

Essence Facts and the Source of Normativity

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ABSTRACT: What is the source of normativity? According to Bengson, Cuneo and Shafer-Landau (2023), we can answer this question by identifying non-normative grounds of fundamental normative facts. To illustrate how this can be achieved, they argue that facts concerning essences of normative properties are non-normative facts, and such facts can be seen as non-normative grounds of fundamental normative facts. I argue that this strategy is misguided. First, explanations citing essence facts about normative properties are poor answers to the question of the source of normativity. Second, it is not clear if such facts are non-normative in the relevant sense. Along the way, I address questions about what it is to be a normative fact and relate the implications of this discussion to general issues about metaphysical explanation in meta-normativity.

1. Introduction

What is the source of normativity? Following Bengson, Cuneo and Shafer-Landau (2023)¹, I will call this ‘the Arché Question’ (henceforth AQ). Stated colloquially, this question may strike some as vague, so our first step should be to make it more precise. According to Bengson, Cuneo and Shafer-Landau (henceforth BCS), we can understand (AQ) as a question about *metaphysical* explanation—as opposed to causal explanation. Understood this way, (AQ) asks: *Why* is there normativity? *In virtue of* what are there normative facts? Or more precisely, what are the *metaphysical grounds*² of fundamental normative facts?

BCS argue that if we find non-normative facts that metaphysically explain, or ground, fundamental normative facts, we can answer (AQ). To illustrate how this can be achieved, they argue that facts concerning the essences of normative properties are good candidates to be non-normative grounds of fundamental normative facts. In what follows, I will scrutinise this strategy, arguing that (i) explanations that cite such facts provide poor answers to (AQ) and (ii) there is an important sense in which such facts are not non-normative. While my illustration of (i) will touch on more general issues about metaphysical explanation in meta-normativity, my argument for (ii) will require me to examine the notion of a normative fact.

2. The Arché Question

As BCS clarify, (AQ) presupposes that there *is* a source of normativity and there *is* such a thing as normativity: there are normative facts. So, those who deny the existence of normativity can simply ignore this question (p. 711). Furthermore, BCS suggest that normative *constructivists*—i.e., those who take normative facts to be dependent on stances—can answer (AQ) in virtue of the definition of their view: the source of normativity is stances

¹ All references are to this paper unless noted otherwise.

² Following BCS, I will ‘use the term “ground” in a neutral way to refer to a non-causal, metaphysical explanatory relation’ (p. 708).

(ibid.). Thus, BCS suggest that answering (AQ) is primarily a challenge for *realists* about normativity (p. 712), naturalists and non-naturalists alike (p. 725).

Having stipulated that (AQ) is a question about metaphysical explanation, BCS make the question tractable by offering the following version:

(Arché-Metaphysical) What is a fully adequate metaphysical explanation of fundamental normative facts? (p. 711)³

We must pause here to say something about *fundamental* normative facts. Consider the fact that you ought to return your neighbour's stepladder after using it. Even though this is presumably a normative fact, it does not look like a fundamental normative fact. Fundamental normative facts, if there are any, are normative facts that explain—and are not explained by—other normative facts. The fact that you ought to return your neighbour's stepladder is presumably explained, at least partially, by some other normative fact. That one ought to return what one has borrowed is arguably a more fundamental normative fact, and plausibly, there are more fundamental normative facts that explain facts of this latter sort. (Arché-Metaphysical) asks us what, if anything, can metaphysically explain such fundamental normative facts.

It may seem odd to ask for an explanation of a fundamental fact. After all, fundamental facts are not supposed to have further metaphysical explanations. However, while the facts in question are fundamental *normative* facts, they need not be fundamental facts *simpliciter*. According to BCS, to answer (AQ), we must find *non-normative* facts that explain fundamental normative facts. For normativity to have a 'source', the source must be non-normative to begin with, and this clarification makes the following presupposition explicit: if normativity has a source, then there are non-normative facts that ground fundamental normative facts (pp. 713-4). Accordingly, we can reformulate (AQ) as follows:

(Arché-Grounding) What non-normative facts ground fundamental normative facts?

3. The essence strategy

If we identify all fundamental normative facts and then find their non-normative grounds, we can answer (Arché-Grounding). To illustrate how this is achievable in principle, BCS make several simplifications and assume that there is only one fundamental normative fact (pp. 722-3). This happens to be the criterion of right action according to maximising act-utilitarianism:

(MAX) An action is required if, only if, and because it maximises well-being (p. 723).⁴

³ BCS (ibid.) distinguish between a *generic* and a *specific* version of (AQ). Due to considerations of space, I will sidestep this distinction.

⁴ BCS take (MAX) as 'a placeholder for whatever the fundamental fact (or facts) might be' (p. 723). They do not actually suggest that (MAX) is the *only* fundamental normative fact, and it is not clear if they think it is a fact at all. First, (MAX) is a deontic fact, but BCS take the category of deontic facts to be one of several different normative categories (p. 709). Second, even as an example of a deontic fact, they have reservations about (MAX) and many other alternatives to it and they are not in the

BCS maintain that if (MAX) is a fundamental normative fact, this fact itself must be an *essential* fact about the property of *being required*:

There would ... be excellent reason to regard this as an essential fact regarding the property *being required*: the metaphysically deepest normative principle about that property does not register one of its accidental features, but pinpoints what it is at its core. (ibid.)

Next, they suggest that given that (MAX) is an essential fact about *being required*, we seem to have found a *further* fact:

(EF-MAX) It belongs to the essence of *being required* that an action is required if, only if, and because it maximises well-being.

At this point, BCS make an important distinction between an *essential fact* and an *essence fact* (p. 717). While (MAX) is an essential fact, i.e., it is essentially—not accidentally—true, (EF-MAX) is an essence fact. An essence fact is a fact that ‘registers that the essence of some entity is such-and-such’ (p. 716). In this case, this is a fact about the essence of *being required*. To illustrate this distinction with another example, consider:

(WATER) Water is composed of hydrogen and oxygen.

Assuming (WATER) is an essential fact, there is also a further fact:

(EF-WATER) It belongs to the essence of water that water is composed of hydrogen and oxygen.

This further fact is an essence fact: a fact about the essence of water, i.e., what it is to be water. BCS further argue that essential facts and corresponding essence facts are somehow explanatorily connected; the kind of explanation relevant here is what they call ‘essence explanation’ (p. 718), and has the following form:

(EE) P *because* it belongs to the essence of X that Q.

We can slot (WATER) and (EF-WATER) into the schema in (EE) to acquire:

(EE-WATER) [Water is composed of hydrogen and oxygen] *because* [It belongs to the essence of water that water is so-composed].

The same applies to (MAX) and (EF-MAX):

business of settling which theory of right action is true (p. 723). Finally, they are aware that illustrating their strategy with (MAX) as their sole example gives the impression that their strategy is naturalistic—because this example ‘is congenial to the naturalist tradition’ (p. 725)—and they remain uncommitted to naturalism (or non-naturalism, for that matter). I should also add that it is not clear that (MAX) entails naturalism, for at least two reasons. First, as above, even if (MAX) were the only deontic fact, there may be non-deontic normative facts incompatible with normative naturalism. Second, even if (MAX) were the only fundamental normative fact, this would not entail that (MAX) *exhausts* the essence of the property of *being required*, as there could be additional elements to this property’s essence that are incompatible with naturalism (ibid.).

(EE-REQUIRED) [An action is required if, only if, and because it maximises well-being] *because* [It belongs to the essence of *being required* that an action is required if, only if, and because it maximises well-being].

According to BCS, (EE-REQUIRED) counts as an adequate metaphysical explanation of a fundamental normative fact—in fact the sole fundamental normative fact according to the simplifications that we have granted to BCS (p. 724).

Finally—and crucially—while (MAX) is a normative fact, (EF-MAX) is *not*:

We take this to be highly plausible upon reflection. Essence facts regarding water are not chemical facts. ... Similarly, essence facts regarding right and wrong (or any other normative property) are not normative facts (p. 717).

This seems to follow from BCS's definition of what it is to be a normative fact:

(Normativity-BCS) A fact is normative if and only if it is a normative property instantiation, or instead a normative principle. (p. 710)

BCS clarify this by explaining that

a 'normative property instantiation' is any fact to the effect that something instantiates a normative property (for example, Gandhi's resistance was admirable), while a 'normative principle' is any fact to the effect that something instantiates a normative property if, only if, or because some condition obtains (for example, distributions of resources are just only if they give priority to the least well off). (ibid.)

Since essence facts about normative properties are neither of these things, they are not normative facts according to this definition. While stating (EF-MAX) requires mentioning a normative property, this does not make (EF-MAX) a normative fact:

[T]he logical fact [It holds as a matter of logic that either pigs fly or they do not] and the psychological fact [It belongs to my body of beliefs that pigs fly] do not qualify as zoological or porcine facts, even though they both concern pigs. (p. 717).

Having now found a non-normative fact, (EF-MAX), which grounds the sole fundamental normative fact, (MAX), we can answer (Arché-Grounding). And even if we dispense with BCS's simplifications regarding (MAX) and its status as the sole fundamental normative fact, this proposed *strategy* for answering (Arché-Grounding) remains untouched. Insofar as essence facts about fundamental normative facts are seen as non-normative facts, they can serve as 'the non-normative grounds of the fundamental normative facts' (ibid.), the citation of which can answer (Arché-Grounding) and likewise (AQ).

4. Limitations of essence explanations

Having illustrated how BCS argue that (EE-REQUIRED) would be a satisfactory answer to (AQ) if (MAX) were the sole fundamental normative fact, I shall now explain why I think that this is a misguided approach.

Suppose that BCS are right that essence facts about chemistry are non-chemical facts, and assume, for the sake of illustration, that (WATER) is a fundamental chemical fact.⁵ Recall:

(EE-WATER) [Water is composed of hydrogen and oxygen] *because* [It belongs to the essence of water that water is so-composed].

This is presumably an acceptable essence explanation insofar as essence explanations that have this structure are acceptable explanations. Now consider an Arché Question concerning chemistry: *What is the source of chemistry?* Analogously, we should understand this as a question of metaphysical explanation too, and if BCS's way of making (AQ) tractable is legitimate, we can reformulate our question about chemistry as follows:

(Arché-Chemical-Grounding) What non-chemical facts ground fundamental chemical facts?

Given these, we should expect essence explanations such as (EE-WATER) to be satisfactory answers to an Arché Question about chemistry. After all, such explanations cite (putatively) non-chemical facts as *explanantia* in metaphysical explanations of fundamental chemical facts (we have assumed). However, (EE-WATER) does not seem to reveal the *source* of chemistry—even on the assumption that (WATER) is the sole fundamental fact of chemistry. While (EE-WATER) may be a legitimate essence explanation in its own way, to someone who is inquiring about the source of chemistry, it is difficult to imagine how it could be a satisfactory answer.

This is partly because (EE-WATER) appears to be an idle *virtus dormitiva*, explanation. Just as explaining the sleep-inducing properties of a substance in terms of its dormitive nature is hardly explaining anything, explaining that water is composed of hydrogen and oxygen because it is the essence of water that it is so-composed will not meet explanatory demands. More generally, just to say something is F because it belongs to the essence of that thing to be F is not to offer an informative explanation. This is not to say that all essence explanations are idle *virtus dormitiva* explanations⁶ or that the essence explanation schema in (EE) is flawed. The schema in (EE) leaves it open that the proposition (Q) that is cited in the *explanans* may or may not be identical with the proposition (P) that is the *explanandum* itself. But in (EE-WATER), these two propositions are identical. While this does not violate the irreflexivity requirement of metaphysical explanation (should there be such a requirement),

⁵ Admittedly, it is difficult to imagine (WATER) to be the sole fundamental fact of chemistry, but we are supposing that (MAX) is the sole fundamental fact of normativity. However, this disanalogy does not affect my argument below. While (WATER) is not the only fundamental fact of chemistry, it may very well be the sole fundamental fact of hydrology (or some other science we can invent for the purposes of this illustration). So, everything I say about chemistry here can be rephrased accordingly (if such a disanalogy causes any concerns).

⁶ BCS convincingly rebut the objection that essence explanations *in general* are *virtus dormitiva* explanations (p. 719).

there is something unsatisfactory about it in a similar way that there is something unsatisfactory about *virtus dormitiva* explanations.⁷

Given the structural similarities, (EE-REQUIRED) should also strike us as a futile attempt to answer the question about the *source* of normativity. Of course, this does not mean that the content of (EE-REQUIRED) is false; it may very well be true.⁸ But it means that it is not a satisfying answer to (AQ)—even if we allow BCS’s simplifications.

I should clarify that the worries raised here are not worries about the utility of ‘essence’ in metaphysical explanations about normativity. To mention a couple of recent elucidations of essence, one could agree with Godman, Mallozzi and Papineau (2020) that essences are ‘super-explanatory’ properties that members of a kind share. Accordingly, (EE-MAX) could be helpful in explaining why people who act according to (MAX) share other similarities, such as being admired by their friends. Or one could accept Kment’s account of essential truths as ‘covering laws’ that explain grounding relations (2021, p. 1964). Accordingly, one could argue that (EF-MAX) fully explains why (MAX) partially grounds that some particular action was morally required. Unlike (EE-REQUIRED), explanations such as these do not appear idle or unsatisfactory; thus my objection does not target essence explanations in the normative domain more generally.

Here is a more serious problem. Consider (Arché-Chemical-Grounding) again. Given what we know about chemistry and physics, we can justifiably speculate that fundamental physical facts ground fundamental chemical facts. To someone who is sincerely asking about the source of chemistry, an answer citing fundamental physical facts should be a more satisfactory answer than one citing essence facts about chemical properties. In any case, if these two answers are competing explanations of the source of chemistry, it is not clear why essence facts should trump fundamental physical facts. Relating this to (AQ), consider the naturalism/non-naturalism debate in meta-normativity—which is something that BCS try to steer clear of, at least in the cited work (p. 725). This is not the place to assess the merits of naturalism (or non-naturalism), but suppose naturalism is true and all fundamental normative facts are fully grounded in fundamental natural facts that are normativity-free. If this were true, (Arché-Grounding) would have a very straightforward answer: *fundamental natural facts are non-normative grounds of fundamental normative facts*. In such a scenario, even if essence facts like (EF-MAX) could still be true, it is not clear why explanations citing them would be better explanations of the source of normativity than those citing fundamental natural facts. Recall that BCS suggest that constructivists can answer (AQ) easily by saying that the source of normativity is judgements and stances about normativity (p. 711). The foregoing thought shows that naturalists can answer (AQ) with equal ease. It is not immediately obvious if the same can be said for non-naturalism,⁹ so non-naturalists may

⁷ While (EE-WATER) does not violate reflexivity of grounding, it seems to violate *strong* irreflexivity (see Rosen 2010, p. 115). I suspend judgement on whether there should be a strong irreflexivity requirement for metaphysical explanation.

⁸ As per footnote 7 above, if there is a strong irreflexivity requirement of metaphysical explanation, (EE-REQUIRED) would be false.

⁹ We should not conflate *non*-naturalism with *supernaturalism*. The latter takes normative facts to be (grounded in) supernatural facts, and non-naturalism is not committed to this. For what it is worth,

resort to BCS's strategy. But I think this would still be misguided, as there is a further problem with this strategy, which I shall explain next.

5. Essence facts and normativity

Suppose my worries about the informativeness of essence explanations as answers to (AQ) can be satisfactorily addressed. Then, the success of BCS's strategy would rely on the plausibility of the claim that essence facts about normative properties are not normative facts. But I think there are reasons to doubt this claim.

While the claim that essence facts about normative properties are not normative facts is a consequence of how BCS define normative facts (see Normativity-BCS in §3), their definition is merely a stipulation, and as we shall see, it has its own shortcomings.¹⁰ In any case, it is not clear why it is a better candidate than an alternative stipulation which has the consequence that essence facts about normative properties *are* normative facts. To illustrate, consider the following definition:

(Normativity-Broad) A fact is normative if and only if it is a fact about a normative property.

This is a broader conception of what it is to be a normative fact: while normative property instantiations and normative principles still classify as normative facts under this conception (because they are facts about normative properties), essence facts about normative properties would also do so given that they are facts about normative properties.¹¹ I am not suggesting that (Normativity-Broad) is a better characterisation of what it is to be a normative fact. However, it is an alternative characterisation that is at least *prima facie* equally plausible, and it jeopardises BCS's essence strategy.¹²

presumably some forms of supernaturalism can also give easy answers to (AQ): some supernatural facts are the non-normative facts that ground fundamental normative facts.

¹⁰ BCS may argue that the case for this claim is more than a stipulation. They have, after all, given several analogies (e.g., from chemistry), so there is an argument from analogy too. But, why do BCS think that essence facts about chemical properties are not chemical facts? Presumably they rely on the following criterion: *a fact is chemical if and only if it is a chemical property instantiation, or instead a principle of chemistry*. But this criterion is structurally identical to (Normativity-BCS), thus such an argument from analogy is not really independent of BCS's stipulation of what it is to be a normative fact.

¹¹ (Normativity-Broad) is similar to another conception from Leary's (2022) recent paper on ways of characterising non-naturalism about normativity. Leary appears to endorse that a fact is normative if and only if it 'involves' a normative property (ibid., p. 797).

¹² Does (Normativity-Broad) imply that there can be no viable answer to (AQ) because any such answer must make some claim about a normative property and would thereby be a normative answer? While it is an interesting consequence of (Normativity-Broad) that answers to (AQ) would seem to generate further normative facts, from this it does not follow that the *explanans* in any such answer would have to be rendered normative. To illustrate, suppose that there is a normativity-free naturalistic ground of normativity. Call this ground N. Then, the corresponding answer to (AQ) would be: [(MAX) *because* N]. While this explanation mentions a normative property in virtue of mentioning (MAX), from this it does *not* follow that N is a normative fact. What (Normativity-Broad)

One might object to this by saying that (Normativity-Broad) suffers from counterexamples like the following:

(FAVOURITE) *Being required* is Alex's favourite property.

The idea behind this objection is that (FAVOURITE) does not seem to be a normative fact, but on (Normativity-Broad), it turns out to be. I will now offer two potential strategies for dealing with counterexamples like (FAVOURITE). While both strategies may have flaws, the flaws in question reveal further problems with BCS's account.

The first strategy is to show that (FAVOURITE) turns out to be a normative fact according to (Normativity-BCS) too. To see this, it is crucial to acknowledge that (FAVOURITE) is the same fact as the following:

(FAVOURITE*) If Alex's favourite property is instantiated and no other property is instantiated, then *being required* is instantiated.¹³

Recall that BCS define a normative principle as any fact to the effect that 'something instantiates a normative property if, only if, or because some condition obtains' (p. 710). Given this, (FAVOURITE*) is a normative principle: it says that some normative property (i.e., *being required*) is instantiated if some condition obtains (i.e., Alex's favourite property is instantiated and no other property is instantiated). If (FAVOURITE*) is the same fact as (FAVOURITE), then (FAVOURITE) is a normative fact too. So, (FAVOURITE) cannot be a counterexample to (Normativity-Broad) without also being a counterexample to (Normativity-BCS).

The second strategy is to bite the bullet: (FAVOURITE) is a normative fact because it is not normativity-free; it involves a normative property as a constituent. It is true that (FAVOURITE) does not appear to be an ordinary normative fact because asserting it does not require making a *normative judgement*. By contrast, asserting that you ought to do so-and-so entails making a normative judgement. But this would be a problem for this strategy only if we were to understand normative facts in terms of expressibility by normative judgements, which would support the following criterion of what it is to be a normative fact:

(Normativity-Judgemental) A fact is normative if and only if expressing it either consists in or entails making a normative judgement.

But if (Normativity-Judgemental) is true, although (FAVOURITE) is probably not a normative fact, it becomes less clear how (EF-MAX) can be non-normative. This is because judging that [It belongs to the essence of *being required* that an action is required if, only if, and because it maximises well-being] is too close to judging that [An action is required if, only if, and because it maximises well-being]. Just to clarify, I am not claiming that it is a general rule that one cannot judge that an essence fact is true without also judging that the essential fact in question is true too. One might hold the view that the truth of an essence fact

entails here is that there is *some* normative fact about N (i.e., N grounds normativity), but this is not to say that N is a normative fact.

¹³ (FAVOURITE) entails, and is entailed by, (FAVOURITE*). On the face of it, (FAVOURITE*) is just an unusual way of stating what (FAVOURITE) states.

about something does not entail that that thing exists.¹⁴ For example, one might deny the existence of normative properties by citing certain essence facts about them. We can imagine Mackie (1977) expressing his argument from queerness along these lines: it is essential to *being required* that it has to-be-pursuedness built into it; but nothing has to-be-pursuedness built into it; therefore, there is no such property as *being required*. Whatever the merits of this argument, the situation with (EF-MAX) seems interestingly different. First, it is very difficult to imagine someone asserting (EF-MAX) without also believing the alleged essential fact, and it is not clear at all why one would believe (EF-MAX) if one is not a maximising act-utilitarian. Second, note that judging (EF-MAX) to be true seems to have the distinctive character of making a normative judgement: the relevant mental state one is in when one asserts this seems to have a motivational and reason-giving force.¹⁵ Accordingly, it would be very odd to believe the content of (EF-MAX) without being motivated to act in a way that maximises well-being or having a reason to maximise well-being. If these observations are correct, asserting (EF-MAX) seems to be a matter of making a *normative judgement*, which would make it a normative fact according to (Normativity-Judgemental).

6. Concluding remarks

I have argued that attempting to explain the source of normativity by appealing to essence facts about normative properties has important shortcomings. I wish to conclude by relating my concerns about BCS's project to the problem of deriving an *ought* from an *is*.

It is tempting to ask: was BCS's project doomed from the outset because it relies on the possibility of deriving the normative from the non-normative, which seems to deny the is-ought gap?¹⁶ While I do not think that the project was doomed from the outset, reflecting on this question highlights the inescapability of some of the problems I have raised above. The reason why the project of finding non-normative grounds for normativity does not necessarily risk traversing the is-ought gap is simply that, as BCS also acknowledge, the is-ought gap—if there is one—is about 'analytic or conceptually necessary entailments' (p. 714). But grounding is a metaphysical relation.¹⁷ So, we should not rule out the possibility of finding non-normative grounds of normative facts just because we do not want to traverse the is-ought gap. However, one way of reading my argument in §4 is that the sorts of grounds that BCS's strategy directs us to are conceptually too close to the normative facts they are supposed to ground. For example, if it belongs to the essence of *being required* that an action is required if, only if, and because it maximises well-being (EF-MAX), and moreover, this grounds that an action is required if, only if, and because it maximises well-being (MAX), it is not clear

¹⁴ See Correia & Skiles (2019) for further discussion.

¹⁵ Thanks to Milan Ney for this observation.

¹⁶ For a comprehensive survey of counterexamples to the is-ought gap (and responses), see Russell (2023, pp. 21-64).

¹⁷ For the very same reason, Gillian Russell does not take the *metaphysical* supervenience of the normative on the non-normative to be a good counterexample to the is-ought gap (2023, pp. 15-16).

how the presumed grounding relation between these two facts does not come with a conceptually necessary entailment.

These considerations lead to a dilemma. On the one hand, if (EF-MAX) is indeed a non-normative fact, then BCS's essence strategy does risk traversing the is-ought gap via conceptual entailment. On the other hand, if (EF-MAX) is not a non-normative fact (as my argument in §5 suggests), while no such is-ought gap is traversed, we have not made any positive progress in finding a non-normative ground for normativity.¹⁸

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