

Comments on Carla Bagnoli's  
"Practical Necessity and Agential Autonomy"  
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Carla Bagnoli has written a terrific paper on the role of practical necessity in understanding an agent's autonomy. Along the way, she addresses herself to Bernard Williams' critique of moral objectivity and to issues regarding the relationships between respect and moral phenomenology. A commentator's job is particularly difficult when faced with such a multifaceted, subtle, and interesting paper. In the end, because of my own interests, I will focus on the question of whether or not the Kantian sort of objectivity which Bagnoli describes can do what is needed of it without being supplemented by the sort of ontological commitment that is typical of a more robust realism.

I think the place to begin is with arguments for realism based on the phenomenological feel of moral experience. I agree with Bagnoli that all such arguments are doomed to failure. It seems obvious to me that any sort of inference from the phenomenological quality of moral experience to moral realism has got to be fallacious, since almost everyone on all sides of almost all moral disagreement is equally confident that they are on the side of the right, that they have the moral high ground. So, one cannot make an inference from any feelings of moral rectitude to conclusions about the existence of a moral reality, since rectitude is completely consistent with having views about the contents of that supposed reality which are completely false: confidence that one knows the truth cannot serve as an inferential basis for beliefs in the existence of the truth. It is for this reason that the better arguments for moral reality are those which are based on the existence of moral error which non-realists have most trouble accommodating.<sup>1</sup>

Leaving aside the superiority of arguments for moral realism based on the cognitive appreciation of moral error, one might wonder if arguments based on phenomenology are better suited to justify a belief in a form of moral objectivity that does not require ontological commitment. Can the subjective feel of moral reasons, all by itself, lend any support whatsoever to the objectivity of morality? Williams says no, while Bagnoli says yes, and that the key to seeing the way this works for her is found through an investigation of respect. Before turning to respect, we should consider first what is presently meant by "objectivity".

How can one make sense of moral objectivity without recourse to realistic ontology? The answer is by defining it in terms of authority and validity. Moral

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1. See chapter 3 of Mark Timmons *Morality Without Foundations*.

considerations or reasons are valid when they met the standards of moral law, while authority is the "mode" in which validity is experienced or "felt in the guise of respect". In looking a bit more carefully first at validity, one must wonder at the nature of these moral laws, and in what manner they can be said to exist. The answer is not too problematic if one thinks that these normative standards can be naturalized, either in the manner of the Cornell realists or those like Philippa Foot, Warren Quinn, or Elizabeth Anscombe. One might even try to naturalize them as sentimentalists or expressivists do. Of course, these options are not fitting to Kantianism. The normative standards of the moral law might otherwise deserve a non-natural, dare I say noumenal, ontology, along the lines of Jean Hampton or Russ Shafer-Landau. This, however, would deliver objectivity right back into the ontological hands of the moral realist and one of Bagnoli's goals is to avoid this. The project is to locate validity in the structure of proper practical reasoning itself. The problem is it is unclear how to give an account of the difference between proper and improper practical reasoning while abstaining from all metaphysical commitment. (Perhaps constructivism is the obvious option, and it will be discussed a bit below.)

Practical reason only proceeds as it ought to proceed when it is a moral person doing the reasoning. There is good reasoning and bad reasoning, good reasons which can both motivate and justify and bad reasons which can only motivate. The problem is that authority may attach itself, as something felt, to the outputs of practical reason, whatever they may be. If our practical reason has gone off track, unbeknownst to us, then we will take the invalid moral reasons, embodied in the final judgments of our practical reasoning to be authoritative, we will feel respect for them, even though they may be quite false or incorrect.

If authority is the felt experience of validity and we can be quite wrong about whether or not our practical reason is valid, then subjective feel of validity, experienced as the authority of our reasons, gives no succor whatsoever to the advocate of objectivity, just as feelings of rectitude gave no succor to moral realist.

The same can said of respect. Bagnoli distinguishes what she calls "derivative respect" from "constitutive respect". Derivative respect is understood in terms of a emotional felt reaction to recognizing something that seems to be of moral value. This sounds to me like authority, at least insofar as both are subjectively constituted. Constitutive respect is the name of a specific form of normative relation between people which obtains when each mutually recognizes everyone else as equals. This is unproblematic in itself, but this means that constitutive respect is instantiated only when people are responding to valid moral reasons. As such, it has no distinctive subjective feel whatsoever; we can just as easily take invalid as valid reasons as authoritative, though of course we ought not to. In any case, we cannot derive authority from validity in any straightforward way. And if objectivity is defined by valid and authoritative reasons, it seems as if we cannot get a complete account of it from constitutive respect all by itself. While one might try to define objectivity wholly in terms of constitutive respect and validity, as long as authority, or a felt response to validity is also required, one is brought right back into the original trouble of trying to pull an objective rabbit out of a subjective hat.

The problem is that practically any reasons can feel like objective reasons to a person. The reasons that Gandhi gave to the Indians, or King gave to the African-Americans who respectively followed them, were taken as objective and used as both motivation and justification for their actions. The important thing to realize is that the reasons that Hitler gave for killing the Jews seemed just as objective to the Nazis as the reasons that Gandhi and King gave. We cannot tell by introspective or subjective feel whether or not our reasons are morally valid, the objective feel of our reasons cannot serve as an inferential basis to what is actually or truly objective.

If we think in this way, abjuring all subjectivity in our account of objectivity, are then left to think that morality requires us to acknowledge an "external order of things", which itself commits us to a sort of realism which Bagnoli rejects? It is my sense that the answer is a qualified yes. Moral reasons will be objective if, in fact, they are valid, if in fact they are the output of a person's practical reasoning when it working as it ought. So, there is a fact about whether or not, for any given person, his or her practical reason is functioning as it ought to function. And the question now is if and how we can understand this fact without recourse to some form of moral realism, be it either naturalism or non-naturalism.

One might suggest constructivism. But can we really get objectivity, facts about whether or not a given person's moral reasons are truly valid, out of something that is constructed? Well, perhaps if objectivity is constructed out of inter-subjectivity. But we've already seen reason to eschew any forms of subjectivity from our account of objectivity. Can we understand constructivism in such a way that constructed moral reasons can be objective, when objectivity is understood wholly in terms of validity?

I think not, for reasons similar to thinking that we cannot be constructivists about logical validity. Constructivism must take artifacts such as practices, conventions, and traditions as the entities upon which moral reasons are supposed to be built. And the problem is that all such entities have a degree of contingency built into them that, again to my mind, weighs decisively against validity. The problem, in just a few words, can be grasped by taking etiquette as our paradigm of construction. There is simply no way to find objective validity in any of our judgments of politeness or impoliteness and correspondingly no way to "beef up" our conventions to end up with the sort of objectivity we find in morality. So, for what it is worth, I conclude that an adequate account account of moral objectivity will require a more robust moral realism than Bagnoli is willing to concede.