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Halbig, Christoph

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Reviews

Constructivism in Practical Philosophy, edited by James Lenman and Yonatan Shemmer. Oxford: Oxford University Press, 2012, 253 pp. ISBN 978-0-19-960983-3 hb £47.50

Constructivism about some domain of normative facts understands these facts as the outcome of some procedure which in turn plays a constitutive role: It is not meant to track independent normative facts; rather being the outcome of some procedure is what constitutes those facts in the first place. Constructivism thus seems to recommend itself by its metaphysical modesty—unlike realism it can dispense with postulating a realm of independent normative facts and all the familiar metaphysical and epistemological problems connected with it. While it shares this nihilistic stance towards *independent* normative facts with expressivism, constructivism, unlike expressivism, does not simply deny the very existence of normative facts: They do exist—in the sense that they are brought about by our volitional activity.

Now constructivism in its *local* form is a familiar phenomenon in practical philosophy: Rawls famously tries to construct the norms of justice by referring to principles that define the basic structure of a society that self-interested agents would choose behind a veil of ignorance. The main focus of the present collection of essays, however, is on *global* constructivism which pursues a much more ambitious agenda: According to global constructivists *all* normative facts (i.e. not just those of some particular normative realm like justice or morality) are the upshot of some process of construction. By its very structure global constructivism raises an immediate problem: How is normativity supposed to be brought about by a process that—on pain of circularity—is neither allowed to presuppose some independent normative truths as input (as local forms of constructivism do) nor to be guided by independent normative requirements? Global constructivists try to address this problem by focusing on the deliberative, first-person perspective of the agent. The *Kantian* branch of global constructivism, represented, for instance, by Christine Korsgaard, relies on the basic idea that the normative principles that govern the will are constitutive of it in the first place—therefore they are simply not in need of some external grounding and the problem of circularity is avoided. Whoever wills anything at all is *ipso facto* subject to the constitutive principles of his very willing. A relatively recent, *Humean* branch of global constructivism rejects this ambitious transcendental search for constitutive principles of the will. According to Sharon Street as perhaps the most influential proponent of Humean global constructivism ‘the substantive content of an agent’s normative reasons is a function of his or her particular, contingently given, evaluative starting point’ (p. 41). For someone with a sufficiently rotten evaluative starting point there might simply be no moral reasons at all—*pace* Kant mere practical reason is unable to generate any substantial values or norms (like the categorical imperative). Street rightly complains that Kantian global constructivism has widely been equated with global constructivism per se so that possible alternatives are easily overseen (cf. p. 42); in his contribution, for instance, Jay Wallace—as if to implicitly affirm this diagnosis—takes

Korsgaardian Kantian constructivism *pars pro toto* for his discussion of three structural problems for constructivism in general.

The essays collected in the present volume focus (i) on a critical discussion of the status of global constructivism as a major contender within the theory of normativity and metaethics as well as (ii) on an exploration of both the structural features of global constructivism and of the specific, Kantian or Humean, forms it takes in contemporary debates:

As to (i) it is controversial whether constructivism forms an independent position in its own right rather than, as Michael Ridge succinctly puts it, 'a riff on a familiar tune rather than a whole new song' (p. 156). According to Ridge, for instance, Sharon Street's Humean constructivism collapses into 'a sophisticated version of metaethical subjectivism' (p. 157). Normative facts according to Street are constituted by the fact that the respective normative judgments (i.e. that X is a reason to Y for A) stand in an appropriate relation to (Street speaks of 'withstanding scrutiny from') the agent's other relevant judgments. After a careful discussion of how best to understand the ontology of primitive normative judgments that in Street's picture provide the input for the construction process, Ridge suggests understanding them as desire-like entities with a world-to-mind direction of fit: Ordinary normative judgments do not *express* these desires (thus Streetian constructivism does not collapse into straightforward expressivism) but in a familiar subjectivistic way *report* which of those withstand the scrutiny of the agent's other desire-like entities. James Lenman, however, disagrees: He suggests recasting Street's Humean constructivism in expressivist terms; that strikes him as being not just a convincing way to provide an adequate account of the ontology of normative judgments but also as systematically attractive: Properly understood expressivism and constructivism are not only not incompatible—they actually lend support to each other: With regard to morality, for instance, constructivism provides expressivism with a convincing account of moral justification; expressivism on the other hand provides constructivism with an overall theory of how moral discourse and moral agency make sense in the first place (cf. p. 224). Humean constructivism thus seems to tread a rather fine line between collapsing into expressivism and, while preserving its independence, providing it with a welcome complement. Kantian constructivism in its turn runs the risk of collapsing not into expressivism but into realism: Street, for instance, charges Kantian constructivism with coming dangerously close to committing a mistake 'less severe than the realist's, but still a mistake, and in the same ballpark' (p. 56) by trying to defend the categorical character of normative requirements. Constructivism thus still faces very serious problems to stabilize itself as an independent position against both realism and expressivism.

Even if these problems could be overcome, constructivism still has to address difficulties that arise from the very logic of its position.

Michael Bratman confronts constructivism with the so-called 'problem of alignment' (p. 81): Constructivism takes its starting point from the first-person perspective of the agent—but it remains an open question 'whether the pressures from the general constructivism will align with the pressures from the theory of agency' (*ibid.*). Street's Humean constructivism, for instance, takes normative judgments as constitutive of the agent's perspective and as the crucial input for the constructive process that is supposed to generate reasons for her. Bratman, however, points to the fact that not all normative judgments constitute the agent's standpoint (for instance Huck Finn's judgment that he should turn in Jim should be discounted in favor of his emotional resistance against doing so) and that there are other kinds of attitudes besides normative judgments (for instance attitudes of caring and love) that do define that standpoint. The commitments that

constitute the agent's standpoint thus seem to be more like intentions to treat something as a reason instead of judgments about reasons; the former, unlike the latter, for instance, are not subject to demands of intersubjective convergence.

Jay Wallace discusses three further problems global constructivism faces: According to Wallace the charge of equivocating between psychological and normative force might be warded off by the constructivist by the dialectical point that even the critic who raises it is already committed to endorsing the authority of normative considerations in so far as they are constitutive of willing itself (thus leaving no room for discrediting them as being mere psychological forces). The charge of bootstrapping exploits the gap between actual attitudes of normative endorsement of normative requirements and the objective normativity of those requirements. Here the constructivist might, according to Wallace, successfully appeal to some process of idealization—normative facts are to be constructed not out of actual attitudes but out of the attitudes that would be formed by some suitable procedures of rational reflection. But what—and that leads to the third problem, that of the possibility of error—about those procedures themselves; are we really entitled to rely on *them*? The ready answer of the constructivist Kantian-style is of course that we already rely on them in the first place because they are constitutive of the activity of deliberation itself. From within the deliberative point of view it is therefore impossible to disregard their authority and ask for their normative credentials. But as Wallace contends, (i) only very few and rather formal principles like that of non-contradiction will meet such a demanding criterion; (ii) the problem of bootstrapping raises its ugly head again—the actual endorsement of procedural standards seems to confer authority on them; (iii) cases of recalcitrant irrationality in which someone recognizes those procedural standards but still sticks to her first-order attitudes that violate them (and she is perfectly aware that they do so, but simply does not care) still linger—here again constructivism runs the risk of collapsing either into a form of psychologistic existentialism (strictly speaking there is no such thing as recalcitrant irrationality—rationality simply loses its grip in such cases) or into a form of realism that allows to stick to the verdict of irrationality but reintroduces normative facts utterly independent of any deliberative activity.

Tim Scanlon explicitly denies that 'a plausible constructivist account of reasons for action in general can be given' (p. 237). He thus rejects global constructivism in both its Kantian and its Humean version (whereas he himself of course famously defends a local constructivism about morality). In a very condensed line of argument (pp. 237–41) Scanlon raises doubts both about the ambitious Kantian project of constructing substantial requirements like the categorical imperative out of transcendental presuppositions of agency and about less demanding conceptions of practical rationality: For instance the process of seeking reflective equilibrium in one's beliefs about *x* according to Scanlon resists a constructivist interpretation as constituting truths about *x*. Reflective equilibrium can be reached in many, sloppy or irresponsible, ways; therefore the process of reaching the reflective equilibrium itself has to rely on normative facts so as to distinguish between good and bad ways of realizing it; some normative truths thus always lie in the back of the proposed constructivist procedure and thus undermine its global pretensions.

Robert Stern's contribution takes a place apart by focusing on one of the key arguments—that from autonomy—that many constructivists wield against their realist opponents: The basic idea of the argument is that the truth of moral realism would undermine autonomy; being guided by an external evaluative dimension of reality seems *prima facie* incompatible with genuine self-government. Since the realist will hardly be tempted simply to dismiss any claims on making room for autonomy within her position, the argument carries considerable dialectical force; which makes it even more surprising

that the argument has received relatively little explicit attention in recent debates. Stern carefully distinguishes three distinct forms which the argument of autonomy can take and evaluates them as to their respective force. In its most convincing form the argument relies on the idea that morality is a matter of obligation; obligation, however, seems to presuppose a legislator that makes moral norms binding; such an external lawgiver, however, is incompatible with the idea of autonomy. The realist, however, can quite easily dodge the argument even in this form by restricting his realism to the right and conceding the obligatory to his opponents, a strategy already adumbrated by Kant (who derives the obligatory force of moral demands from the contingent features of finite human beings; such a force simply does not exist for a genuinely holy will).

As to (ii) many of the contributions to the volume do pioneering work in deepening our understanding of both the generic features of global constructivism and its various, Kantian or Humean versions. Yonatan Shemmer suggests not only a very useful taxonomy of constructivist positions (cf. p. 161ff.) but provides a lucid discussion of coherence (as opposed to mere consistency) as a key principle that governs the activity of norm construction. Special emphasis is given to the question of how to justify the priority given to existing reasons over those one considers adopting—such a priority seems to be both indispensable for protecting the diachronic stability of the self and normatively questionable in so far as it ‘legitimizes a despotism of our present self over our future self’ (p. 160). Aaron James joins the Korsgaardian project of identifying constitutive principles but disagrees with her voluntaristic approach: Instead of looking for constitutive principles for the activity of choice James pursues a deliberately intellectualist approach (cf. p. 69) that tries to identify the constitutive principles of ‘“practical reasoning” not as action per se, but as a species of judgment, guided by imperatives of thought [...]’ (p. 69). Valerie Tiberius sketches the outline of a whole new, though rather less ambitious version of constructivism than those defended by Korsgaard or Street: Her so-called wise judgment constructivism tries to understand the normative notion of good all-in reasons by appeal to the equally normative notions of wisdom and the norms constitutive of wise judgment (which Tiberius classifies as aretaic ones, cf. 206). In her contribution to the volume, Sharon Street, who has set the agenda of a considerable part of the present debate on constructivism, not only develops an impressive internal critique of Korsgaard’s argument for a Kantian constructivism but also provides some valuable clarifications on the way the bindingness of morality on us is to be understood within her Humean framework: Our relationship with morality becomes just as contingent as the one we have with our lover; we are aware that we could have fallen for quite a number of different human beings without this awareness shaking our love for the one for whom we have actually fallen. (Even if Street’s analogy can be made good, it of course provokes the question why the contingent project of morality does find so many human beings that actually fall for it—there are plenty of other fish in the sea after all!)

Constructivism in Practical Philosophy is without any doubt an outstanding collection of essays that nobody working on the theory of rationality, normativity, and/or metaethics can safely ignore. However, it gives the overall impression of constructivism (at least in its global version) as a relative newcomer to the field that still has to answer some very basic questions: (i) Is global constructivism a genuine position in its own right or is it just a structurally unstable position that collapses either into expressivism or into some familiar form of Kantian objectivism that have just received a fancy relabeling? (ii) Can constructivism really make good on its promise of providing a general theory of the entire normative realm by constructivist means? If not, does the focus on global constructivism not simply distract attention away from the more modest, but perhaps more rewarding

projects of constructing one part of the normative realm by building on materials from another? (iii) By which rules is the process of norm-construction to be guided and how exactly is their status to be defined (so as to avoid the related charges of bootstrapping and of overly restricting the room for error)? Both the originality and the heterogeneity of the approaches to those questions as they are assembled in the present volume attest to the fact that the debate on constructivism is still much more groping for the right questions to ask than settling for definite answers—which makes it philosophically even more interesting.

Christoph Halbig
Institut für Philosophie
Universität Gießen
christoph.halbig@phil.uni-giessen.de

***Hegel and the Sway of the Negative*, by Karin de Boer. Eastbourne: Palgrave Macmillan, 2010, xi + 266 pp. ISBN 978-0-230-24754-3 hb £60**

De Boer takes the title of her learned, thoughtful book from the preface to the *Phenomenology of Spirit*, though not in a direct manner. The phrase she translates as ‘the tremendous sway of the negative’ (p. 2)—‘*die ungeheure Macht des Negativen*’—is more literally translated by Miller as ‘the tremendous power of the negative’ (Hegel 1969: 3, p. 36/Hegel 1977: 19). De Boer’s silent substitution is suggestive, as the word ‘sway’ is one that most would associate not with Hegel, but with Heidegger—most famously with Heidegger’s pronouncement in ‘The Question Concerning Technology’, ‘Enframing means that way of revealing which holds sway [*waltet*] in the essence of modern technology and which is itself nothing technological’ (Heidegger 1977: 20/Heidegger 2004: 24). Given that de Boer is the author of *Thinking in the Light of Time: Heidegger’s Encounter with Hegel*, some might be concerned that she is working from a text that is not quite Hegel’s. This worry is largely unfounded, as de Boer is open about her wish to read Hegel against himself.¹ On her account, there is in fact not one but two Hegels: the first a systematic, dialectical thinker, and the second a tragic thinker who offers the best resources for an immanent critique of the first. The critique is necessary and justified, on de Boer’s account, by virtue of the close relation between Hegel’s dialectical system and what de Boer describes as the characteristic and dangerous ‘optimism and self-complacency’ of modernity, its defining faith in ‘necessary progress’ (pp. 2 and 195). This progressive improvement is understood in the ‘prevailing paradigm of modernity’ (p. 1) as one in which any given issue or problem is characterized in terms of a binary opposition in which the superior of the two terms suppresses or eliminates the other. Tradition is subdued by progress, faith by reason, terror by freedom, power by justice, the private by the public, and so on (p. 1). Hegel, whose optimistic faith in history as the self-unfolding of *Geist* is exemplary here, famously criticizes the tendency to understand things in terms of reified, clear-cut oppositions; but he also exemplifies this process in his alternative, dialectical account of the logic by which such oppositions are to be sublated. In each case, the lesser term will be at once preserved and appropriated by the one that, in de Boer’s phrase, ‘holds sway’ over it. Faith, for instance, is not denied in the manner of the French Enlightenment, but raised into a Reason which contains all that was true in the Christian teaching. Likewise,