

Shmagency Revisited

David Enoch

1. The Shmagency Challenge to Constitutivism

In metaethics – and indeed, meta-normativity – constitutivism is a family of views that hope to ground normativity in norms, or standards, or motives, or aims that are constitutive of action and agency. And mostly because of the influential work of Christine Korsgaard and David Velleman (and, some would say, because of the also-influential work of Kant and Aristotle), constitutivism seems to be gaining grounds in the current literature.

The promises of constitutivism are significant. Perhaps chief among them are the hope to provide with some kind of answer to the skeptic about morality or perhaps practical reason, and the hope to secure for practical reason a kind of objectivity that is consistent with its practical, motivationally engaged nature. The former philosophical motivation for constitutivism – most clearly present in much of Korsgaard's relevant work¹ – relies on the fact that constitutive norms seem to be less mysterious than not-clearly-constitutive norms. There arguably is nothing mysterious about, say, the norms of certain reasonably-well-defined activities, like building a house, or playing chess. And challenges by the relevant skeptic – the one asking "Why should I make sure the house I'm building can shelter people from the weather?" or "Why should I not castle when my king is checked?" – seem very rare, barely intelligible, and anyway remarkably easy to cope with. We should explain to the misguided skeptic that if he doesn't even try to build something that can protect people from the weather, he's not in the business of building a house at all; that if she

¹ See discussion and references in my "Agency, Shmagency" (2006), 171-2.

doesn't even try to play by the rules of chess, she's not in the business of playing chess at all; and so on. It would be nice, the constitutivist hope seems to go, if we had something equally powerful by way of a response to the skeptic asking "Why be moral?" (and related skeptics).

The other main motivation for constitutivism – most clearly present in David Velleman's relevant work² – starts from a commitment to some rather strong kind of existence-internalism about reasons: An agent has a reason to Φ , according to such views (commonly associated with Williams's influential "Internal and External Reasons" (1981)), only if she can come to Φ , or at least to be motivated to Φ , by sound deliberation starting from her actual motivational set. What reasons we have, on such a view, is a function of what motivations we have. And, of course, different people have different motivations. So objectivity is threatened. But if some motivations are necessarily shared by all possible agents – if, in other words, some motives are constitutive of agency – then objectivity can be restored, consistently with internalism. The reasons grounded in the motives constitutive of agency – if such exist – necessarily apply to all agents.

If it can be defended, then, constitutivism promises to yield significant payoffs³. But constitutivism seems to be subject to a powerful objection. For agents need not care about their qualifications as agents, or whether some of their bodily movements count as actions. They can, it seems, be perfectly happy being shmagents – non-agent things that lack the thing purportedly constitutive of agency, but that are as similar to

² See discussion and references in my "Agency, Shmagency" (2006), 172-4. For the clearest, most recent statements of such hope, including one referring to it as "the purpose" of Velleman's Kantian strategy, see Velleman (2009, 120; 139).

³ In my "Agency, Shmagency" (2006) I call the second one in the text above "quasi-externalism". I also mention another advantage – that of assisting the naturalist in dealing with the best version of the Open Question Argument. And there may also be other advantages to constitutivism, perhaps when it is considered as a corollary of constructivism. For some discussion here, see my "Can There Be a Global, Interesting, Coherent Constructivism about Practical Reason?" (forthcoming).

agents as is otherwise possible – or perhaps being something else altogether. If so, constitutivism cannot make good on its promises: For when Korsgaard replies to the agent who asks, say, "Why should I care about the hypothetical and categorical imperatives?" with "Well, otherwise you wouldn't even count as an agent, you wouldn't even be in the game of performing actions.", the skeptic can discard this reply with a simple "So-what?". What is it to her, as it were, if she qualifies as an agent or not? She would be analogous not to the chess-player who asks why she should play according to the rules, but to someone who enjoys the aesthetic qualities of (what we call) the chess board and pieces. If we tell this person that he must not move his king to a certain position because it's against the rules, and if he breaks them he won't count as playing chess, he can shrug us off with a simple "So-what?". He doesn't care whether his manipulation of the chess pieces qualifies as chess-playing. And at this point the objectivity Velleman hopes for also collapses, because the practical reasons whose objectivity Velleman wants to secure will not reach the person who is happy being a shamagent-rather-than-an-agent, or perhaps something else entirely. The general point here is that the status of being constitutive of agency does not suffice for a normatively non-arbitrary status. Of course, if there were some independent reason to be an agent (for instance, rather than a shmagent), or to perform actions, this objection would go away. But the price would be too high, for such an independent reason – one not accounted for by the constitutivist story, but rather presupposed by it – would make it impossible for constitutivism to be the whole, or the most foundational, account of normativity, or to deliver on its promised payoffs.

Or so, at least, I have argued in my "Agency, Shmagency: Why Normativity Will Not Come from What Is Constitutive of Action" (2006)⁴. Several people have responded to that paper, defending constitutivism against the shmagency challenge⁵. I think that engaging these responses justifies a further discussion of the shmagency challenge. This is so, first, because of the prominence of constitutivism in the current literature (since the publication of "Agency, Shmagency", for instance, both Velleman (2009) and Korsgaard (2008) have published already-influential constitutivist books, for instance). If no answer to the shmagency challenge can succeed, then, this is of some significance to the current metanormative debate. Furthermore, a detailed examination of the possible lines of response available to constitutivists may – even if they do not end up refuting such views – improve our understanding of constitutivist views and of the motivations underlying them, and this too should count for philosophical progress. Indeed, already from Velleman's response to the shmagency challenge (and related difficulties) we can learn much more about at least his version of constitutivism than we could from his previous writing on the topic, as I hope will become clear later on. Finally, some of the topics to be discussed below are in fact of much wider philosophical interest. Or so, at least, I hope.

Before proceeding, though, I need to make two preliminary points. First, in order to isolate the discussion of the shmagency challenge as much as possible from other possible challenges to constitutivism (or to specific constitutivist theories) I will grant for the sake of argument – as I did in "Agency, Shmagency" – much of what the

⁴ That paper was original, I hope, in much of its argumentative details. But the general thrust of this objection of constitutivism has been, I think, "in the air" for a while. See, for instance, Railton (1997); Fitzpatrick (2005).

In that paper, I use three examples of constitutivism – Korsgaard, Velleman, and (to an extent) Connie Rosati. In conversation, though, Rosati has explained to me that I have misunderstood some of her central claims in Rosati (2003), so – although I still think that the reading of that paper in my "Agency, Shmagency" is a plausible one – I no longer use Rosati as a constitutivist example here.

⁵ Ferrero (2009); Velleman (2009, 135-146, though the explicit discussion of "Agency, Shmagency" starts on 142); References to Ferrero and Velleman below are to these texts. I have also seen relevant drafts by Matty Silverstein and by Scott Forschler.

constitutivist wants. In particular, I will grant that action and agency do have a constitutive aim (or aims, or standards, or motives, etc.), and I will not quibble over what it is (though, of course, different constitutivists may differ among themselves here). Also, I will have nothing at all to say specifically about morality here: Perhaps constitutivists have some further challenges they need to address when it comes to morality⁶.

Second, I will be using Velleman's discussion of the shmagency challenge and related issues as my focal point here. But I will not start this discussion with a clear, orderly presentation of his reply. My reason is that his reply (and to an extent, also Ferrero's) is not easily put in a clear, orderly way. Rather, his response seems to be comprised of several related lines of thought, that together disarm the challenge and show constitutivism to emerge victorious. So it is more convenient to discuss these lines of thought in turn, and then return – in the concluding section – to the bigger picture, in order to do some score-keeping. And indeed, this is how I will proceed.

2. Does Playing Chess Suffice for Having a Reason to Checkmate?

One of the points I emphasized in "Agency, Shamagency" (185) was that even if you find yourself engaging in a kind of an activity, and indeed even if you find yourself *inescapably* engaging in it (inescapability will shortly take center stage), and even if that activity is constitutively governed by some norm or is constitutively directed at some aim, this does not suffice for you to have a reason to obey that norm or aim at that aim. Rather, what is also needed is that you *have a reason* to engage in that activity. The example I use there – following Velleman – is that of games. Even if you somehow find yourself playing chess, and even if checkmating your opponent is a

⁶ Korsgaard seems rather confident that this can be done. Velleman is *much* more pessimistic. For his partly concessive "Kinda Kantian" strategy of defending morality, see Velleman (2009, 149 and on).

constitutive aim of playing chess, still you may not have a reason to (try to) checkmate your opponent. You may lack such a reason if you lack a reason to play chess. The analogy is clear enough: Even if you find yourself playing the agency game, and even if agency has a constitutive aim, still you may not have a reason to be an agent (for instance, rather than a shmagent).

But one may want to reject this initial claim, even with regard to chess. For it may be suggested that playing chess *does* after all suffice for having a reason – *some* reason, at least, perhaps a weak one, perhaps one that is outweighed by others – for checkmating your opponent. Perhaps there is no need after all for another reason, namely, a reason to be playing chess (or perhaps to play this specific game of chess)?⁷ If so, we may proceed to conclude that our merely playing the agency-game suffices for us having a reason to aim at its constitutive aims.

As a general thesis, though, this cannot be true. We can define many cooked-up variations of chess, with slightly different rules, or perhaps slightly different ways of winning (say, you only win if you checkmate your opponent in an even number of moves; or when she still has her queen; or when she looks away; or cases in which you win if you move your castle diagonally three times when your opponent looks away; etc.). Whenever you find yourself playing chess, you also find yourself (in sufficiently early stages of the game) playing these cooked-up games chess*, chess**, chess***, and so on. But it doesn't seem you have reasons to win at chess*, or at chess**, or at chess***. This is so, presumably, because you don't have a reason to play chess*, or chess**, or chess***. So this little example suffices to show that it's

⁷ Velleman does not, I think, take this line. But I have heard it elsewhere (for instance, from Matty Silverstein), and because this is not something I discussed in detail in "Agency, Shmagency", I think it is important to briefly address it here. Also, this discussion will naturally lead us to the more central one in the next section.

not in general true that engaging in some activity – satisfying some relevant descriptive criteria – suffices for having reason to aim at its constitutive aim.

So if you think that the game of agency is different – if you think, in other words, that playing it suffices for having a reason to play it well, or to achieve its constitutive aims, or some such – then you must be able to come up with an answer to the question: What's so special about agency? Why is this true of agency, even though it's not true in general? I can't think of an answer to this question (except perhaps in terms of inescapability, to which we will return shortly).

But, it may now be argued, I have mischaracterized the analogy. The right analogy is not with the person who finds herself satisfying the descriptive criteria that apply to those playing chess. Rather, the right analogy is to those *already* caring about playing chess (rather than playing chess*, or doing something else entirely). And when it comes to *those*, then their playing chess and caring about whatever aim is constitutive of playing chess does suffice for their having a reason to achieve it. This, I think, is a different line of thought, and it is the topic of the next section.

3. But You *Do* Care!

The thought, then, may be this. What is arguably constitutive of action is not just its being subject – in some yet-to-be-specified objective sense – to certain norms, or its being aimed – in some yet-to-be-specified objective sense – at some aim. Rather, what is constitutive of action is *caring* about the relevant constitutive aim. Velleman, for instance, believes that the constitutive aim of action is some special kind of intelligibility, making sense of oneself by acting in a way that makes sense *to* oneself. And what is necessary, on his account, for a behavior to qualify as an action is that the agent performing it be motivated to (thereby) achieve self-understanding. It is, on this

view, constitutive of agency that agents have this motive geared at achieving self-understanding. It's not just that an action can only count as successful if (and to the extent that) it achieves self-understanding. Rather, it can only count as an action if the one performing it is partly motivated to achieve (by performing it) self-understanding. On this suggestion, then, we should be careful with the game analogy. The analogous claim to the one sketched here is not that an episode of chess-playing cannot count as (fully) successful unless it achieves the constitutive aim of chess (checkmating your opponent). Rather, it is that you don't even count as playing chess unless you are committed to achieving that aim, unless you care about checkmating your opponent, unless you (to an extent, at least) want to checkmate your opponent. If *this* is the constitutivist claim about chess-playing, then it becomes *much* more plausible that merely playing chess (and so also caring about checkmating your opponent) suffices for your having a reason to checkmate your opponent (regardless of whether or not you have a reason to play chess). And similarly, if the constitutivist claim about agency is that *caring about self-understanding*, or *being motivated to achieve self-understanding* is constitutive of action, then it becomes much more plausible that merely being an agent, merely being in the business of performing actions (and so caring about self-understanding) gives you a reason to aim at self-understanding.

What is of importance here is, then, the distinction between two ways in which the game analogy can be used – one where games are an example of an activity that is constitutively governed by certain norms (so that the relevant success criteria are given by those norms), and another, in which it is (arguably) necessary, in order to count as taking part in a certain activity, that one already care about (what is arguably) its constitutive aim. In "Agency, Shmagency" I wasn't clear enough about this distinction, and so I wasn't explicit enough about rejecting this second way of using

the game analogy. In my defense, I do not think it was completely clear in constitutivist texts that this is what they were after⁸. And at least with regard to Korsgaard, I do not think this *is* a plausible reading of her constitutivism (a point to which I return in the next section). But it is very clear that this is what Velleman (2009) has in mind, and it is important to address this line of thought directly.

To see more clearly how it is relevant, it helps to think of things in dialogical terms. The one putting forward the shmagency challenge asks something like: "Why should I care about self-understanding? Even if you are right about its constitutive status, why should I care about *that*?" The constitutivist we are now considering answers: "But you *do* care! You are, after all, an agent, as is evidenced even by your mere asking of these very questions. And it's a necessary condition for being an agent to care about self-understanding. So you do already care about self-understanding!". Notice that this answer – problematic though it may be, as I am about to argue – is different from the kind of answer I explicitly discuss in "Agency, Shmagency" (179), in terms of the imagined dialogue between Korsgaard and the skeptic, where she threatens him that if he doesn't care about morality (or some such) his bodily movements will not merit being called "actions". (I return to this skeptic – and to Korsgaard – in the next section.)

Well, how good is this reply? Remember, we are granting here for the sake of argument that self-understanding is constitutive of action in the second way outlined above, and so that the one putting forward the challenge already cares about self-

⁸ In "Agency, Shmagency" I was explicit about not distinguishing between claims about what is constitutive of action, and what is constitutive of agency (170, footnote 1). But can it perhaps be argued that it is time to draw – and rely on – this distinction? For it may be argued that while *caring* about (e.g.) self-understanding is constitutive of being an agent, being directed at self-understanding in some more objective sense is constitutive of actions. I don't think this interesting suggestion can work here, though, for two reasons. First, textually (and so somewhat boringly), I do not know of any suggestion along these lines made by any constitutivist. Second, and much more importantly: If one thing is constitutive of agency, and another of action, it can no longer be taken for granted that all and only agents can perform actions.

understanding. When someone of whom all this is true asks "But *why* should I care about self-understanding?", how good is the retort "But you *do* care!"?

I want to argue that it is not good at all, for two reasons. The first is that this reply is highly implausible. The second reason – the more important one in our dialectical context – is that it is beside the point, it fails to engage the question. I will discuss implausibility first, irrelevance later.

3.1 Implausibility

With regard to implausibility, then, let me start with the following rather obvious structural constitutivist tension: The more you pack into whatever it is you claim is constitutive of agency, the less plausible is the claim that it *is* so constitutive. On the other hand, the less you pack into whatever it is you claim is constitutive of agency, the less by way of norms of practical reason can you extract from it⁹. The challenge for constitutivists, then, is to come up with a constitutivist account that packs enough into whatever it is that is claimed to be constitutive of action for the account to be interesting, but packs sufficiently little into it to be even remotely plausible. And the restriction relevant here is this latter one: It is one thing to say that the rules of chess, or perhaps the relevant success standards, are somehow constitutive of the game of chess. Myself, I am not even sure that *this* claim is true. But what I want to emphasize now is that it is *much* weaker, and so also much more plausible, than the claim that *caring* about checkmating your opponent is constitutive of chess-playing. Suppose I am playing chess (or, well, sort-of playing chess) with my daughter; I obey the rules quite strictly, but I do not care who wins. Perhaps I even intentionally let her win. On the (chess-analogue of the) suggested constitutivist account, I am not really playing

⁹ Setiya (2003) argues that there is not enough content to whatever norms may be plausibly considered constitutive of action.

chess¹⁰. And this seems like a huge stretch. Certainly, in common parlance we would be happy to describe the situation as one in which I am playing chess with my daughter¹¹.

Getting back, then, to action and agency. It is one thing to say that some criteria of success are constitutive of agency. It is quite another to claim that *caring* about them is constitutive of agency. All that is needed for a counterexample to *this* claim is a possible creature who – though perhaps causally governed in some way by the "aim" of (e.g.) self-understanding – doesn't care about it, and whom we are still happy to classify as an agent, as performing actions, etc. By relying on the but-you-do-care response to the why-should-I-care question, then, the constitutivist makes his constitutivist claim (even) less plausible. But because I am for the most part granting for the sake of argument the constitutivist claim (that so-and-so is constitutive of agency), I will not dwell on this point further.

Before proceeding to discuss the irrelevance of the but-you-do-care response, though, let me quickly make two further points. First, the current version of the chess analogy (from two paragraphs back) shows not only how implausible the constitutivist claim must be, but also that there's something silly about this whole discussion. After all, the question whether someone who seemingly plays chess but doesn't care about winning should *really* count as playing chess seems terribly

¹⁰ Perhaps we need a distinction between *caring* about winning, and *being motivated* to win, in the thinner sense in which I make (what I believe to be) the right moves, etc. And it is, I concede, more plausible to say that being motivated to checkmate is constitutive of playing chess than to say that caring about checkmating your opponent is. But this won't save the constitutivist: What is needed for the "But you *do* care" reply is actually caring, not just this thinner kind of being motivated. To settle for this being-motivated rather than caring, is to render the irrelevance problem (to which I am about to get in the text) even more serious than it already is.

¹¹ I hint at such considerations in "Agency, Shmagency" (189, footnote 44), and I return to this point later in the text.

uninteresting, and one on the answer to which nothing at all deep can hang¹². Who cares whether this counts as chess-playing? Most clearly, nothing of any normative significance can depend on it. So if this is the right version of the chess analogy, the analogous worry about the constitutivist claim seems imminent: I'm not sure whether someone who doesn't care about self-understanding (or whatever is supposed to be constitutive of agency) should *really* count as an agent. But whether she should or not, this seems like a somewhat silly question¹³, one on the answer of which nothing of any importance can hang. This too, I think, should give the constitutivist pause¹⁴.

Second, I often hear the claim that I have failed to make it reasonably clear what it is to be a shmagent. When characterizing shmagents, I said (179) they were non-agent creatures who lack whatever it is that is constitutive of agency, but are otherwise as similar to agents as is possible¹⁵. But it may be thought that – lacking the constitutive aim of agency – shmagents can be nothing at all like agents¹⁶. But we already know that this claim cannot possibly be right. Perhaps when I seemingly play chess with my daughter, not caring about who wins, I do not *really* play chess. But the claim that I don't even do anything *similar* to playing chess is too much to swallow. Similarly, I would say, for agency. Indeed, it follows from things Velleman says in this context (e.g. 128) that even if agents cannot act, they can certainly *behave*. And while action may be a very interesting and special particular instance of behavior, the claim that non-action behavior is nothing like action is just too much to swallow.

¹² See, in this context, Ferrero's (312-3) characterization of such a character – in two adjacent sentences – once as playing chess halfheartedly, and once as only pretending to play chess. His official position, though, is that such a person is not really playing chess (313).

¹³ The whole "shmagency" way of talking (of which Velleman (143) is no big fan) was partly meant, of course, to convey the feeling that something silly is going on.

¹⁴ There is perhaps something a touch unfair in this way of putting things. What is at stake, someone like Velleman can argue, are all of the explanatory payoffs of the relevant theory of action and agency. I return to this line of thought – in a more concessive mood – later in the text.

¹⁵ Actually, this is not the precise wording I used there. I concede that I should have.

¹⁶ See Ferrero (311-2). I've heard this claim made also by Matty Silverstein. And there's a hint of it also in Velleman (144).

After all, if they were so dissimilar, we would not need the careful work of good philosophers of action to help us see the distinction, at least in outline.

3.2 Irrelevance

So much, then, for the implausibility of the but-you-do-care response to the why-should-I-care-about-(e.g.)-self-understanding challenge. What I want to argue now is that even if we ignore this implausibility, still this response cannot possibly work, because it does not even qualify as a response – it fails to address the challenge. The thought here is very simple: Noting that I do Φ is never a good answer to the question whether I should Φ . This is true for actions, and it is just as true for carings. Perhaps I do care about something; but how does noticing this fact count as an answer to the normative question whether I *should* care about it, or indeed as a reason for caring about it?

The point is not merely an is-ought-gap kind of point. True, some of us have somehow become very good at convincing ourselves that sometimes, an ought can after all be derived from an is, or that some normative facts or properties just are some natural facts or properties, or some such. But what we are up against here is an *especially* problematic instance of such a move – it is the move from someone caring about something, immediately to it being the case that she *should* care about it, or at least that she has a reason to so care. I take it even those of us with the strongest stomach for naturalistic fallacies should not be happy with such a move. When someone asks "Why should I care about self-understanding?" (or whatever else is constitutive of agency), and the response comes "But you *do* care!", all that is needed by way of counter-response is "So what? I asked whether I *should* care, not whether I

do. You haven't answered my question." The but-you-do-care response is thus no response at all. It is utterly irrelevant.

Constitutivists like to emphasize that the agency game is not just one we *do* play, but also one we cannot avoid playing, agency is – in certain senses – inescapable for creatures like us. Constitutivists then sometimes suggest that the inescapability of agency somehow helps with the shmagency challenge (and related challenges)¹⁷. Thus, Velleman (136-7) distinguishes two senses of inescapability, suggesting that their combined strength helps in answering the why-should-I-care-about-self-understanding challenge. His two senses may be labeled *natural* and *dialectical*¹⁸. Let me postpone discussion of dialectical inescapability to sections 5 through 7. The natural inescapability of agency seems to come down to the fact that we cannot opt out of the game of agency, such opting out is just not something we can do. We can, of course, choose to end our lives, but as I also noted in "Agency, Shmagency" (188), far from opting out of the game of agency, this would be a major move *within* this game. And we can temporarily opt out of this game, say by going to sleep. But still, acting and choosing is, as Korsgaard likes to put things, "our plight"¹⁹.

I want to concede that agency is indeed naturally inescapable for us. But I also want to note (as I did, to an extent, in "Agency, Shmagency" (188 and on)) that such inescapability does not matter in our context, and in particular does not render the but-

¹⁷ As even the title of his paper makes clear, this is a major theme in Ferrero (2009).

¹⁸ Ferrero (308) also distinguishes two senses of inescapability. One of them, which he characterizes using the term "closure", seems to me to be in essence identical to Velleman's natural inescapability one. The other – characterized in terms of "an enterprise with largest jurisdiction" – is unclear to me. If the point is supposed to be about the *aspiration* of agency, as it were, then shmagency is also with largest jurisdiction. If, on the other hand, the point is about agency's *success* in establishing largest jurisdiction (success which is not shared by the enterprise of shmagency), then assuming this from the start amounts in our context to begging the question against the shmagency challenge.

Later on, Ferrero (322) introduces another sense in which agency is arguably inescapable – the *concept* of agency is one we cannot do without. I have no idea whether this is true, and how – if it is – this helps the constitutivist in dealing with the shmagency objection.

And there are also hints of dialectical inescapability in Ferrero, as when he says (326): "This status is ... presupposed in raising the practical question."

¹⁹ See "Agency, Shmagency" (188-9, footnote 42), and the references there.

you-do-care response any better. For the move from "You inescapably Φ " to "You should Φ " is no better – not even the tiniest little bit – than the move from "You actually Φ " to "You should Φ ".

Perhaps Velleman appreciates this point. Perhaps this is why he suggests (137) that the inescapability of agency (and so, on his theory, of caring about self-understanding) does not so much show that one should care about self-understanding, as it renders moot the question whether one should so care²⁰. And, of course, there is something to this point: It would, for instance, seem unwise to devote many resources into an attempt to answer the question whether I should Φ , when I cannot avoid Φ ing. But we are not here in the business of allocating research grants. Rather, we are in the business of finding the best theory of normativity – after all, it is the constitutivist ambition to give us such a theory; and it was my point in "Agency, Shmagency" that constitutivism cannot live up to this ambition. And because this is the nature of our project, the mootness of the why-should-I-care question is simply beside the point. Its very intelligibility – and the fact that so far we do not have an adequate constitutivist reply to it, even if it is in some practical sense moot – suffices to cause serious trouble for constitutivism²¹.

Perhaps an example can help here: I am a latent and grudging patriot²². I reject patriotism and nationalism as morally unjustified. I am willing to defend this position

²⁰ I've heard similar suggestions – sometimes put in terms of "practical irrelevance" – from Matty Silverstein and from Scott Forscher. And later on, Velleman (138) seems to concede that something from the why-should-I-care question remains unanswered even after the but-you-do-care reply. I return to what Velleman has to say on that in section 6-7 below.

²¹ Again, the discussion that follows the mootness declaration seems to show that Velleman himself acknowledges this point.

²² Ferrero (312-5) discusses (following comments I make in "Agency, Shmagency" (188)) what he calls "alienated participation" in the enterprise of agency. All he has to say in reply to such examples is that such alienated participation is – in the case of agency – impossible. I find this suggestion both implausible, and irrelevant, for reasons similar to the ones in the text about inescapability in general. Notice that the example of the grudging patriot shows not only that such cases are possible (in the case of agency as well, I would say), but also how much more complicated the relevant motivational structure can be.

in a philosophical or political argument. And yet I find myself moved by the sort of thing patriots are moved by (say, a flag, the national anthem, the success of a local sports team). In a sense, then, I care about such things. I can ask, and often have asked "Why should I care about such things?", and I'm rather confident that the answer is that I should not. If someone then tells me: "But you *do* care!" what she says will be true. Perhaps it's even true that (in some sense) patriotism of this kind is inescapable for me, that I cannot avoid it (for what it's worth – I've tried). But this does not even begin to answer the question whether I should especially care about, say, how well my country's tennis team does in the Davis Cup, and if so, why. That the question whether to care is in a sense moot for me – I cannot stop caring – is neither here nor there.

There may be a complication here. Constitutivists are typically existence-internalists about reasons, they believe in a very strong connection between the reasons an agent has and her subjective motivational set. After all, and as stated at the outset, a major motivation for constitutivism is precisely the attempt to account for some kind of objectivity consistently with such internalism. And it may be thought that *assuming internalism*, the objection above fails. Assuming internalism, showing that you do care about something *can*, so this thought goes, show that you have a reason so to care, because internalism is precisely the claim that what you have reason to do and care about is very closely related to (roughly) what you care about.

But this line of thought is mistaken. Internalism does indeed assert a close connection between your reasons and what you care about, but it does not take caring about something as *sufficient* to having a reason to care about it. An internalism that would commit itself to such a claim would be extremely implausible (as the grudging patriot example shows), and no internalist I know of takes this line. So even if we are

willing to assume – for the sake of argument – some constitutivist-friendly version of existence internalism about reasons, still this cannot bridge the gap between the why-should-I-care question and the but-you-do-care answer. Even on internalism, more is needed for having a reason to care, and so the constitutivist still has not adequately addressed this question.

As I've already hinted several times, Velleman seems to notice these points. Though he says the inescapability of agency renders the question "Why should I care about self-understanding?" moot, he also continues to further discuss it, suggesting – even saying explicitly (138) – that it still calls for an answer, that "But you do care!" does not suffice as an answer. We will return to what he has to say here in section 5.

4. Which Constitutivism?

Before doing that, though, let me briefly comment on the scope of constitutivist views to which the but-you-do-care line of thought applies. And let me start here with the following point: The but-you-co-care reply does not show that the relevant skeptic is *wrong*. Rather, it shows that he is *impossible*, that none of us is, or indeed can be, such a skeptic, someone who just doesn't care about whatever it is that is constitutive of action.

Of course, this is a possible line to take (and one that I anticipate in a footnote in "Agency, Shmagency" (199, footnote 44)). But it is a rather surprising one. And it is especially disappointing if your motivation for going constitutivist in the first place was the hope of answering the skeptic²³. This is clearest in Korsgaard – Korsgaard hopes not to show that no one is a skeptic, but rather to show that the skeptic is

²³ I am not sure, but I think that Ferrero (316) concedes this point, at least with regard to the most ambitious way of defeating the skeptic.

wrong, or confused, or some such. And this means that she cannot utilize the but-you-do-care reply, at least not without some further story.

True, if you claim not to care (*de re*) about whatever it is that is constitutive of action or agency, and we can then show that – being an agent – you do care about it, we've shown that you are in some less-than-fully-precise sense inconsistent, and so (presumably) in a sense also irrational. This would amount to showing that you are wrong in some of your commitments. But it would not show that it is your commitment *to skepticism* that is wrong. Perhaps, after all, it is your caring about the constitutive aim of action that is wrong, and perhaps this is the commitment that should be discarded in order to regain consistency²⁴.

Or think again about the two ways I distinguished above of understanding the game analogy. Korsgaard's way of talking strongly suggests that she utilizes such analogies (as in the house building case) in the first way above, as examples of activities with constitutive objective standards of success (rather than as ones where what is constitutive of the activity is the *caring* about the relevant success conditions)²⁵. If this is a fair characterization of her views – and because of the unclarity with which Korsgaard's views are always presented, I cannot be confident that this is so – then Korsgaard cannot rely on the but-you-do-care response, even if Velleman and others can.

I don't know of any attempt to defend a Korsgaard-style constitutivism from the shmagency challenge – Korsgaard and her followers, it often seems, are just not that into responding to objections. And so it's important to note here that even if Velleman's way of dealing with this challenge – or related ways – succeeds, it may only vindicate a Velleman-style constitutivism. In "Agency, Shmagency" I was

²⁴ Also, this attempt at a response commits the mistake of the adversarial stance. See the next section.

²⁵ This is also sometimes true of Ferrero. See Ferrero (305).

putting forward the challenge as one that refutes all constitutivist theories in just one blow. If Velleman's reply succeeds, this is not so. But the challenge still stands – even if everything else I say in this paper fails – against Korsgaard's theory²⁶.

5. The Mistake of the Adversarial Stance

As you recall, Velleman argues that agency, for us, is inescapable in two ways. The first one – the one I called above natural inescapability – comes down to our inability of opting out of the game of agency (with few and irrelevant exceptions). The second – the one I'll call *dialectical* inescapability – is nicely illustrated by the following quote:

To ask 'why should I have the aim of making sense?' is to reveal that you already have it. If you don't seek to do what makes sense, then you are not in the business of practical reasoning, and so you cannot demand reasons for acting or aiming. (137)

The point seems to be that no one can consistently occupy the position of the relevant skeptic: By the very raising of the challenge to the agency-religion, you show yourself to be a devoted follower. And this – so the thought seems to go – goes some way towards vindicating agency, and with it presumably constitutivism. A similar line of thought is especially clear in Ferrero's reply to the shmagency challenge. Thus, he writes:

The inescapability of agency, however, shows that there is no standpoint external to agency that the shmagent could occupy and from which he could launch his challenge. (Ferrero, 2009, 311)

This way of putting things seems to dramatize the challenge, in something like the following way: There is this character, a real flesh-and-blood person and agent –

²⁶ It is not clear to me whether Velleman's other argumentative moves – those discussed in sections 6-7 below – can be utilized by Korsgaard too, without the support of the but-you-do-care reply.

or perhaps shmagent, call her "the skeptic". And this character challenges us – non-skeptics that we are – to a kind of adversarial duel. She has her position to defend, and we have ours. If this is the dramatized scene, then it is only natural to think that if the skeptic's position (or argumentation) is somehow unstable, then we win. After all, in an adversarial setting, showing your adversary to be wrong amounts to vindicating your own position.

Thus, the situation here is similar to one occurring often in discussions of epistemological skepticism, where some sometimes argue that skeptics defeat themselves. The interesting skeptic puts forward an argument, say, relying on premises, using rules of inference; but if his skeptical conclusion is right, no one is epistemically justified in believing any premises, using any rules of inference, etc. So his skeptical challenge fails even by his own lights. And this, we are sometimes told, shows that at least some kinds of skeptical challenges are not to be taken seriously, because they defeat themselves, there is no ground a skeptic of this kind can safely occupy, from which he can launch his skeptical attack. The skeptic, we are told, is guaranteed to lose, and so we have won.

But this line of thought (which I anticipate in "Agency, Shamgency", 183-4) cannot succeed, either in our context or in the epistemological one. The error here is already present in the very first step, the specific dramatization of the dialogue. The skeptic is not – certainly she need not be – an actual character, with a position to defend. The skeptic, rather, is the embodiment of a problem *we* face, because of *our* commitments. I put the point in "Agency, Shmagency" by noting (184) that skeptical

challenges are best seen as ad hominem arguments, with all of us non-skeptics as the relevant homini²⁷.

Perhaps an example can help here. Assume a philosopher – call her the paper-skeptic – who believes that there's something intellectually corrupting about the papers analytic philosophers are so fond of reading and writing. Philosophical progress, she thinks, can only be achieved by writing books. The paper-frenzy is just a race to philosophical superficiality, and an incentive to substitute technical skills for deep philosophical insights. Being a conscientious professional, she writes this all down, presenting her analysis and arguments, culminating in the conclusion that philosophers should not write papers. But – in order for the example to be interesting – she writes this all down in the format of a paper, and proceeds to submit it to her friendly-neighborhood philosophy journal (where it is rejected, without comments, eleven months later).

Now, us paper-writing philosophers are eager to defeat the paper-skeptic's challenge. Does it suffice, in order to do that, to show that she has no stable ground to stand on while she's launching her attack, that in a sense she defeats herself because she wrote down her paper-skepticism in the form of a paper? Perhaps – though I doubt it – this shows that our paper-skeptic is in some sense in trouble. But this certainly does not show that *we* are *out of* trouble. If her arguments still work, then we – committed as we are to writing papers – are in trouble. We need a substantive answer to the challenge she puts in a sort-of self-defeating way. The challenge is real enough. It is real enough even if putting her paper-skepticism in the format of a paper

²⁷ Ferrero (317, footnote 27) says he agrees with me on this point. But still, throughout his paper he commits (as the quote above shows) the mistake of the adversarial stance. Notice that the suggestion in the text is not (as Ferrero (317) mistakenly understands it to be) that *constitutivism* be found to be inconsistent; rather, it's that constitutivism is found to be inconsistent *with some other of our pretheoretical commitments*, including (as I proceed to explain in the text) about which questions make sense.

is for some reason inescapable for her. Indeed, the challenge is real enough even if a paper-skeptic does not, or even cannot, exist. And so it is better to tell the story without anthropomorphizing the arguments at all. There are arguments attempting to show that we shouldn't be so seriously into writing papers. We need to deal with these arguments. It just doesn't matter whether there is a character – the paper-skeptic – who can help us make this debate more dramatic. And even if there is such a character, we should not mistake finding flaws with her for vindicating our paper-writing practices²⁸. We should not, in a term I borrow from Crispin Wright (1991, 89), commit the mistake of the adversarial stance.

The analogy, I hope, is clear. Showing that the practical-reason-skeptic (the one asking "Why should I care about (e.g.) self-understanding?") has no safe grounds from which to launch his attack is neither here nor there. It does not even begin to vindicate practical reason. Thinking otherwise is like settling – in the discussion with the paper-skeptic – for noting that she's written a paper, without tackling her arguments against paper-writing head on. And so here too – as in the paper-skepticism case – we are better off avoiding the dramatic effects and anthropomorphizing the challenge. The challenge is a challenge for *us*, non-skeptic as we are²⁹. It is *we* who

²⁸ Ferrero (327-331) discusses a somewhat structurally similar case, where agency turns against itself, so that by employing the apparatus constitutive of agency we reach the practical verdict that we should not be agents. Ferrero thinks such a situation is paradoxical. But it isn't, and for a reason closely related to the points in the text here: If agency can be turned against itself, then there's a serious problem with the project of agency. But from this it does not follow that we have an agency-type reason to stop being agents (which generates, according to Ferrero, the paradox). All that follows is that we do not have an agency-type reason to be agents. And as far as I see, nothing paradoxical follows from that. Because I think there are reasons that are detached from the constitution of agency (or any such thing), I think in Ferrero's example we also have a *real* reason not to engage in agency. This too, of course, is not paradoxical. But it is not available to Ferrero.

²⁹ When describing my main argument in "Agency, Shmagency", Ferrero (305) says that I ask the reader to imagine the shmagent, putting forward his objection. But this is not how I present the challenge. The challenge is not put forward by a shmagent – and starting with imagining a shmagent is a clear instance of the mistake of the adversarial stance. The important point is not *who* is putting forward the challenge, but its content – namely, what reason do we have to be agents (rather than, for instance, shmagents). So Ferrero's comparison of a "conversation" with a shmagent and a "conversation" with a parrot is beside the point – the content of a philosophical objection can be quite devastating even coming from the mouth of a parrot.

have to come up with a theory of normativity that will be adequate (at least) by our own lights. It is we who must be convinced that agency is not normatively arbitrary (for us), that we do have, even upon reflection, reason to care about whatever it is that's constitutive of action and agency³⁰, even if regardless of having or failing to have such a story, we inescapably do care about it. And so, it is us who are vulnerable to the shmagency challenge. Whether or not there is an agent (or a shmagent) who can stably embody this challenge is just beside the point.

6. The Distinction between Internal and External Questions

As I already said several times, Velleman (137) concedes that merely noting the inescapability of agency (even of both the natural and the dialectical kinds) does not suffice here, because we can still ask for a justification, for some reason to pursue the aim that is constitutive of action. Here he seems to concede (though not explicitly) a major part of my original shmagency challenge: Merely noting that this aim (whatever exactly it is) is constitutive of action does in no way settle the normative question of why (and even whether) we have any reason to pursue it. But with regard to the request for such justification, Velleman (138 and on) seems to be presenting the following dilemma (which I present here in my own words): Either this request or question is understood *internally*, as asked from within the point of view of an agent already committed to self-understanding, or it is understood *externally*³¹, as asked by someone with no such commitment³²; if the former, then we are entitled – in answering it – to rely on the already-present commitment to the aim of self-

³⁰ Precisely for this reason, there is a grain of truth in Velleman's insistence on understanding the question (why care about self-understanding?) internally, from the point of view of someone who already does care. I return to this point in the next section.

³¹ Ferrero (306) also uses the terms "internal" and "external" in a similar context.

³² Actually, Velleman (143) discusses a third option – the question may be asked from within a framework, but not of agency – perhaps, for instance, of shmagency. I return to this complication below.

understanding; and then all that is needed in order to show that we have a reason to pursue self-understanding is to show that pursuing self-understanding is something that promotes (in the appropriate way) our self-understanding; and it does – after all, it makes sense to make sense, or to try to³³. Understood internally, then, the challenge is a legitimate one, and it can be coped with as a normative challenge, utilizing all the normative apparatus available to us – including, of course, that of the constitutive aim of agency. If – and this is the other horn of the dilemma – the challenge is supposed to be external, to be raised from outside any committed point of view (like that of the agent), then it is nonsensical, it is not even a legitimate challenge to begin with. Either way, then, constitutivism wins – the challenge can be understood internally, and met on its own terms; or it can be thought of externally, and then be shown to be incoherent.

The claim that the challenge – thought of as an external one – is nonsensical is an important one, and I discuss it in the next section. As to the claim that understood internally, the challenge can be met: For the most part, I want to grant this claim for the sake of argument. Let me just quickly note here that Velleman's relevant discussion is *very* quick (138), and pretty much comes down to *asserting* that it makes sense to make sense. Given the centrality of this claim to Velleman's defense of constitutivism, more could have been hoped for³⁴. Velleman does emphasize (141-2)³⁵ – and I agree with him on this – that there need be no flaw in the kind of circularity that is involved when some most basic criterion or norm is justified in terms of its living up to its own standards. Indeed, though Velleman (141) thinks that there is a disanalogy here with the case of theoretical reason, I have argued elsewhere (Enoch

³³ See also Ferrero (326).

³⁴ Ferrero (Section 7, starting on 322) emphasizes that there is nothing obvious about agency being self-vindicating in this way.

³⁵ For a similar point, see Ferrero (323).

and Schechter (2008)) for a very similar point in the most general epistemological context³⁶. Of course, some further conditions need to hold. As Velleman rightly notes (142), at the very least we need a further story that distinguishes between benign and vicious circular justifications. And in Enoch and Schechter (2008) we go to great lengths trying to give such a story. All that Velleman does here (142) is to again point to the fact that the aim (for pursuing which he's giving a circular justification) is constitutive of action. But in conceding earlier that this does not settle any justificatory question, Velleman seems to have undermined this move too.

But again, this is not the main point I want to take issue with here. What I want to do in the rest of this section, rather, is to raise some questions about the very distinction between the internal and external understandings of the why-should-I-care-about-(e.g.)-self-understanding question. For it is anything but clear how this distinction is to be understood³⁷, and Velleman does nothing to explain or even explicitly state his understanding of it. I doubt that such a distinction can be taken as primitive.

Before quickly going through some possible ways of understanding the distinction, let me just note the adequacy constraints on such understandings. If it is to help in the defense of constitutivism (against the shmagency challenge, or more generally), the internal-external distinction must be understood in a way that supports its role in Velleman's argumentation; that is, it must be understood in a way that renders both horns of Velleman's dilemma plausible; that is, the distinction must be understood in a way that makes it plausible to say that the internal question can be

³⁶ Like Velleman (and explicitly drawing on him), Ferrero (324) both tries to vindicate some kind of circularity here, and suggests that nothing of the sort can be done in the theoretical context.

³⁷ Though Velleman does not put things in terms of the internal-external distinction, he does come very close, for instance, when he writes (143) "[The Kantian strategy] merely insists that questions must be asked and answered *within* the framework of some constitution." (emphasis added). Putting things in terms of the distinction between internal and external questions may remind the reader of Carnap's (1956) similar distinction. I think Carnap's distinction raises the exact same problems Velleman's does.

adequately (though somewhat circularly) addressed, and that the external question is incoherent or nonsensical. With this in mind, then, how are we to understand the internal-external distinction?

One possibility is to understand the distinction between internal and external questions in terms of the commitments of the person asking them³⁸. Thus, if the person accepts (in some sense) the aim of self-understanding, her question is internal, and if she does not, the question is external. But this suggestion is hugely problematic. First, we are still owed a story of this acceptance – is it a belief? A motivational disposition? Some other thing? At the very least, then, more details are needed. And there are challenges facing the attempt to complete these details. For instance, if this acceptance is a belief – certainly an explicit belief – then the suggestion that the external question is incoherent becomes quite unbelievable. Doesn't the question – asked by a person who is motivationally committed to the self-understanding aim, but who lacks the belief that this aim is worth-pursuing – make perfectly good sense? If the relevant acceptance has to do with some motivational disposition, then it becomes utterly unclear how, understood internally, the question is guaranteed to be answerable. For the relevant motivation may be misdirected in any of a number of ways. And it's not clear what other options are available here. Second, this way of understanding the internal-external distinction – in terms of the mental states of that infamous character, the skeptic – commits, of course, the mistake of the adversarial stance. There is no such character, and we don't need to know anything about him (whom?) in order to understand the challenge.

How else can the internal-external distinction be understood? It may be thought that the distinction should be understood in more dialectical terms. The

³⁸ At least at one point, this is how Ferrero (323) seems to understand it.

question is understood internally in a dialectical setting in which it's legitimate to rely on the premise that the aim of self-understanding is worth-pursuing; it is external otherwise. But thus understood, the suggestion that the internal question can be satisfactorily answered fails. For now the circularity becomes paradigmatically vicious: *Of course* in a dialectical setting in which we can rely on the premise that the self-understanding aim is worth pursuing we can prove that, well, the self-understanding aim is worth-pursuing (and notice, that this is so regardless of whether it makes sense to make sense, as Velleman argues). It is hard to take this as a justificatory victory.

Perhaps, though, the distinction should be understood differently. Let us again utilize the game-analogy. Suppose I ask whether I have a reason to (try to) checkmate my opponent. Here it does make sense, I guess, to say that from within the framework of a game of chess, or from a point of view of a chess-player, the answer is "yes". And perhaps it is also true to say that it is not at all clear how this question can be understood externally, not from within the chess-game framework. Should the distinction between an internal and an external reading of the why-care-about-self-understanding question be understood analogously?

The problem, though, is that it is not at all clear how to understand talk of points of view (or the like) in the chess case either³⁹. So while the game analogy is not without value – it shows that at least sometimes, something naturally put in terms of the internal-external metaphor does seem to make sense – still it cannot solve Velleman's problem here. Furthermore, perhaps the right account of the distinction in

³⁹ In the jurisprudential context, Hart (1961) has famously distinguished between the internal and external points of view, and Raz (1979) has famously classified a class of judgments as judgments-from-a-point-of-view. I'm afraid that these (perhaps related) sources do not help (me) in clarifying the internal-external distinction Velleman uses, both because I'm not at all confident I understand *them*, and because it's not guaranteed that Velleman's understanding of this distinction is identical to any of these two.

the chess case cannot be applied in the agency case. At the very least, then, more needs to be said here.

Let me not overstate my case here. I do not claim that the internal-external distinction does not make sense. What I do claim, however, is that Velleman has said far too little about it to be able to rely on it in defending his constitutivism; that some natural ways of understanding this distinction fail; that it's not clear how exactly to understand it; and that it's therefore unclear whether an appropriate understanding of it can support Velleman's dilemma. (In the next section I will offer yet another possible understanding of the internal-external distinction.)

7. Which Questions Make Sense?

When the why-care-about-self-understanding question is understood externally, Velleman – rather than answering it – suggests that there's something wrong with the question. The suggestion is that such practical why-questions – requests for practical reasons – only make sense within some constitutive framework or another. Asked with the ambition of being understood outside any such framework (agency, or even shmagency, or some other one), the question is supposed to be semantically defective. At times, Velleman writes as if the question understood externally commits some category mistake, "like asking whether a telephone is correct rather than a tree" (145⁴⁰). But this does not seem to be the right thing to say here. I think that what Velleman has in mind is that a request for practical reasons that is not made from within a framework in which there is some constitutive aim or other is just *not well-formed*, because crucially *incomplete*; it uses an n-place predicate with only n-1 arguments. Until you said whether you want an answer given the aim constitutive of

⁴⁰ See also the reference there to Street's example – asking whether the Empire State Building is taller, without specifying – taller than what. Though this seems to be an example of another flaw, the one I proceed to discuss next in the text.

agency, or of shmagency, or whatever, "you aren't owed an answer, because you haven't yet asked a question." (144); "Until you specify what you want guidance for, you haven't posed a determinate question." (143)

Perhaps the following example – which Velleman does not use in this precise context – will help to make this clear. The question "How can I play well?" is, as it stands, semantically defective. Until you specify which game you're talking about, you are not owed an answer, because you haven't asked a determinate question. Indeed, you haven't asked *any* question, because your attempt at a question is not well-formed. You are missing one argument for your central predicate. I take it that Velleman thinks the question "Why care about self-understanding" – like any other request for practical reasons – suffers from a similar flaw, unless it is clear what "game" is being played. Of course, here as in the game case, it is not required for the value of the further argument to be given explicitly, as in "How can I play chess well?". It can also be completed implicitly, by the context. If, for instance, we're now playing chess, or have been discussing chess for a while, or some such, then the question "How can I play well?" may be understood to be about playing *chess* well, and thus be unproblematic. But that the question can be completed implicitly should not blind us to the fact that completing it most certainly needs. Similarly for "Why care about self-understanding?": In many contexts (perhaps in all of them, except those that involve a skeptical challenge in a philosophical discussion of normativity; or perhaps even more widely, in all contexts except that of coping with the shmagency challenge) it is clear that the question is asked within the framework of the agency-game. But that often the question can often be completed implicitly need not blind us to the fact that completing it most certainly needs. And this is the nature of the mistake of the person attempting to ask the why-care-about-self-understanding

question externally: He (well, I) fails to see that thus understood the question is not well-formed, and thus not a question at all.

This way of understanding Velleman on the defectiveness of the external question⁴¹ also has the following two virtues: First, it helps in understanding Velleman's surprising claim that the question whether to care about self-understanding can be asked not just from the point of view of an agent, but also that of a shmagent, and presumably also that of many other kinds of creature – although from the mouth of a shmagent, it will not be a request for reasons for action, but rather for some other thing (say, shmeasons for shmactions)⁴². The ill-formed how-to-play-well question can be made whole, after all, by mentioning chess, or checkers, or football, or any number of games. What would make the why-care-about-self-understanding question semantically defective in the way described is not if it is asked outside the agency framework, but if it is asked (or attempted to be asked) outside *any* such framework⁴³.

The second advantage of this way of understanding the flaw Velleman finds in the external question is that it helps with the difficulties discussed in the previous section. As you recall, there the problem was that the internal-external distinction was very hard to even make sense of. But we are now in position to suggest another way of understanding it. The question is internal if it specifies – explicitly or implicitly – the nature of the "game" regarding which we are asking how to play it well. It is external otherwise. And there is nothing mysterious about the distinction thus

⁴¹ Ferrero (329) also suggests that some question in the vicinity here is defective, though not semantically. It is not clear to me what exactly the nature of the defect is.

⁴² He reconciles this observations with the attempt to accommodate (some kind of) objectivity by relying again – if I understand him correctly – on the inescapability of agency (144-5).

⁴³ In this way, then, Velleman here partly takes back the dialectical inescapability point: For he concedes that the question can be asked by someone who is not committed to the aim constitutive of action – by a shmagent, for instance. This is only a partial concession, though, because the very same words uttered by a shmagent presumably express a somewhat different question than when expressed by an agent.

understood – it just comes down to a distinction between different numbers of arguments. Furthermore, it renders plausible Velleman's claim that the question understood internally is not too problematic. It all comes down, then, to the claim that an external question – roughly thus understood – is semantically defective in the way described.

But *is* it semantically defective in this way? We must not be blinded by powerful analogies. The how-to-play-well question is (unless implicitly referring to a determinate game) defective in this way. But what reason have we been given to believe that the why-care-about-self-understanding question, or indeed the what-do-I-have-reason-to-do question are (unless implicitly referring to some constitutive framework) equally defective? Think about it this way: When we are presented with linguistic creatures like "How can I play well?", or "The Empire State Building is Taller.", we immediately sense the incompleteness, and indeed that's why we feel the pressure to assume an implicit reference to the value of the missing argument. But when I ask "What do I have reason to do?", or "Why should I care about self-understanding?", these questions certainly do not *feel* semantically defective in anything like the way the former are. I do not want to overstate the point – sometimes, I'm sure, semantic defectiveness doesn't have a "feel", and we may be mistaken about such things, just as we may be mistaken about anything else. But still, that a question seems to make sense is at least some evidence – rather strong evidence, I would say – that it does. By insisting on not understanding an (external) question that certainly seems to make sense, Velleman is thus in danger of satisfying David Lewis's (1986, 203, footnote 5) characterization of a competent philosopher:

[A]ny competent philosopher who does not understand something will take care not to understand anything else whereby it might be explained.

Of course, just noting the dangers of pronouncing a seemingly legitimate question defective does not amount to an argument establishing that the question *is* indeed legitimate. How are we, then, to make progress? If, as I suggested, apparently making sense is strong pro-tanto evidence of making sense, the dialectical situation is not symmetrical. The burden is on Velleman to show some countervailing reason, some reason to believe that appearances here are misleading, and that the external question which appears to make sense in fact does not.

And here it is I who need to make a partial concession. In "Agency, Shmagency", I was hoping to put forward a challenge to constitutivist theories that was largely independent of the details – and explanatory successes and failures – of specific constitutivist theories. But even if this was possible for the presentation of the initial challenge, it is no longer possible in thinking about Velleman's response to the challenge. For one way of making progress in shouldering the burden above – giving us reasons to believe that the external question that seems to makes sense in fact doesn't – is to present a theory with considerable explanatory advantages, that entails that the external question is semantically defective. If this can be done, then the explanatory advantages of the theory count as reasons for believing that the question is indeed defective. I take it this is a part of Velleman's *point* (e.g. 144): In numerous works over many years now, he has developed his constitutivist theory, attempting to show its explanatory payoffs in numerous contexts. And it follows from his theory that the what-do-I-have-reason-to-do question is in the relevant respects like the how-can-I-play-well question. His theory, then, should be evaluated holistically, and if it is still the best theory overall, then we should take the discrepancy between it and the appearances (regarding the legitimacy of the external questions) as reason to reject these appearances, not Velleman's theory.

Let me concede the methodological point. And let me also concede – this time, only for the sake of argument – that Velleman's theory is indeed in other respects explanatorily very powerful. Still, this does not suffice to save Velleman's constitutivism (by dooming the external question to semantic defectiveness), for the following two reasons: First, for the other explanatory advantages of the theory to justify accepting that a seemingly legitimate question is semantically defective, it is not sufficient that *there are* such advantages. Rather, it is also necessary that these advantages are *sufficiently significant*, weighty enough to justify rejecting the appearance of coherence of the external questions. Of course, it is always hard to quantify the significance of different explanatory (and other) advantages of a theory, and any conclusion here is bound to be controversial. So let me settle for pointing out that there is here some unfinished business for Velleman: He has to show that the explanatory advantages of his theory are more weighty than the reason we have to believe that the external questions make sense (namely, that they seem to make sense).

Second, and more importantly, explanatory advantages are always *comparative*. And even if Velleman's theory scores significant explanatory points against *some* other theories, it does not do as well against *all*. Consider a theory that affirms a reason to care about the aim constitutive of agency, where this reason is robustly realistically understood⁴⁴, that is, it is not understood along constitutivist lines. Such a theory is inconsistent with constitutivism, of course, as it incorporates at least one reason that is not constitutivistically-friendly⁴⁵. But it can explain whatever

⁴⁴ Like the Robust Realism I sketch in my (2007), and in more detail in my *Taking Morality Seriously* (forthcoming). Notice that I do not there commit myself specifically to a reason to be an agent, or to care about whatever aim (if any) is constitutive of agency.

⁴⁵ In "Agency, Shmagency" I mention (187) the possibility of postulating a robust reason to be an agent (or some such), noting that doing so is inconsistent with constitutivism and with its underlying philosophical motivations.

Velleman's constitutivism can explain, and just as well: It just starts with this robust reason, and then plugs in Velleman's own explanations. And notice that on this theory, the external why-should-I-care-about-self-understanding question makes perfect sense, even if – depending on the other details of the theory – its answer may not be extremely informative. The only possible remaining explanatory advantage of Velleman's theory over *this* alternative is that this alternative is committed to a robust not-constitutivistically-accounted-for reason to care about self-understanding (or some such), whereas Velleman's constitutivism is not so committed. But first, to my ears this does not sound like a significant explanatory advantage, and second, and more importantly, invoking this explanatory advantage as a reason to doom the external questions to semantic defectiveness is especially suspicious: After all, we can always avoid the need to assume an answer to a question by declaring it semantically defective. Now, perhaps there are normative reasons to doubt – even assuming a robust realism of sorts – that there is a reason to care about whatever it is that is constitutive of action and agency. If so, the sketched alternative theory fails. But if so, so does Velleman's theory, for whatever reasons that doom this alternative theory.

Though I agree, then, that other explanatory advantages of a theory may justify ruling a seemingly legitimate question semantically defective, for the above reasons I do not think that the explanatory advantages (assumed here for the sake of argument) of Velleman's theory suffice to do that. If so, Velleman has not given us sufficient reason to believe that the external questions are semantically defective. And because they certainly *seem* semantically legitimate – because they do not sound like how-to-play-well questions, for instance – I conclude, then, that they are⁴⁶.

⁴⁶ There's a rather delicate dialectical issue here, regarding who begs which question against whom. Velleman seems to suggest (141) that the very raising of the why-care-about-self-understanding question, when it is understood externally, begs the question against him (by assuming that this question makes sense). I, on the other hand, believe that Velleman comes very close to begging the

8. Score-Keeping

So where does all of this leave us? It seems to me that what is *really* at stake between Velleman and myself are the questions discussed in the previous section. Given Velleman's concession that the justificatory question remains open even given the but-you-do-care reply, even when this reply is strengthened by some inescapability point, his major line of response to the shmagency challenge consists simply of denying that the challenge – understood externally, as I meant to present it – even makes sense. The other points in (the relevant parts of) his text, and indeed in this paper, are relevant only derivatively. Thus, the precise account of the internal-external distinction is relevant for a better understanding of the claim that external questions are semantically defective; and the whole discussion of inescapability – natural and dialectical alike – is only relevant, as far as I can see, either as a part of the straightforward, supposedly benignly circular answer to the internal question, or as helping to make the semantic-defectiveness claim (with regard to the external questions) plausible.

But, if the arguments above are sound, none of this can succeed. Starting from the conclusion: The external challenge seems to make sense, and – because no convincing reasons have been given for why we should reject this appearance – we are justified in taking it at face value, as semantically legitimate. My argument for this conclusion was independent of the other flaws I found in Velleman's reasoning.

Furthermore, it is very hard to see how the natural inescapability of agency can be

question against me when he says (139) things like "But in relation to what criterion of correctness do you suspect intelligibility-seeking agency of error?", because he suggests that such a criterion must be specified if the question is to make sense at all. But the situation is not symmetrical here, because of the pro-tanto evidential force of the external questions seeming to be semantically legitimate. I'm not sure what exactly is going on in the footnote in which Velleman quickly proclaims robust realism nonsensical (145, footnote 32). But to the extent that I do, Velleman here too begs the question about the semantic defectiveness of certain external questions.

seen as anything but normatively arbitrary, and so it is equally hard to see how it could help here. The discussion of dialectical inescapability misunderstands the nature of skeptical challenges (by committing the mistake of the adversarial stance). And that we already do care about whatever it is that is constitutive of action – if indeed we do – is just neither here nor there.

How much of this discussion was ad-Velleman? Can it be generalized to apply to constitutivists more generally? As I argued above (in section 4) Korsgaard's constitutivism seems to be in even more serious trouble than Velleman's in responding to the shmagency challenge. And while I conducted much of the discussion in Vellemanesque terms, nothing of significance, I think, hinged on my doing so. Nothing in my discussion, for instance, depended on the constitutive aim of action being that of self-understanding. Velleman's argumentative moves are, I think, in a sense precisely the moves any constitutivist should employ in response to the shmagency challenge. True, the claim that everything here boils down to the controversy over the semantic status of external questions may be somewhat ad-Velleman – other constitutivists need not share his concession regarding the openness of the justificatory issue even after the but-you-do-(inescapably)-care card has been played. Nevertheless, something feels right about the debate boiling down to the question whether the external challenge and questions make sense. Indeed, that this is what the debate boils down may partly explain the they-just-don't-get-it feeling, common on both sides of this and related debates.

Let me note another possible line of a constitutivist reply, one that – to the best of my knowledge – has not been developed by any constitutivist, but that it may be interesting to hint at here. The shmagency challenge is closely related to more common open-question-argument-like challenges, challenges that demand some

explanation for the normative status of the relevant target – here, agency, or the aim constitutive of it, or some such. And I have hinted above – as well as in "Agency, Shmagency" – that the most natural way of defending the normative non-arbitrariness of such things is by invoking a general, constitutivism-independent reason to be an agent. It's just that this line is not available to constitutivism. But there is reason to believe that not all explanations of normative status take this form. Rather, as Schroeder (2005) convincingly argues, some normative explanations must take a more constitutive form. Applied to the case of constitutivism, such an explanation would state that (say) we have a reason to pursue self-understanding because *that's just what it is to have a reason*, it's to be related in the relevant way to the pursuit of self-understanding. Such a claim would be analogous to a claim made by the divine command theorist that we have a moral duty to obey God's commands, not because there is some God-independent moral duty to do as He says, but rather because that's just what it is to have a moral duty to do something, it's to be commanded by God to do it.

This is not the reply Velleman gives, and perhaps it is not a reply Velleman wants to give: After all, on such an account, the external questions make sense, but get answered (positively) rather quickly. Furthermore, on this reply, it is not clear how it could be possible to raise the question from within alternative, competing frameworks (think about the divine command theorist again). And regardless of what Velleman says or wants to say, it is not clear how plausibly it may be argued that this is indeed just what it is to have a reason. But nor is it clear to me that this line of thought *cannot* succeed, and because I haven't anticipated it in "Agency, Shmagency", I quickly note it here.

But until this line of thought is adequately developed and defended, or until some other reply can be made to work, I conclude that the shmagency challenge stands. Korsgaard has not responded to the skeptic. Velleman has not shown how something like objectivity can be accommodated consistently with his existence-internalism about reasons. And there remains a strong reason to suspect that constitutivism cannot be the foundational story of normativity it aspires to be.

References

Carnap, R. (1956) "Empiricism, Semantics, and Ontology", in his *Meaning and Necessity* (2nd ed.) (Chicago: The University of Chicago Press), pp. 205-221; reprinted in Benacerraf and Putnam (eds.) (1983) *Philosophy of Mathematics: Selected Readings* (2nd ed.) (Cambridge: Cambridge University Press) (1983), pp. 241-257.

David Enoch, "Agency, Shmagency: Why Normativity Won't Come from What is Constitutive of Agency", *Philosophical Review* 115 (2006), 169-198.

- "An Outline of an Argument for Robust Metanormative Realism", *Oxford Studies in Metaethics* 2 (2007), pp. 21-50.
- "Can There Be a Global, Interesting, Coherent Constructivism about Practical Reason?", forthcoming in *Philosophical Explorations*.
- *Taking Morality Seriously: A Defense of Robust Realism* (forthcoming).

David Enoch and Joshua Schechter, "How Are Basic Belief-Forming Methods Justified?", *Philosophy and Phenomenological Research* 76 (3) (2008), 547-579.

Luca Ferrero, 2009. "Constitutivism and the Inescapability of Agency", *Oxford Studies in Metaethics* 4, 303-333).

- Fitzpatrick, William. 2005. The Practical Turn in Ethical Theory: Korsgaard's Constructivism, Realism and the Nature of Normativity. *Ethics* 115: 651-691.
- Hart, H.L.A., *The Concept of Law*, Oxford 1961.
- Christine M. Korsgaard, *The Constitution of Agency: Essays on Practical Reason and Moral Psychology*, Oxford University Press, 2008.
- Lewis, D. (1986), *On The Plurality of Worlds* (Oxford: Blackwell Publishers).
- Railton, Peter. 1997. On the Hypothetical and Non-Hypothetical in Reasoning about Belief and Action, In *Ethics and Practical Reason*, edited by Garrett Cullity and Berys Gaut, 53-79. Oxford: Clarendon Press.
- Joseph Raz, 'Kelsen's Theory of the Basic Norm' in Raz, *The Authority of Law*, Oxford 1979, 122.
- Rosati, Connie. 2003. "Agency and the Open Question Argument." *Ethics* 113: 490–527.
- Mark Schroeder, "Cudworth and Normative Explanations", *Journal of Ethics and Social Philosophy* 1(3) (2005), available on line at www.jesp.org.
- Setiya, Kieren. 2003. "Explaining Action." *Philosophical Review* 112: 339–93.
- J. David Velleman, 2009. *How We Get Along* (Cambridge: Cambridge University Press).
- Bernard Williams. 1981. "Internal and External Reasons", in his *Moral Luck* (Cambridge: Cambridge University Press), 101-113.
- Wright, Crispin. 1991. "Scepticism and Dreaming: Imploding the Demon." *Mind* 100: 87–116.