seeking to engage with what is fun or what is beautiful. Watching suspenseful dramas or action films can be “fun” in the sense I use it that corresponds to the good of play. However, if the entertainment is not engaging, it is called “boring” and often does not realize goods very well, rendering it quite choice-worthy to seek other activities.

One might think that “honor” is a basic good, since many seem to take it as a reason. Insofar as honor is understood as living by the dictates of one’s moral duty, this is an aspect of practical reasonableness. When, however, honor is understood as the state of affairs in which one is esteemed or praised by others above other men, this cannot be good in itself. This is because the state of affairs in which the deceitful villain is honored is not to be pursued. However, it is a constituent element of reasonableness that one recognize the virtue in others and esteem them accordingly. “Honor” also appears to be taken as a socially esteemed set of norms by which to live that is only loosely correlated with the norms of practical reason. Other examples, past and present, of such socially constructed ideals are being “chivalrous,” “masculine,” “feminine,” or the Japanese “way of warriors”, Bushido. Insofar as these ideals conduce to people leading good
lives, they appear instrumentally good; but these ideals have often been taken to require people to do bad things and have often legitimized oppressive social hierarchies. For instance, for centuries European and American men engaged in duels in order to uphold their “honor,” even though most widely held Judeo Christian and secular moral beliefs condemned such acts as immoral. Moreover, “gentlemen” would typically only accept challenges from other “gentlemen,” implying that women or men of “lower social standing” were incapable of upholding the honorable ideal. Similarly, the pursuit of masculine ideals has led many men to objectify women, and to exhibit their masculinity in toxic ways, from bullying to over-drinking. Conversely, insistence that women adhere to “feminine” ideals has in many cultures hindered women from achieving their potential as confident, outspoken, and respected leaders in government, industry, and academia. As such, social esteem of an ideal appears to confer upon it no objective intrinsic value, but where these ideals can motivate people to achieve what is actually good, they may be useful tools. For instance, living up to the Hippocratic Oath seems to have inspired many doctors to attend to their work ethically.

But the biggest wonder with which most readers are likely left is how one can derive decidedly “moral” norms from the FPPR and from the basic goods, which are specifications thereof. This shall be the topic of the remaining chapters.

C. That the Goods Are Incommensurable, Leaving Room for Choice

The various basic goods, and each individual instance of these goods, are within each person and across persons, incommensurable, because no two distinct instances of goods offer precisely the same feature of a state of affairs that is to be pursued, plus more.

It is a mistake to say that a Ferrari is objectively better than an orange. Certainly most people would prefer the former; but if one found oneself stranded on a desert island dying of
starvation, it would clearly be more rational to choose the orange. Furthermore many would hold that some of the greatest people in the world are those who give up their lives for their friends, or those who are so tirelessly devoted to their masterful work that they let their health or friendships lapse. When presented with the same options, some would rather read, some would rather play sports, and some would rather paint or go to the opera; there is no reason to think that any of these goods is objectively greater than any other. Rather, they all present themselves as options among which each reasoner can choose. For the remainder of this text, I shall offer norms of practical reason on the basis of which one might determine which among the various possible states of affairs to be pursued is the correct one to choose. However, even after these norms are presented, there will still be a fair deal of rational indeterminacy concerning what one is to do in many cases, leaving it to the agent herself to determine what is to be done, through choosing.
Chapter 4. Determining What is to be Done

In chapters 1 and 2, I argued that insofar as we are seeking to understand what is to be done, we should conduct our inquiry in much the same way we conduct our inquiry concerning what is the case. That is, we should assume that there are objective answers to these questions, and that, because of the Principle of Affirmation, we should pursue this understanding by adopting whichever axiomatic first principles we are inclined to accept which admit of no counter-examples and which are necessary if one is to have much hope of attaining understanding in the areas of inquiry in which they are axioms at all. The most important axiomatic first principle I argued for was the First Principle of Practical Reasoning (FPPR), “we shall take our denials that φ is to be done/pursued to exclude the affirmation that φ is to be done/pursued, and our affirmations that φ is to be done/pursued to exclude the denial that φ is to be done/pursued.” Then, in chapter 3, I argued for 14 additional axioms, as I instantiated the FPPR to 14 basic human goods such that each possible instance of a basic human good is pro tanto to be pursued which, because of the FPPR, excludes our denial that any such instance of a basic good is to be pursued in itself. It does not follow from this that every state of affairs that would realize a basic human good is to be pursued, all things considered, because it might be that the state of affairs is to be pursued insofar as that good may be realized but is, all things considered, not to be pursued because of other goods that might be realized if that state of affairs did not occur. We may now consider what norms for determining what is to be done follows directly from these axioms, and what sorts of further axioms we’ll need to adopt in order to have a comprehensive account of what is to be done.

But, first, I must remind the reader that we are presently considering how we might best come to understand what is to be done, which is a distinct question from what one should do or
whether it is permissible to do something good for bad reasons. If Tod could not motivate himself to rescue a child from drowning in a pond but for the reason that he could, thereby, humiliate his friend Jeff, who can’t swim, philosophers might think that he nevertheless should save the child. Philosophers might, further, think that if Tod could only save the child by affirming “I am to save the child, because doing so will humiliate Jeff,” that it follows that Tod should affirm thusly. But philosophers would only affirm that Tod is to act for these corrupt motives, or encourage him to do so, because they consider the outcome in which the child’s life is saved better than that in which the child drowns, a reason which *ex hypothesi*, Tod does not internalize. That is, philosophers might affirm that Tod is to affirm, “I am to rescue the child, because doing so will humiliate Jeff,” because doing so will save the child’s life (notice that the latter ‘because’ is outside of quotation marks because it is not internalized by Tod, but is the reason for the philosopher’s affirmation). Tod should only affirm, “I am to rescue the child, because doing so will humiliate Jeff” if the principal goal of his deliberation should be to achieve the best outcomes, rather than to understand what is to be done and why. But since our goal, *qua* philosophers, is to understand what is to be done and why, the norms I offer in this work are precisely those which further this goal. But in the unlikely event we are ever confronted with a demon threatening to destroy Australia unless we come to believe theoretical or practical falsehoods, it may well be that we should work to warp our understanding; and, in such a case, for the sake of preserving the good people of Australia, we might put aside these norms meant to aid us when we seek to further our understanding.
I. That Which Furthers Nothing Which is to be Pursued is not to be done.

In chapter III, Section I, I defined a subject of non-instrumental value as a being such that objects are to be realized in that being as ends in themselves, from which it follows that any being such that it is not the case that objects are to be realized in that being as ends in themselves is not a subject of non-instrumental value. I take it that no objects can be realized as ends in anything that is not some sort of being, where “being” is construed as broadly as possible to include all mental and physical beings, or even the entire universe or God. Thus, if \( e \) is not an object to be pursued in a being of non-instrumental value as an end in itself, then it must be a means to such an end, or else it cannot be understood as an end to be pursued at all. Moreover, I argued in chapter III, Section V.B. that the basic human goods are the only objects in humans which are to be pursued as ends in themselves. It follows, then, that if \( e \) is an end to be pursued as an end in itself, and \( e \) is not a basic human good, then \( e \) must be an end to be pursued in some non-human being of non-instrumental value, or else \( e \) cannot be understood as an end in itself at all.

Thus, when we are seeking to understand whether an action is to be done, which not even instrumentally achieves anything to be pursued in any non-human subject of non-instrumental value, nor achieves any basic human good, we can infer that the action in question achieves nothing that is to be pursued. If we know that a possible action would achieve nothing which is to be pursued, it seems there is no reason to affirm that an action which would pursue nothing which is to be pursued is to be done. This conclusion is plausible because all salient candidate reasons are already accounted for by the basic goods. For instance, the good of religion explains the choice to sacrifice, the good of practical reasonableness explains the choice to act for no other reason than that it seems the right thing to do, and the good of justice explains the
choice to hold perpetrators of injustice accountable. As for all pleasures, they seem to be pursued only if some basic good can justify their pursuit. Eating superfluous food that neither motivates one to accomplish one’s work, contributes to one’s psychical or mental wellbeing, nor conduces to any relationships does not seem like something we’d rationally affirm is to be done; it’s an akratic habit many of us would rather be rid of. Engaging in sexual activity that does nothing to further any valuable relationship, or one’s physical or mental well-being, strikes many as a non-rational or even chauvinistic impulse, not something to be pursued. Similarly, pain medications might help someone achieve emotional rectitude, no longer suffering from pain that would discourage them from worthwhile activities, or medical treatment; but when taken simply for pleasure, they are harmful and the apparent benefit is illusory and evanescent. Finally, the point at which “getting rest” transitions into “laziness” is roughly the point where further rest does not intelligibly contribute to any aspects of one’s well-being, relationships, or future productivity.

Thus, insofar as we seek to understand what is to be done, we should favor those actions which achieve something that is to be pursued in some being of non-instrumental value; and wherever such a beneficial course of action is available, unless there is some overriding reason not to, we should always affirm it is to be done rather than some action or inaction which achieves nothing that is to be pursued, which we may call “pointless.” It seems that we live in a world with enough possibilities that almost all of us have alternatives available to utter pointlessness. Even if our employers force us to do otherwise pointless tasks, we may still do them for the sake of providing for our families; and even if we’re cruelly imprisoned or confined by illness to a hospital bed, we can still do whatever we can to maintain our physical and mental fitness, contemplate wisdom, religion, or beauty, try to form friendships or community with any other proximate persons, or else to relax, achieving emotional rectitude in harmonizing our
emotions with the fact that nothing else can be done and, thus, nothing else is to be done. At the very least, hopefully, we can determine that we are not to do things that further harm ourselves or others. But if we should ever lack even these minimal opportunities, then we would simply lack the freedom to determine what is to be done for ourselves on the basis of our understanding of what is to be done, and thus lack the ability to utilize any of the precepts for determining what is to be done outlined in this work.

II. Incommensurability, Impartiality, and Beneficence

One might hope that, in spite of the incommensurability of the goods discussed on pages 88-89, many questions of what is to be done can be settled by some sort of comparative weighing of the goods. It might seem that certain possible instances of goods clearly outweigh others, rendering actions that would realize these weightier goods more exigently to be pursued while, in borderline cases, leaving it to agents’ acts of choosing to determine what is to be done, as discussed on pages 53-54. Consider two obviously incommensurable attributes, height and sense of humor. Suppose your friend asks you to set her up with the tallest, funniest single guy you know and that the two candidates who come to mind are Ernesto who’s 6’2” and almost never tells or appreciates jokes and seems nearly always jaded and morose, and Enrique who’s 6’1” and is the funniest person you know. Although Enrique is not the tallest, since he’s an inch shorter than Ernesto, he’s still the better fit for the “tallest and funniest” even though there’s no objective standard for commensurating the two attributes as evidenced by the fact that some readers might think Enrique still best satisfies this description at 5’4”, where others might say that Ernesto is the better choice if Enrique is anywhere under 5’9”.

Since our strategy throughout this work has been to look to norms of theoretical reasoning for clues as to how we should conduct practical reasoning, it is also worth noting that
it seems we are inclined to grant that some theoretical reasons are weightier than others even if they are incommensurable. For instance, suppose we were trying to answer the question, “who will win the 2016 election?” If we learned that 70 out of 100 randomly selected voters in Wyoming said they would vote for Trump, that would be a weak, though intelligible, reason to affirm that Trump will win. But if we then learned that 70,000 out of 100,000 randomly selected voters in Ohio said they would vote for Clinton, that would be a much stronger reason to affirm that Clinton will win. But learning how these Ohio voters will vote does not tell us everything that the information about the Wyoming voters does and more. Indeed, it’s conceivable that a great multitude of individual pieces of data as significant as the Wyoming poll could, collectively, carry as much predictive force as the Ohio information. Thus, acknowledging the incommensurability of reasons is, in principle, compatible with acknowledging that some reasons should generally be regarded as weightier than others.

I think that the most promising strategy for comparing the weights of incommensurable instances of basic human goods is to divide them into major instances of a basic human good and minor instances of a basic good, which we may abbreviate as “major goods” and “minor goods,” such that major instances are those instances of a good that are so significant that they might plausibly determine whether one lives a fulfilled life with respect to that category of basic good, while minor instances are those instances of a good that could not plausibly be expected to determine whether one lives a fulfilled life with respect to that category of basic good. For example, attending college might determine whether a certain person lives a fulfilled life with respect to the basic good of knowledge and then is able to pursue a meaningful career that enables them to live a fulfilled life with respect to the basic good of skilled performance. In such a case, the money and time needed to complete college would be instrumentally necessary to
achieve a major instance of a basic good. Living close to one’s work and a place where one can safely exercise and get groceries may determine whether one lives a fulfilled life with respect to health. Hours of daily commute could even sap a person’s stamina to the detriment of their career, relationships, or time to exercise or prepare healthy meals, or take away time they could spend playing with or teaching their children, undermining their children’s fulfillment with respect to knowledge and play. Thus, the financial means to afford to live in such a place might be instrumentally necessary to achieve major instances of goods; and in major urban centers like Los Angeles or Manhattan, such requisite financial means may be considerable! While it’s rare that any one expensive date might determine whether one lives a fulfilled life with respect to romantic friendship, or that skipping a single Broadway production would leave one’s life unfulfilled with respect to aesthetic appreciation, if one makes a habit of sacrificing such goods for the sake of others in need, the scarcity of remaining instances of that good one has left in one’s life might make each more significant. So, suppose Tony loved Broadway musicals and went to see them 50 times a year, but could be fulfilled with respect to the good of aesthetic appreciation as long as he saw 2 shows per year. If he sacrificed seeing 48 shows in a year, that would make the remaining 2 shows he plans to see major instances of a basic good.

In light of this commensuration, it would appear that a reasoner would not be impartially choosing between goods on the basis of their objective value if, ceteris paribus, she affirmed that some minor good is to be pursued rather than some major good. While promising, there are many puzzles still to be worked out before we could hope to achieve a working account of our duties of beneficence, much less establish a consensus. In eliminating the single Utilitarian good, “pleasure and avoidance of pain,” and denying the extreme commensurability of the goods that is implied by “utility,” this account of partiality is less demanding than Peter Singer’s suggestion
that “we ought to give until we reach the level of marginal utility - that is, the level at which, by giving more, [we] would cause as much suffering to [ourselves] or [our] dependents as [we] would relieve by [our] gift.”57 But many may not be inclined to think even this level of impartiality is required. For instance, one might think our obligations or relationships to others or even ourselves provide additional reasons to pursue benefits in such persons and that we, e.g., thus, should [or are at least permitted to] buy our children toys for their birthdays and other special occasions, even if they already have enough toys to be fulfilled with respect to the good of play, and stylish clothes even though drabber ones would be unlikely to hinder their acquisition of friends, mental health, and aesthetic appreciation, and even though that money could be used to spare another child from starvation. However, a utilitarian might think this selfish folly, as evidenced by how many toys and clothes so often sit idly in closets seldom used, when the money to purchase them could be used to address dire needs. Similarly, one might think such a requirement for impartiality unfair in that it would find error in Paula concluding that she is to take an arduous and unfulfilling job so that she can earn enough money to buy herself expensive minor goods rather than donate to realize major goods in others, while not finding any error in Valencia who determines that taking on more work than the occasional gig she needs to support herself would likely undermine her fulfillment with respect to health, friendship, play, and knowledge and, as such, pursues a life of leisure with just enough money to sustain herself with respect to all major goods and, thus, no requirement to give.

Singer might find Valencia selfish, noting that the suffering she would incur in working a little bit more and giving up a few leisurely activities would be negligible compared to the suffering from starvation she might relieve. Even if Valencia might be right that in doing so she

would not be living as fulfilled of a life with respect to some basic goods, she would still be sparing children from a horribly unfulfilled life. Then again, especially if Valencia devotes most of her leisure to theoretical contemplation, an Aristotelian might think she is living the best possible human life and that the only error is in Paula’s thinking she should sacrifice her opportunity to do significantly fulfilling things to take an unfulfilling job so as to buy luxuries that are neither significantly fulfilling for herself nor anyone else.

Then there is the Problem of Expensive Tastes. Lord Grantham may regard himself as a miserable failure who has failed to sustain the legacy of his forbearers if he is forced to sell Downton Abbey or dismiss the retinue of servants needed to maintain it. He may also lose his sense of self and purpose in giving up the only role he has ever known as a feudal lord, and though he’d be able to retire comfortably to his townhouse in London, he would always pine for the manor he grew up in. Thus, he could make a compelling case that keeping the manor may be important for his being fulfilled with respect to the basic good of emotional soundness from which it would follow that he need not sell it to donate the money to address other’s dire needs. Even if one accepts this conclusion, I expect few will be inclined to affirm that if the hardworking, middle-class, Paula has to choose between purchasing some luxury for herself that would only marginally contribute to her fulfillment with respect to some basic good, or else giving Lord Grantham the remaining money he needs to pay his debts and keep the manor that she is to do so and that if she concluded otherwise, she would err.

Finally, even if we were inclined to affirm that major instances of basic goods are always to be pursued before minor instances, we would still have other questions as to how to

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58 Aristotle, Nicomachean Ethics, Chapter 10 Translated by W. D. Ross
http://classics.mit.edu/Aristotle/nicomachaen.10.x.html
commensurate goods concerning which there is no consensus. For instance, we might ask whether major goods are absolutely more valuable than minor goods, or whether enough minor goods could collectively form a weightier reason, even if they could not collectively determine whether some person lived a fulfilled life with respect to some basic good. Consider the case of a demon who asks us to choose between his blinding one randomly selected person or else inflicting some minor suffering on every person he could without thereby threatening to render them unfulfilled with respect to any basic good. I do not think there is any consensus of inclinations as to whether a major good (sight) is to be preferred over billions of minor instances of emotional soundness.

Then there is also the question of whether the major goods of numerous people are to be prioritized over the goods of one. Numbers are commensurable, but as soon as one puts individuals behind them, the apparent commensurability slips away. The number 3 is greater than 1; but if someone offers to trade us our 1 car for 3 cars, it would be foolish to accept without first learning the model and condition of each car, so as to determine whether they’re actually collectively more valuable. But the wellbeing of each person does not come with a blue book market value, because it is priceless and far more complicated. If given the choice, should we save a 20-year-old over a centenarian? If so, how many centenarians would have to be savable before saving the lot of them was preferable to saving a single 20-year-old? Should it matter that the 20-year-old has a significant disability, while the centenarians are perfectly healthy? If so, one might be inclined to commensurate the value of the opportunities to help people by seeking to maximize quality-adjusted-life-years, which roughly multiply the quality of the person’s life by the amount of time any given intervention would give them to live. But Jonathan Harris
challenges this intuition, arguing that such a practice would unfairly further disadvantage those who are already disadvantaged,

This feature of QALYS involves a sort of double jeopardy. QALYs dictate that because an individual is unfortunate, because she has once become a victim of disaster, we are required to visit upon her a second and perhaps graver misfortune. The first disaster leaves her with a poor quality of life and QALYS then require that in virtue of this she be ruled out as a candidate for lifesaving treatment, or at best, that she be given little or no chance of benefiting from what little amelioration her condition admits of. Her first disaster leaves her with a poor quality of life and when she presents herself for help, along come QALYs and finish her off!\(^6\)

If, in order to stop the launching of a nuclear missile that will kill millions I must swim through acid, which will scald, blind, and eventually kill me, to flip a switch, would I err if I concluded that I am not to do so and am to, instead, preserve my well-being? While most would praise me if I did sacrifice myself, and excuse me if I did not, would this excuse amount to excusing an akratic cowardice to which all but the most valiant might have succumbed in such a position, or would it be a vindication that my determination that I was to save myself was, in no way, incorrect?

At any rate, I take these debates to be too contentious and intuitions to be too unclear to pronounce that we are inclined to affirm any particular axiom that elucidates our duties of impartiality and beneficence, and I also find that enough good philosophical work on such issues has been done in the last few decades, that it’s likely we will arrive at axioms more conducive to understanding if we patiently wait for or seek to develop better axioms. Recall the Principle of

\(^{60}\) Jonathan Harris, QALYfying the value of life, *Journal of Medical Ethics* 1987; 13; p. 120
Affirmation, “When we are inclined to settle a question by affirming a certain conclusion and think it so unlikely that we will better achieve understanding by waiting to settle that question that suspending judgment would most likely be to the detriment of one’s general pursuit of understanding, let us settle the question by affirming what we are inclined to affirm.” Since these conditions are not met, let us suspend judgment with respect to this axiom.

III. That to the Extent that an Action Impedes that Which is to be Pursued, it is not to be Pursued.

To the extent that something impedes, prevents, or obstructs that which is to be pursued, it hinders that which is to be pursued. We are inclined to affirm and could little understand what is to be pursued unless we assumed the principle of instrumentality, “to the extent that x contributes to the realization of a state of affairs that is to be pursued, x is to be pursued, and to the extent that x hinders the realization of a state of affairs that is to be pursued, x is not to be pursued.” Recall that because of the FPPR, when seeking to understand what is to be done, we should “take our denials that φ is to be done/pursued to exclude the affirmation that φ is to be done/pursued.” Thus, to the extent that x impedes, prevents, or obstructs that which is to be pursued, we should deny that x is to be pursued and affirm that x is not to be pursued. Furthermore, because of the practical assumption of objectivity, we should regard others’ denial that x is to be pursued to the extent that it impedes, prevents, or obstructs that which is to be pursued to be correct, and their affirmation that x is to be pursued to the extent that it impedes, prevents, or obstructs that which is to be pursued to be incorrect.

Since each possible instance of a basic human good is to be pursued in itself, it follows that one has failed to attain some understanding of what is to be pursued if one does not recognize that that instance is to be pursued. Nobody recognizes every possible good to be
pursued, just as nobody realizes every fact that is the case, so the failure to understand everything is unavoidable. But certain duties, or the immediate salience of some possible goods can make such a rational failure more problematic, as when a father neglects to consider that his daughter’s health is to be pursued, or when one does not recognize anything to be pursued about the state of affairs in which the child drowning within one’s reach is saved. To avoid such significant failures to understand what is to be done, we should be especially attentive to what duties might follow from the roles and obligations we have undertaken, and from the unique opportunities we may have to offer one another critical assistance in attaining or preserving significant goods to be pursued.

But one form of error that is especially detrimental to understanding what is to be done is to not only neglect to recognize that some instance of a basic human good is to be pursued in itself, but to indeed actively affirm that that good is not to be pursued in itself, or even that that good’s negation is to be pursued in itself and that means instrumental to that good’s negation are to be pursued, as such. This error is analogous to the theoretical mistake of taking a consideration that counts in favor of a conclusion as counting against a conclusion. For instance, just as it would be an error to take the fact that x is a prime number to count in favor of the conclusion that x is an even number, so also would it be an error to take the fact that Φ-ing would be detrimental to one’s health to count in favor of the conclusion that one is to Φ. One might think these errors must be more different because we are more inclined to blame people for practical errors of this sort. To this, I reply that while accounting for reactive attitudes such as blame is beyond this scope of this work, it appears that we blame people to roughly the extent that their judgment sensitive attitudes impair their relationship with ourselves, subjects we care about, or
our community;\textsuperscript{61} and affirmations that actions are to be done are likely to manifest themselves in actions that are more harmful to our relationships or communities than mere beliefs. But, certainly, assuming neither acts on nor vocalizes these judgments, when a racist affirms that the fact that x is Jewish counts in favor of the conclusion that x is not a human, we are inclined to blame the racist for this theoretical error more than we are inclined to blame the catty Jennifer for the practical error of affirming that “if I tell Rebecca she’s ugly, that will cause her emotional distress and ruin her self-esteem” counts in favor of telling Rebecca she’s ugly.

While this norm can explain the error of pure antipathy to aspects of the well-being of others, it has a significant limitation in that it cannot account for the error of instrumental hostility. Consider Tom who decides to murder his rich uncle Alfred so that he can quit his boring job and, instead, devote his life to the acquisition of knowledge. In such a case, Tom is correct that knowledge is to be pursued and need not make the error of supposing that Alfred’s life is to be impeded in itself—we might suppose that Tom likes Alfred and wishes there were some way to get Alfred’s money without killing him. In such a case, Tom would not be affirming that his uncle’s life is to be impeded in itself, but only as a means to achieving some other thing which is good; and in Chapter 3, we only demonstrated that each possible instance of a basic good is a \textit{pro tanto} good, not an \textit{absolute} good. If we could establish that the basic goods were absolutely good, or to be pursued without qualification, then it would never be correct to deny that they are to be pursued and not impeded even instrumentally. But I take it that many readers, especially consequentialists, would not be inclined to affirm that every possible instance of a basic good is to be pursued absolutely. Such readers, e.g., might think that certain things which are good are to be avoided, impeded, or destroyed, for the sake of the “greater good;” and

\textsuperscript{61} T.M. Scanlon, Moral Dimensions: Permissibility, Meaning, Blame, (Belknap; Harvard University Press; 2008) p. 128-129
I do not hope to settle the debate between consequentialism and non-consequentialism here. Even if we did grant that each instance of a basic good is absolutely good, our version of the Doctrine of Double Effect would now admit of the same shortcomings noted by Jonathan Bennett. For instance, while this doctrine could account for the error of Tom affirming that he is to end Alfred’s life so as to inherit his fortune, it might not be able to account for the error of Tom affirming that he is to shoot Alfred in the head so that a coroner will pronounce him dead so that he can inherit his money. In such a case, we might assume that Tom knows with certainty that shooting Tom in the head will kill him, but that he would be just as happy if the bullet simply knocked Alfred unconscious long enough to trick the coroner and allow for him to escape with the money. In such a case, one might argue that Tom is seeking only the appearance of death, as with the potion Friar Lawrence gave to Juliet in Shakespeare’s *Romeo and Juliet*, except that his chosen means just happens to achieve this appearance in a manner that also is fatal. Thus, other norms are needed to explain why Tom’s conclusion is errant.

But if Tom’s purpose in seeking the inheritance is not some selfish end but, instead, supporting an aid agency that will help thousands of children who would otherwise starve, perhaps some consequentialists might not find Tom’s conclusion that he is to shoot his uncle as a means to this end errant, especially if he can do so secretly without generating other negative consequences like undermining the public’s sense of security, or respect for the rule of law or relations among family members. It is here that I think consequentialists and non-consequentialists must, at least for now, part ways and agree to disagree, because the conclusions that best fit with the totality of their inclinations to affirm appear significantly different. In the following chapter, I shall explore what principle would best help most nonconsequentialists

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account for the error of even the altruistic Tom’s conclusion, which will amount to a strong, though not necessarily definitive, reason to presume against the correctness of any conclusion that one is to usefully involve others in the promotion of one’s goals, in a manner that will foreseeably be harmful to them, without their consent. As with all other axioms in this work, I will argue that nonconsequentialists should accept this axiom because A) it best fits with the totality of their inclinations to affirm that certain actions are or are not to be done, as evidenced by the cases I will consider that will prime intuitions that ground these inclinations B) it admits of no counter-examples, and C) non-consequentialists will find themselves unlikely to make much progress in determining what is to be done in the domain of actions in which harm might be expected to befall others as a result of our actions unless they accept some axiom that offers guidance for dealing with such cases, and this axiom promises to further that understanding best because it is the only salient proposal that satisfies conditions A and B.
Chapter 5. The Doctrine of Double Effect [Revised]"  

I. Introduction

A central challenge for nonconsequentialists has been accounting for common intuitions that, in pairs of cases with identical consequences, the agency in cases like terror bombing, guinea pig, and trolley push seems less likely permissible\(^63\) than their counterparts:

1. **Strategic Bombing**: A pilot bombs an enemy munitions factory foreseeing, but not intending, that civilians living nearby will be killed, demoralizing the enemy.

   **Terror Bombing**: A pilot bombs an enemy munitions factory in order to kill the civilians nearby and, thereby, demoralize the enemy.

2. **Direction of Resources**: Doctors have insufficient resources to treat all of their patients infected with a life-threatening illness, so they selectively treat the patients more easily cured, leaving the more difficult cases untreated.

   **Guinea Pig**: Doctors in the same situation as Direction of Resources decide to leave the more difficult cases untreated in order to learn more about the nature of the disease, expecting to thereby develop new treatments that could save more lives.

3. **Trolley Case**: A trolley is headed towards killing five people on track 1. A bystander, Larry, observes that he can divert the trolley to track 2 with just one person on it,

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\(^63\) Throughout the preceding chapters, I generally avoided discussion of the “permissibility” of actions, instead focusing whether one might be correct or incorrect in affirming that certain actions were to be done or were to be done for certain reasons. But engaging in this contemporary discussion requires that we adopt the key normative term used by the likes of Quinn, Kamm, Thomson, and Bennet. But, for our purposes, we may assume that if an action is impermissible, then it is not to be done; if it is permissible, then it is the sort of action that an agent, *prima facie*, might be correct in determining that it is to be done; and if it is obligatory, then it is to be done.
Bob, who would be killed. Realizing that this is his only hope of saving the five, he diverts the trolley away from the five but towards Bob.64

_Trolley Push:_ A trolley is headed towards killing five people. A bystander, Larry, sees a very large Bob on the platform who, if pushed in front of the trolley, would, by being hit, stop the trolley from reaching the five, but also certainly die. Realizing that this is his only hope of saving the five, he pushes Bob in front of the trolley.

Proponents of the Doctrine of Double Effect initially attempted to explain common intuitions about these cases by claiming that Terror Bombing, Guinea Pig, and Trolley Push entail intending harm—something taken to be morally impermissible. However, such explanations have been, in the eyes of many, largely discredited by Jonathan Bennett, who has argued that, in such cases, one need not strictly intend harm.65 Warren Quinn grants that Bennett may be right that, in Terror Bombing, one need not actually intend the civilians’ death to achieve the enemy’s surrender; rather, one need only intend to create the _appearance_ of their deaths until the war is over.66 Quinn also acknowledges that perhaps even doctors in Guinea Pig could claim that the disease’s harming and killing the patients contributes nothing to their medical aim; it is simply the disease’s continued presence in their patients that is useful for the doctors’ observation.67 Accordingly, he proposes that one can salvage these common nonconsequentialist intuitions by positing a general presumption against usefully involving persons in actions or

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64 I use “Larry” as the agent and “Bob” as the person who is usefully involved throughout this paper for simplicity, though these names do not appear elsewhere in the cited literature.
67 Ibid., 182.
omissions (hereafter “ϕ-ings”) that will foreseeably harm them without their consent, which strengthens any independent rights\(^68\) they may have not to have harms imposed upon them.

Frances Kamm generally agrees with Quinn but, *en route* to arguing for her own Doctrine of *Triple Effect*, proposes that non-consequentialists should understand Quinn’s presumption, which she calls the Doctrine of Double Effect [Revised], or DDE[R],\(^69\)\(^70\) as presuming only against ϕ-ings in which one *intends* another’s harmful useful involvement, not against ϕ-ings in which one ϕ-s merely because this involvement will occur. Kamm maintains that among the effects such that one ϕ-s because one’s ϕ-ing will bring them about, there is a distinction between effects that one intends and effects such that one ϕ-s *merely because* ϕ-ing will bring them about; and she holds that it would be implausible to interpret the DDE[R] as presuming against the latter. To demonstrate these claims, Kamm offers her celebrated

*Party Case*: Larry wants to host a party in order to have fun, but knows that it will create such a mess that he would not throw the party if he expected to be left to clean up

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\(^68\) This presumption should be understood as one of numerous factors that might strengthen a person’s rights that trigger duties in an agent to avoid allowing harm to befall the person as a result of the agent’s actions or omissions. As these rights are strengthened, the need to avoid these harms moves upwards along the spectrum from a weak *pro tanto* reason for the agent to a conclusive obligation. Examples of other factors commonly thought to strengthen independent rights, but which I shall not argue for here are 1) that the agent is uniquely able or willing to save the person from harm 2) that the agent can save the person from harm without sacrificing anything of comparable importance (which Peter Singer has considered extensively) 3) that the person would suffer harm as a result of something the agent does, rather than just allows to happen 4) that the agent has promised to help the person, has contributed to the person’s dependency, or has benefitted enough from the person to warrant a measure of reciprocity.


\(^70\) Despite the name, I do not think the Doctrine of Double Effect [Revised] entirely replaces or renders the original Doctrine of Double Effect obsolete. The DDE[R] seems better suited to account for the impermissibility of usefully involving others without their consent in a harmful manner. However, the original Doctrine of Double Effect remains perhaps the best tool for proponents of exceptionless moral norms to explain how one can feasibly avoid violating absolute moral or religious prohibitions. For instance, when one must use lethal force in self-defense, one could credibly deny violating a general prohibition against intentional killing by claiming that though one expected further harms to befall one’s assailant, one intended nothing further than his temporary incapacitation, because nothing further than this was necessary to avert the danger the assailant posed.
alone. However, he throws the party because he foresees that if he throws the party, his friends will feel indebted to him, which will cause them to help clean up.\footnote{Ibid., 95.}

When Larry is considering, “Am I to throw a party?” the fact that (a) “if I throw a party, I would have fun” would, by itself, be a sufficient reason to throw a party. But then he considers the side-effect (b) “throwing this party would produce a huge mess.” (b) counts strongly against throwing the party, rendering (a) no longer a sufficient reason to throw the party. But then Larry considers the fact that (c) “if I throw a party, my friends will feel indebted and, thus, help clean up the mess.” (c) counts in favor of throwing the party only by undercutting the negative force of (b), diminishing it to the point that it no longer undermines (a)’s status as a sufficient reason to throw the party. As Kamm says, it “defeats the defeaters of…[the] primary reason.” Since (c) is intelligible as a reason only by diminishing the force of other reasons, Kamm calls it a “secondary reason.” Kamm argues that the effects that one intends are those effects that result from one’s \( \phi \)-ing, where one \( \phi \)’s, at least in part, “in order to” bring about those effects. If, in throwing a party, one intended to make one’s friends feel indebted, since their indebtedness is not a means to having a fun party nor an end in itself, one would have to intend it as a means to not having to clean up a mess from a party alone. If one intends an effect as a means to an end, it follows that one intends that end. It would follow then, that one would be throwing a party, at least in part, in order to not have to clean up a mess from a party alone. Kamm thinks this absurd, since it is only by throwing a party that one creates any risk of having to clean up a mess alone.\footnote{Ibid., 99.}

I think that Kamm thus succeeds in overturning the well-established Counterfactual Test for whether an effect is intended, establishing that in \( \phi \)-ing one need not intend the effects that constitute one’s secondary reasons even if one would not \( \phi \) if not for the expectation that \( \phi \)-ing

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\footnote{Ibid., 95.}
\footnote{Ibid., 99.}
would bring about these effects. However, I do not believe that her Party Case succeeds in showing that the DDE[R] should presume only against intended useful involvement. Let us call Kamm’s interpretation of the DDE[R] as only presuming against intended effects, the narrow interpretation of the DDE[R]. In this paper, I shall be arguing for a broad interpretation which presumes against not only intended, but also merely-because-of effects.

To show that Party Case and other putative counterexamples to the broad interpretation do not succeed, I explore in the next section the rationale for Quinn’s DDE[R], which I then use in section III to show that the broad interpretation can accommodate these cases as instances in which the independent rights of those who could be usefully involved are simply too weak to successfully object to their involvement, even when these rights are strengthened by the DDE[R]’s presumptions. To demonstrate that it is precisely the weakness of these independent rights that makes the agency in Party Case permissible, I offer an intuitively impermissible variant of Kamm’s case in which one expects only one guest, who will not enjoy the party, to feel indebted to clean up far more than his fair share of the mess. I also present variants of both cases in which one intentionally makes the guests feel indebted, in order to show that it is only the strength of the guests’ independent rights, not whether their useful involvement is intended, that is morally relevant. Finally, in sections IV and V, I consider objections raised by variants of Judith Thomson’s Loop Case and then provide some concluding remarks in section VI.

II. The Rationale for Warren Quinn’s DDE[R]

Quinn wrote before Kamm argued for a trichotomy among intended effects, merely because of effects, and side effects. Thus, it is an open question whether Quinn would have

73 Larry might also be frustrated in the event that nobody cleaned up and made to regret throwing a party. But, on Kamm’s account, this does not show that he intended for them to clean up if he was not disposed to do anything in order to get them to clean up. It only shows that he expected them to clean up and that that expectation was necessary for him to act.
grouped harmful involvement in which an agent $\phi$’s merely because $\phi$-ing will bring that involvement about along with intended harmful involvement or along with harmful involvement that $\phi$-ing brings about as a mere side-effect. Even though interchangeably employing the language of “intending” an effect and acting “because one will produce” an effect, much of Quinn’s text nevertheless suggests that what he regards as crucial is whether the agency is chosen because it will involve the victim in a way that furthers the agent’s purposes:

Take [Terror Bombing] and [Strategic Bombing]. In the former case, but not the latter, the bomber undeniably intends in the strictest sense that the civilians be involved in a certain explosion, which he produces, precisely because their involvement in it serves his goal…his purpose requires at least this—that they be violently impacted by the explosion of his bombs…What matters is that the effect serves the agent’s end precisely because it is an effect on civilians. The case with [Strategic Bombing] is quite different. The bomber…can honestly deny that their involvement in the explosion is anything to his purpose… Similarly, the doctors in [Guinea Pig] intend, as something toward their further goal, that the disease in the untreated patients work its course…but in [Direction of Resources], nothing that happens to the untreated patients serves the doctor’s further goal.  

An…agent may be certain that his pursuit of a goal will leave victims in its wake. But this is not because their involvement in what he does or does not do will be useful to his end. The agent of direct harm, on the other hand, has something in mind for his victims—he proposes to involve them in some circumstance that will be useful to him precisely because it involves them. 

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75 Ibid., 190.
Generalizing from such cases, Quinn writes that there is a “strong moral presumption that those who can be usefully involved in the promotion of a goal only at the cost of something protected by their independent moral rights (such as their life, their bodily integrity, or their freedom)\(^76\) ought, *prima facie*, to serve the goal only voluntarily.”\(^77\) Quinn, in turn, supports this presumption by describing the apparently disrespectful attitude that must be exhibited by even the most benevolent Terror Bombing bomber or Guinea Pig doctor towards their victims: “he sees them as material to be strategically shaped or framed by his agency…as if they were then and there for his purposes.”\(^78\) Quinn thinks such an attitude problematic, because part of being a free and equal person is to have some say over what happens to oneself, which gives one “some veto power” against others treating one as a mere means to be subordinated to the greater good.\(^79\)

This presumption, as Quinn presents it, appears indifferent to whether the involvement is intended, focusing only on whether the victim is involved because his involvement will be useful

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\(^{76}\) While Quinn’s parenthetical examples of independent rights that are strengthened by the DDE[R] is not exhaustive, I think it important to note that the rights he lists relate to one’s well-being and one’s status as a free agent. Our status as free and equal persons seems to ground not only rights not to suffer bodily harm, but also rights to maintain our privacy and agency. So, for instance, the DDE[R] could strengthen an innocent person’s objections to being subjected to intrusive surveillance techniques as part of efforts to monitor suspected terrorists that are not narrowly tailored to their targets, such as the NSA’s bulk collection of metadata from hundreds of millions of phone calls, because it was by means of using cellular data from every user that they proposed to identify terrorist networks. But suppose that terrorists routinely used the same walkie-talkie frequency used by children playing; here, if the FBI monitored that frequency, they could not be said to be usefully involving the children, since their communications would effectively be “noise” that they need to listen to, separate out, and ignore. Similarly, one might object to being made to be a guinea pig in an experiment even if the experiment was not otherwise harmful because this compromises one’s privacy and agency. This right not to have one’s privacy and agency compromised, I think, would suffice to establish the impermissibility of the agency in Guinea Pig if there were no doctors around and the agency was undertaken by an ordinary person who happened to have studied anatomy and organic chemistry. We might not have a right to medical treatment from lay science enthusiasts; but we do have a right not to be reduced to their guinea pigs. This same right might ground our objections to being made a guinea pig in cases so mild that we would not have an independent right to treatment. For instance, if, as an anonymous reviewer suggested, we have a hangnail, we have no right to demand treatment, but we do have a right to demand that a person not withhold treatment so that he can monitor the natural progression of our hangnail for the sake of better treating other hang nails.

\(^{77}\) Ibid., 191.

\(^{78}\) Ibid., 190.

\(^{79}\) Ibid., 192-193.
in the promotion of the agent’s goal or is involved as “nothing towards the agent’s purpose.”

Since Quinn takes the DDE to “apply more directly to moral justification than to other forms of moral evaluation,”\(^80\) we can observe the exculpating force, in hypothetical justification to the agent’s victims, of the fact that their involvement is nothing to the agent’s purpose. That the Strategic Bombing bomber and Direction of Resources doctor can honestly deny that their victims’ involvement is anything to their purpose already brings them halfway towards justification, establishing that their agency does not run afoul of this presumption and that they are not, in that act, treating the victims as “mere means,” because the victims’ involvement is not a means at all. The remaining element in justification involves showing that the agent is acting with adequate regard for the victims as “ends in themselves.” In this element, the agents in Strategic Bombing and Direction of Resources are able to cite the weighty goods of the many lives to be saved, which they—consistent with valuing all persons equally, including the victim, simply give priority.\(^81\) Moreover, they are able to make clear that they do in fact recognize the value of their victims’ well-being, in that they perform their actions, and accept their victims’ involvement as a side-effect, only because there is no way of pursuing those goods without accepting those side-effects. So, for example, the Direction of Resources doctors may tell their patients, “I would treat you, if only I had the resources to do so,” and the Strategic Bombing bombers can say, “If there were some way to blow up the factory without harming you, I would.”

However, this second justificatory element fails to constitute an adequate justification when the first element is not also satisfied. For instance, the fact that the Terror Bombing bombers can say, “I would not involve you in an explosion, if only I had some other means to demoralize the enemy”; that the Guinea Pig doctors can say, “I would treat you if only I had

\(^80\) Ibid., 151.
\(^81\) Ibid., 190-192.
some other way to study the disease”; and that the agents of both Terror Bombing and Guinea Pig can say that they expect to save many more lives than they will destroy, still appears to leave them quite far from adequately justifying their actions to their victims. It appears, then, that Quinn’s rationale supports the broad interpretation’s general presumption against the nonconsensual useful involvement of others in the promotion of an agent’s goal.

Because the DDE[R] operates by strengthening pre-existing rights, we can see how it would differentiate clearer cases. For instance, the right of nations to defend themselves in just wars might permit foreseen civilian casualties in Strategic Bombing, given an adequately important target, but the right of civilians not to be killed becomes nearly insurmountable in the otherwise identical Terror Bombing, which proposes to use these civilians to demoralize the enemy. Moreover, all patients may have rights to life-saving treatment, so in Direction of Resources the rights of the many to treatment simply outweigh the rights of the few, but in Guinea Pig the rights of the many do not go so far as to make them entitled to have their moral equals used as if they were mere laboratory rodents for their benefit.82 In the trolley cases, we can see that innocent persons have a right not to have someone do something that will cause them to be crushed to death. This right would give Bob very solid grounds to object to having a trolley diverted towards him so as to prevent it from simply crashing into property, or even killing a single other person. However, in Trolley Case, most take the right of the five to be saved to be stronger; thus, diverting the trolley to track 2 seems permissible. But notice that, in Trolley Case, Bob’s being impacted by the trolley contributes absolutely nothing to saving the five. Indeed, one would accomplish this just as well even if Bob were not on track 2 at all. Thus, since Bob’s harmful involvement is nothing to one’s purpose, the DDE[R] does not strengthen Bob’s right not to be crushed in Trolley Case, leaving diversion in Trolley Case prima facie

82 Ibid., 187.
permissible. However, in Trolley Push, in which Bob is being thrust in front of the trolley and made to absorb its force, Bob’s right not to be crushed by a trolley seems to prevail because one clearly intends Bob’s involvement in an event that will harm him. The right of the five to be rescued does not translate into a right to have Bob used just as one would use a large rock, in order to save them. Of course, just as the DDE[R] might strengthen Bob’s rights, other factors might weaken these rights\textsuperscript{83} to the point that pushing him in front of the trolley might be permissible. Such factors might include Bob’s being maliciously\textsuperscript{84} responsible for the predicament that the five are in, or being otherwise imminently doomed. Recalling that the DDE[R]’s presumption renders agency impermissible only when combined with strong independent rights of those usefully involved, we can now observe that putative counterexamples to the broad interpretation of the DDE[R] are, in fact, just cases in which those involved lack sufficiently strong independent rights to veto that agency.

III. The Party Case and Other Putative Counter-Examples to the Broad Interpretation of the DDE[R]

It certainly would be a \textit{reductio} of the broad interpretation of the DDE[R] if it meant that Larry could not permissibly throw a party in Party Case. But Kamm “assume[s] that a feeling of indebtedness is something of a negative for a person to have.”\textsuperscript{85}\textsuperscript{86} Further, although his guests do consent to clean up, they cannot consent to being made to feel indebted to clean up; and Larry does throw the party only because he expects that doing so will make his guests feel indebted to

\textsuperscript{83} Ibid., 187.
\textsuperscript{84} If Bob was just negligently responsible for this predicament, I suspect that this would weaken his rights not to be pushed, though not enough to render pushing him permissible.
\textsuperscript{85} Kamm, \textit{Intricate Ethics}, 95.
\textsuperscript{86} One could credibly argue that the warranted stirrings of a duly guilty conscience are not actually a \textit{pro tanto} bad and that, on the contrary, feelings of warranted guilt are often preconditions to us becoming better and even happier persons. If this argument were successful, then Kamm’s Party Case loses the crucial premise by which it offers a putative counter-example to the broad interpretation. However, I’ll assume, for the sake of argument, that a feeling of indebtedness is a mild \textit{pro tanto} negative.
clean up. Thus, Party Case appears to be an instance of agency that the DDE[R], broadly interpreted, would presume against, strengthening any independent rights Larry’s guests might have not to feel indebted. However, it seems highly implausible to suppose that people have a strong right, if any, not to be politely made to feel indebted when they clearly owe another person something that they can easily repay. Suppose Larry threw a huge, fun party and then gave a speech thanking everyone for coming out and expressing his hope that they enjoyed themselves—adding, “And also, if you could please help out by throwing your trash in the bins near the exit, I would greatly appreciate it.” Let us call this case “Trash Talk.” Here, Larry clearly acts permissibly, even though he undeniably intends, as a means to mitigating the task of cleaning up, that his guests feel indebted to clean up after themselves. This suggests that, since his guests actually do owe it to Larry to clean up, they have no overriding right not to be politely made to feel that they owe it to clean up. So, while the broad interpretation presumes against the agency in Party Case just as strongly as it presumes against the agency in Trash Talk, it need not absurdly deny the permissibility of Larry’s actions in either case, since in both cases it can deny that the partygoers’ antecedent rights are strong enough to prevail against Larry, even when these rights are strengthened. Thus, Party Case is no counterexample to the broad interpretation.

Moreover, it seems to the broad interpretation’s advantage that it can account for the impermissibility of Larry’s exploitation of Bob in,

**Party Imparity:** Larry wants to throw a party in order to have fun, but knows that the party will create such a big mess that he would not throw the party if he expected to be left to clean up alone. However, he foresees that if he throws the party, his socially awkward friend, Bob, will come.\(^87\) Moreover, Larry knows that while Bob will not enjoy

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\(^87\) Let us assume that Larry invites all of his coworkers in general or some other defined group that includes Bob, such that there is no separate action of specifically inviting Bob.
himself, Bob will also be the only guest conscientious enough to feel indebted to help clean up. Thus, Larry expects that Bob will accept the significant burden of cleaning up after a party he will not have even enjoyed. Larry ultimately throws the party in part because doing so will make Bob feel indebted to help clean up.

Notice that this case has the exact same structure as Kamm’s Party Case. The fact, “if there is a mess, then Bob will feel indebted to help clean it up” serves only to “defeat the defeater” of the sufficiency one’s primary reason for throwing a party (i.e. having fun), and one certainly need not intend that Bob not have fun nor that Bob be the only one who feels indebted. Thus, if Larry need not intend his guest’s feeling of indebtedness in Party Case and may act merely because of it, then Larry also need not intend Bob’s feeling of indebtedness. However, Party Imparity seems impermissible, because it appears that Larry is unfairly taking advantage of Bob. In taking the fact that one’s throwing the party will bring about Bob’s involvement, which will be somewhat harmful to Bob, to count decisively in favor of throwing the party, one is treating Bob as “available for one’s purposes” of having a fun party without having to clean up a mess alone. Thus, it seems to the broad interpretation’s credit that it can account for this impermissibility.

Consider also a variant of Party Imparity in which Larry gives the same Trash Talk as before (call it, in this context, Trash Talk*). Here, let us suppose that, even as Larry directs to all his guests his Trash Talk* request to help clean up, he knows that only Bob will thereby feel obligated to help clean up—whereas, without Trash Talk*, not even Bob would feel obligated. Thus, Larry gives Trash Talk* in order to make Bob feel obligated to help him. Here, giving Trash Talk* seems impermissible for precisely the same reasons as the agency in Party Imparity. In both cases, one is taking advantage of Bob and exploiting his tendency to feel obligated to clean in a way that will prove somewhat harmful to him, as the condition upon which one acts.
The broad interpretation, then, offers the same assessment of both Party Imparity and Trash Talk*—a point that counts in its favor, given that the same assessment is intuitively warranted.

Kamm also acknowledges that her principles entail that, as long as one does nothing beyond what is necessary to blow up the factory, one could permissibly bomb an enemy factory even if one knew that there would be no point in blowing it up unless children nearby it were killed, demoralizing their parents from rebuilding the factory (Munitions Grief Case).8889 If one’s end is the destruction of the factory, knowing it will not be reconstructed is not a means to that end but, rather, something that makes accomplishing that end worthwhile. So, the fact that if one blew up the factory, the parents would soon rebuild it stands as a potential defeater of one’s primary reason, while the fact that blowing up the factory would kill children, thereby so aggrieving these parents that they would not re-build it, serves as a “defeater of the defeater” of one’s reason. Thus, Kamm considers these deaths a secondary reason and thinks that one may permissibly bomb because one’s bombing will bring these deaths about, while not intending to bring them about. However, far from the Strategic Bomber’s lamenting civilian deaths as “nothing to his purpose,” this agency strikes me as much closer to Terror Bombing, because the bomber sees the children’s deaths as presenting an opportunity by which he can achieve his military objectives, which is the condition of his bombing. It also seems problematic that the bomber takes the children’s deaths to be useful precisely because their deaths would so overwhelm their parents with grief that their agential capacity to move forward and rebuild would be annihilated. Once again, it seems a strength of the broad interpretation that it can deem this agency prima facie impermissible.

88 Ibid., 119.
Kamm, however, presents one case that she would take to be a counter-example to the broad interpretation, **Secondary Transplant Case**. She writes:

> “Suppose that we have a choice between going to save five people from disease A in location X and going to save Joe from disease A in location Y. We cannot save all six, so either the one will die or the five will die. Ordinarily, it would be correct to save the five, I believe. However, the procedure we must use if we save the five (but not if we save Joe) will give them an infection that is rapidly fatal. If there were no way to stop the infection, we should save Joe instead. However, the one thing that can combat the fatal infection in the five is a transplant into each of them of one of the organs that would be available only from Joe if he dies.”

I think this case cleanly divides the intuitions of those who would support the broad interpretation and those who would oppose it. It seems to me problematic that the only thing that keeps one from saving Joe is the fact that his body could be otherwise usefully employed to serve one’s purposes. Moreover, as one attempts to hypothetically justify one’s actions to Joe explaining, “I would save you if not for the fact if you died, I could use your organs to save the five,” Joe seems quite entitled to object to the use that one plans to make of his body, and would seem within his rights to veto the transplant of his organs. However, so that her challenge may convince even one who thinks this agency is impermissible, Kamm offers a modified case:

> “It is even more clearly permissible to save the five if it is not Joe’s organs that would save them (as he might have countermanded their use in order to making [sic] treating the five futile), but instead a transplant organ that would have gone

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to Joe had he lived but would be available for sharing among the five if they are treated for disease A.\textsuperscript{91}

But this case presents no reason to reject the broad interpretation either, since it seems that Joe’s rights both to be saved at the expense of the five, and to receive this transplant organ at the expense of the five, are so weak that, even when strengthened by the broad interpretation’s presumption, they are still unable to triumph over the rights of the five to be saved. Indeed, it would generally seem permissible for doctors, even intentionally, to commandeer organs that are scheduled to be transplanted to one patient and, instead, transplant them to save the lives of five other patients.\textsuperscript{92}

It appears, then, that most putative counter-examples to the broad interpretation may be extinguished with this reply: if it seems intuitively permissible to $\phi$ because one’s $\phi$-ing will involve the victim in a certain way, then it will also seem that the victim’s rights not to be involved in that way are so weak\textsuperscript{93} that even the presumption of impermissibility added by the broad interpretation will not suffice to render $\phi$-ing impermissible. Consequently, I do not think that there will be many cases that intuitively speak strongly against the broad interpretation, even though there certainly are such cases as Party Imparity and Munitions Grief that speak strongly in favor of the broad interpretation over the narrow.

The one limit to this reply is that one must consider whether an otherwise identical variant of the same agency, but in which the victim’s involvement is intentionally brought about, would seem impermissible. This is because the broad interpretation strengthens victims’ rights against such agency just as forcefully as it strengthens the rights of victims against merely because of agency. So, unless one also would grant the permissibility of Trolley Push, one could not accept

\textsuperscript{91} Ibid., 129.
\textsuperscript{92} I am, here, assuming that doing so would not violate established organ donation rules or laws.
\textsuperscript{93} Or are at least so weak compared to the rights of others that are at stake.
the broad interpretation’s presumption against Thomson’s Loop Case and insist that, even strengthened by this presumption, Bob’s rights not to be run over by a trolley are simply not strong enough, when stacked against the rights of the five to be saved, to render Loop Case impermissible. Accordingly, I shall now argue that one who accepts the DDE[R]’s rationale should regard the agency in Loop Case as impermissible.

IV. Rethinking the Loop Case

A key impetus for Frances Kamm’s narrow interpretation of the DDE[R] is that she takes the agency in Loop Case, which we can construct as follows, to be intuitively permissible:

Loop Case: A trolley is heading on track 1, towards killing five people. But track 2 loops back into track 1, such that if the trolley were allowed to traverse the entirety of track 2, the trolley would proceed to crush the five on track 1. However, half way down track 2, Bob is tied down to the track, such that if the trolley reached this point, it would crush him and stop, never reaching the five. Larry flips the switch, “intending that the trolley stay away from the five.”

While, in the previous section, I confronted other putative counter-examples to the broad interpretation by showing that the victim’s independent rights in question were too weak to

95 I do think Trolley Push is intuitively worse than Loop Case because it also overrides Bob’s agency in throwing him onto a trolley and into harm’s way; but I do not take this point to be decisive, since one could construct variants of Trolley Push in which Bob’s agency or safety was already compromised, e.g. being tied up on the platform; and yet pushing him still strikes me as impermissible.
96 Kamm, Intricate Ethics, 105.
97 Kamm clarifies at Ibid., 122, “the sense that it is permissible to redirect the trolley in Loop Case need not be based on assuming that there is symmetry between the one and five, in that it would also be the five’s being hit that would stop the trolley from looping around in the other direction killing the one. To keep this point in mind, I wish to revise the Loop Case as Thomson presents it, so that there is a semipermeable brick wall behind the five. It is coated on one side, so that it would stop the trolley from looping toward the one if the five were not there, but not coated on the other side, so that if the one were not hit, the trolley would go through the wall toward the five.” In every variant of Loop Case to be discussed, the reader should assume that the semipermeable wall remains, rendering Bob always free from danger unless someone sends a trolley towards him, and the five always doomed unless Bob absorbs the trolley’s force.
render the agency impermissible, I think the victims of Loop Case and Trolley Push have comparably strong rights not to be fatally used to stop a trolley. Accordingly, since Trolley Push is clearly presumptively impermissible to nearly all non-consequentialists, I shall now offer an error theory for why some non-consequentialists have found Loop Case permissible and argue that their doing so would likely be inconsistent with their principles.

Thomson primes her reader’s intuition in favor of Loop Case’s permissibility by discussing it immediately after her reader has already found it permissible in Trolley Case to divert the trolley away from the five, towards one. Given that Trolley Case is permissible, Thomson says, “we cannot really suppose that the presence of that extra bit of track makes a major moral difference to what the agent may do in these cases.”98 Here, Thomson’s reader, who has already assented to sending the trolley towards Bob in Trolley Case, is eager to remain consistent and cannot explain how, after just a few feet of track has been added behind Bob, looping back towards the five, the act becomes suddenly impermissible. Michael Otsuka also argues that the apparent permissibility of Loop Case is due to a priming effect and supports this with anecdotes of most of his students finding Loop Case impermissible when he presents it immediately after Trolley Push as well as the results of Marc Hauser’s online Moral Sense Test which saw roughly a 50/50 split as to the permissibility of the agency in Loop Case, when this case was the first case respondents encountered, thereby capturing intuitions before they were shaped by exposure to other cases such as the original trolley problem.99

Thomson’s primed reader is apt to assume that the addition of the few feet of track is the only variable that has changed, and to neglect to consider how profoundly the addition of these few feet alters the structure of the agent’s choice. In Trolley Case, the agent can, himself, secure

the five’s safety the moment he diverts the trolley away, and they would remain saved even if Bob remained miraculously unhit. But in Loop Case, the agent does not expect his diverting of the trolley alone to rescue the five from danger; rather, he expects this threat to persist until and unless Bob stops it by being hit. So profoundly might these additional feet of track alter practical considerations that Kamm tells her reader to “assume that it would make no sense to redirect the trolley if I did not think that it had at least a chance of hitting the one,”\textsuperscript{100} whereas it would make even more sense to redirect the trolley in Trolley Case if no such chance were present.

Still, I think Thomson helps us discover significant truths about what one with the purest of intentions may intend. Certainly, we can imagine someone who initially sees the entire loop, notices that Bob could stop the train, and intends to direct the train into Bob in order to bring it to a stop. But because of Thomson’s priming, we can imagine ourselves at the switch: Having considered Trolley Case, we are quite inclined to divert the trolley away from the five, accepting as an unintended effect that Bob will be hit and, thereby, killed. Then we realize that, alas, there are some further feet of track (past Bob) that are poised to loop the trolley right back towards them. That the trolley, once diverted to track 2, would be disposed to loop back towards the five, unless otherwise obstructed, is an undeniably unintended side effect of our diverting it. Let us call this disposition to loop back towards the five effect $L$. Indeed, $L$ is such a bad side effect that it would annihilate the purpose of our act unless some other factor were to mitigate it. Then we realize the fact, $S$, that if Bob were hit, then that would stop the trolley, thereby saving the five. $S$ undermines the negative force of $L$ and seems, itself, to add no new negative force: we were already prepared to accept Bob’s being hit as an unintended effect, lamenting that if he were hit, he would die. Now we simply learn that this unintended effect also yields a benefit, namely, that

\textsuperscript{100} Kamm, \textit{Intricate Ethics}, 94.
it will stop the trolley and save the five. If Bob’s being hit is an unintended effect, surely the effects it causes, whether negative or positive, are also unintended.

As further evidence that we need not intend that Bob be hit, notice that once we have diverted the trolley away from track 1, onto track 2, we have rescued the five from one threat. In both Trolley Case and Loop Case, the trolley’s thereafter continuing down track 2 even as far as Bob—as opposed to, e.g., first derailing or stopping—is a terrible side effect that contributes nothing to our aim of saving the five from the trolley. Let us say, then, that in order to divert the trolley with the intention of keeping it away from the five, it suffices to act merely because of the fact that this action will further one’s purposes by realizing the conditional, CH, “if the trolley would otherwise hit the five, then it will be stopped by hitting Bob.” I shall now argue that this should still be seen as prima facie impermissible according to the DDE[R]’s rationale.

101 Michael Otsuka argues that the useful involvement in Loop Case is intentional and, therefore, impermissible. He does so by arguing that Kamm cannot meaningfully differentiate the intentionality in two variants of her Loop Case, namely her Extra Push Case, in which the trolley would jump over Bob and hit the five unless Larry gave it an extra push, and her Two Loop Case, in which the first loop does not have Bob on it and would loop back towards the five killing them unless Larry redirected the trolley a second time onto a second loop that would also loop back towards the five if not for the fact that Bob is on it. Kamm argues that Extra Push would involve an extra action undertaken precisely in order to accomplish the hitting, while stating that in the Two Loop Case, once Larry has diverted the trolley onto the first loop, which does not contain Bob, he is in exactly the same position as he is in the original Loop Case and may presumably act with the same motives that need not involve intending to hit Bob. However, Otsuka argues that structurally both cases seem to involve a second act that constitutes a similar changing the trajectory of the trolley, either in a way that avoids a jump or onto a second track, apparently in order to keep the trolley away from the five by hitting Bob. Because the structure of these actions seem to lack an articulable difference that might account for a difference in what one might intend, and because Extra Push case seems to clearly involve intending the hit, Otsuka suggests that Kamm is mistaken that hitting could be unintended in both Two Loop Case and in the original Loop Case. While Otsuka’s argument against Kamm’s view that the hitting in Loop Case is unintentional is persuasive, rather than evaluate whether it is correct, I shall grant that Kamm is correct for the sake of argument. However, while Otsuka finds the agency in Loop Case impermissible, he supports Kamm’s narrow interpretation and in his Six Behind One Case argues that it would be permissible to divert a trolley headed towards five people onto a second non-looping track that contains 6 people behind Bob who would be hit and killed if not for Bob’s being hit and killed. While Otsuka regards diverting the trolley in this case intuitively permissible, I do not share these intuitions and find this just as impermissible as the agency in Loop Case and, accordingly, find it a strength that the broad interpretation can find them equally impermissible. Otsuka, “Double Effect, Triple Effect and the Trolley Problem” 92-110.
It appears that, if it is impermissible to \( \phi \) because one’s \( \phi \)-ing will involve a person in a way that furthers one’s purposes but will cause that person harm, then it is also impermissible to \( \phi \) because one’s \( \phi \)-ing will involve that person in a way that will further one’s purposes and cause that same harm only under certain conditions, unless perhaps this agency imposes a lesser expected harm upon the victim, relative to the expected good to be achieved by the victim’s involvement. To see why this is so, consider the following case:

**Conditional Trolley Push:** A trolley is headed towards killing five people. Larry sees a switch in the distance that would send it harmlessly away. Larry plans to run towards the switch, but orders a robot to throw Bob in front of the trolley to stop it if Larry cannot divert it in time, anticipating that this will stop the trolley but kill Bob.

While Larry may vigorously strive to save the five before the robot throws Bob to his death, he nevertheless issues orders to his robot precisely because doing so will realize the conditional, “*if the trolley would otherwise hit the five, then it will be stopped by hitting Bob.*” While running so as to save the five without crushing Bob displays some regard for Bob’s welfare, Larry’s act of ordering the robot to throw Bob—if he fails to flip the switch—shows that he is willing to use Bob as a mere tool, at least when doing so is a last resort. Since pushing Bob in front of the trolley in Trolley Push is plainly impermissible, even as a last resort, Conditional Trolley Push should be presumed impermissible as well.

A special form of agency exercised because it will involve a person under certain conditions is of \( \phi \)-ing because \( \phi \)-ing will create only a chance of that involvement. Consider:

**Coin Flip Trolley Push:** A trolley is headed towards killing five people. Seeing no other way to stop the trolley, Larry orders a robot to flip a coin and to throw Bob in front of the trolley if it lands on heads, because this will give everyone a 50% chance of survival.
Here, Bob achieves his purpose by realizing the conditional, “if the coin lands on heads, then the trolley will be stopped by hitting Bob.” While Larry’s allowing himself to be restrained in his fatal use of Bob by the “verdict” of a coin may reflect his understanding that Bob deserves a serious chance to live, Larry’s issuing this order still shows that he sees fit that in 50% of cases, Bob should be used as a mere tool at the cost of his life. This also strikes me as impermissible.

One might think these cases call for a conditional corollary to the DDE[R]; but I think one can show that, as stated, the DDE[R] already presumes against Conditional Trolley Push and Coin Flip Trolley Push. Recall that the DDE[R] presumes as impermissible actions “in which harm comes to some victims, at least in part, from the agent’s deliberately involving them in something in order to further his purpose precisely by way of their being so involved.” In the above, Larry’s ordering the robot to throw Bob to his death (should a likely scenario obtain), in order thereby to achieve a 50% chance of the five surviving, may be conceived as itself harmful to Bob. Even if one does not wish to grant that the grave risk of a harm is itself a harm, it is plausible that our same rights not to be harmed—i.e. those same rights strengthened by the DDE[R]’s rationale—ground our rights not to have grave risks of harm imposed upon us. For example, our right to life strongly grounds a general right not to be shot at, a right that we may strongly assert even if many people shot at are not hit and even if most who are hit survive.

Before proceeding, I should note that I am not asserting the stronger claim that the DDE[R] establishes that, if it is impermissible to ϕ because ϕ-ing will harmfully involve a person, then it is always impermissible to ϕ because ϕ-ing will harmfully involve a person only under certain conditions. Recall that the DDE[R], in merely strengthening rights, does not always establish impermissibility if, e.g., these rights are especially weak or outweighed by the stronger rights of many. Suppose that, in Trolley Push, one knew that Bob would only suffer minor
bruising to save the five. Here, even though it would remain true of Larry that he would be using Bob as a mere tool, and even though this would seem worse than causing this bruising by simply diverting the trolley away from the five and towards Bob, pushing Bob nevertheless seems permissible. Similarly, if in Trolley Push, one knew that the only threat to Bob was a 1 in 1000 chance of suffering a fatal heart attack from the stress of being hit by the trolley, which would otherwise be harmless, one might justly push him. But here a radically low chance of death is stacked against the certainty of saving lives. In cases like Coin Flip Trolley Push, the relative weight of Bob’s right not to have a 50% chance of death imposed upon him in order to give the five a 50% chance of life seems roughly as strong as Bob’s right in Trolley Push not to have a 100% chance of death imposed upon him in order to give the others a 100% chance of life. In all of the ways we might understand Loop Case, Bob’s chance of death remains equal to the chance that Bob’s involvement will save the five’s lives; so we may assume that, since the DDE[R]’s rationale renders it impermissible to divert the trolley because it will hit Bob (as evidenced by the fact that it makes the intentional analogue, Trolley Push, impermissible), then it also renders it impermissible to divert the trolley because this will realize $CH$, or because this will create a chance of Bob being hit, or even because this will create a chance of $CH$ obtaining.

V. Unintended Greater Good Cases

I have argued above that the DDE[R]’s rationale supports a broad interpretation of it which presumes against all agency in which agents $\phi$ because $\phi$-ing will involve another person in a foreseeably harmful way that will further some purpose of theirs or is itself their purpose. I shall now argue that (a) whenever one acts because one’s acting will involve another person, that
person’s involvement furthers one’s purposes; and that (b) when this involvement is foreseen to be harmful, it runs afoul of the DDE[R]’s presumptions. Let us consider these two points in turn.

One might think that if Larry in Loop Case were pursuing some lesser good than saving the five, which Bob’s involvement would not causally bring about, then his action would not run afoul of the DDE[R]’s presumptions. Let us consider Kamm’s case:

**Saving Face**: A trolley is headed towards striking five people from the front, killing them. The trolley may be diverted onto a track that loops behind the five, such that the trolley would strike the five from behind, killing them, but leaving their faces intact. However, since Bob is on the loop, the trolley would hit him, killing him, but stop before reaching the five. So, Larry’s aim of “keeping their faces intact” is achieved whether they live or die; and Bob’s involvement is no means to it.102

Now, it is likely that, were it not for the fact that Bob’s being hit would stop the trolley, concern for not killing Bob would have dissuaded Larry from looping the trolley so as to preserve the five’s faces. Any decent person should realize that an aesthetic preservation of faces does not justify crushing another person, even as a side effect.103 But Larry might take the fact that this same action would also save five lives to justify Bob’s death. Most people without a bizarre obsession with such aesthetic preservations and sociopathic antipathy to life-saving would also adopt the purpose of saving the five. But let us entertain Kamm’s premise and assume Larry’s psychology is so eccentric that he actually does not adopt the purpose of saving the five as well, as an end. Larry, then, would be acting not because his action would bring about Bob’s

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103 If Larry really would have diverted the trolley towards Bob even if he assumed the trolley would continue to kill the 5, then he would not be acting because of Bob’s involvement at all. In such a case, since Bob’s involvement would be of no use to Larry, the DDE[R] would not presume against Larry’s agency, since it condemns using others “objectionably as a means.” But presumably Larry’s agency would be condemned by a counterpart principle requiring that one treat those who would be harmfully affected by one’s actions appropriately as “ends in themselves.”
involvement, but rather because of the fact that, if Bob is involved, then his involvement will realize sufficiently good effects to justify Larry’s accepting Bob’s involvement as a side-effect. That is, Larry would still be acting because of CH, not because it is a means that causally realizes his purpose, but because it is a means necessary to justify his actions pursuant to that purpose.

It seems a proponent of the DDE[R] must grant that when one uses a person’s harmful involvement as means to justifying one’s actions, one still uses that person’s involvement as a means in a manner that is presumptively impermissible. This point may be seen from a consideration of the following case:

**Saving Face Trolley Push**: A trolley is headed towards striking five people from the front, killing them. The trolley may be diverted onto a track that loops behind the five, such that the trolley would strike the five from behind, killing them, but leaving their faces intact. However, the thin Jack is on the loop, such that the trolley would hit him, killing him, and retain enough momentum to go on to kill the five. Larry is eager to justify flipping the trolley towards Jack but realizes that saving faces is not a proportionate good, so he plans to push the fat Bob in front of Jack, knowing that the trolley will fatally hit Bob but thereby be stopped before hitting Jack or the five.

Clearly, any who accepted the DDE[R]’s presumptions would consider Larry’s agency in Saving Face Trolley Push to be just as impermissible as Trolley Push. This demonstrates that the DDE[R]’s rationale equally presumes against harmful involvement undertaken only because it will justify the pursuit of one’s purposes. It does not matter that pushing Bob would be a further intentional act, since I have already argued that it does not matter for the purposes of the DDE[R]’s presumptions whether one intends to harmfully involve a person, or simply acts because one’s acting will harmfully involve that person. Thus, the DDE[R] should presume
VI. Conclusion

In section II, I argued that the presumption on which the DDE[R] rests—“that those who can be usefully involved in the promotion of a goal only at the cost of something protected by their independent moral rights…ought, prima facie, to serve the goal only voluntarily”—presumes just as strongly against agency chosen merely because it will bring such involvement about as it does against agency that intentionally brings about such involvement. Accordingly, I argued for a broad interpretation of the DDE[R] which holds that there is a presumption against the permissibility of agency “in which harm comes to some victims, at least in part, from the agent’s deliberately involving them in something because this will further his purpose precisely by way of their being so involved.” In section III, I considered several test cases such as Munitions Grief and Party Imparity that intuitively support the broad interpretation, and argued that Party Case and Secondary Transplant Case do not actually tell against the broad interpretation because anyone who might find such agency permissible would likely also deny that the “victims” of such agency have any strong rights (which could be strengthened by the presumptions of the broad interpretation) not to be so involved. I also introduced clearly intentional variants of Party Case and Party Imparity, Trash Talk and Trash Talk*, respectively, to suggest that whether Larry intends his party guest’s feeling of indebtedness or simply acts because he would produce it is irrelevant to our intuitive assessment of the permissibility of his actions. Thus, I argued that it speaks in favor of the broad interpretation over the narrow that it is able offer the same evaluations for the permissible Party Case and Trash Talk as well as for the impermissible Party Imparity and Trash Talk*. I also argued that because the DDE[R] presumes
against *intentionally* causing Bob to be hit in Trolley Push, it also presumes against diverting the trolley *merely because* it will hit Bob, causing his death.

In section IV, I considered the *merely because of* effects that might motivate Larry in Loop Case to divert the trolley towards Bob, ranging from hitting Bob to simply creating a chance that Bob will be hit in the event that that hitting is necessary to stop the trolley. I argued that since the DDE[R]’s rationale presumes against the permissibility of Larry’s acting because the trolley will hit Bob, it also presumes against acting because he will achieve any of these effects. I finally argued in section V against the counterintuitive possibility that the sorts of agency that the broad interpretation presumes against could be rendered permissible, if agents simply did not intend the good that his victim’s involvement brought about.

I hope that the reader will find these arguments persuasive and that nonconsequentialists will find the broad interpretation of the DDE[R] helpful in accounting for the apparent impermissibility of agency in further cases structurally similar to Party Imparity and Munitions Grief. I also hope this chapter has provided a good model for how one might go about specifying further moral norms to aid in discovering what is to be done: We first consider pairs of conclusions about what is to be done that seem as similar to one another as possible except for one key variable in virtue of which we are inclined to affirm that one is correct and the other is incorrect. Then we set out to describe that variable and why it should make a difference as to whether a determination might be correct, so that seeing whether these descriptions apply to other cases may help us presume in favor of or against determinations in areas where our intuitions are less clear. Then, we consider whether this description can be successfully applied to other salient cases; if so, understanding of what is and is not to be done will likely be furthered by adopting the presumption as an axiom. But if we do find a counterexample wherein we are
strongly inclined to affirm to the contrary of what our hypothesized principle would suggest, then the work of continuing to refine the principle until it no longer admits of counterexamples, and fits with the totality of our inclinations to affirm continues! The quest for understanding has taken us humans thousands of years, and we have only just begun; so if we mean to contribute to this pursuit, we must be patient, methodical, and persistent.
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