Others matter. The Failure of the Autonomous Approach to Ethics

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1. All crazy for normativity!

Mainstream Kantians have an ubiquitous obsession with normativity. They watch their children playing with a sorting toy (i.e., one of those boxes where you must put the right shape into the appropriate hole) and see an agent engaging with normative expectations to be met¹. They utter an innocent lie in conversation, as anyone may do in ordinary life, and immediately experience the compulsion to check whether their falsehood obeys any formulation of imperatives, and it originates moral contrasts². They listen to a quarrel about values and believe that they are able to distill moral reasons from the tangle of colloquial strategic moves, behavioral biases and situational contents wherein those reasons are dissolved³.

According to such an attitude, the practical life of human beings is nothing more than an architecture of obligations, duties, and concrete ways of meeting them. It goes without saying that things have not always been regarded in this way: empiricism, for instance, constitutes a working antidote against the rationalist obsession with normativity. The purpose of this paper is to identify the point where the Kantian narrative becomes implausible and it collapses into chit-chat about autonomy, universalization, rule following and realms of ends.

Here is my plan. In the next section I will briefly outline an account of contemporary Kantism. I will then introduce a case study that provides

¹ Ginsborg (2006), pp. 360-363. The relevant feature of Ginsborg's account for concept possession is the ability to sort an item normatively. In her view, when you enjoy the experience of a cube, you do not simply experience a cube: you recognize that the thing *ought* to be experienced as a cube.

² Korsgaard (1986), pp. 327-328. The author's dilemma (which does not actually regard conversation, but a situation that only a Kantian would think to be morally challenging) concerns how one ought to act when the formula of universalization and the formula of humanity produce incompatible outcomes.

³ Habermas (1990), pp. 58-59.

evidence against the normativist stance. In the subsequent section I will consider how Kantians may defend their view in face of the difficulties raised by the case study, and I will show how such defence fails. Finally, I will summarize in a short conclusion why heteronomous considerations cannot be cut in moral reasoning.

2. Varieties of behaviors and the constitution of agency.

Let us begin by discriminating between two basic patterns of action, namely, inattentive behaviors and sighted agency. The former consist in behavioral processes that flow without any focused intentionality. Inattentive behaviors include habits, dispositions and attitudes that govern how any individual performs actions in his or her peculiar way. Automatic processes such as walking or driving a car fall into this class⁴. Their common characteristic is that individuals pay no attention to the execution of the relevant performance: at some point in their personal history, they learnt how to do it and no longer need to keep their performance under close check. Action has been made automatic by training⁵. Consequently, inattentive behavior does not require an agency that is completely in focus: actions occur intentionally, but without any point-to-point subjective control. Consider Christmas day with your family. You talk to your relatives, eat plenty of good foods, drink (if you like drinking), laugh at jokes, exchange presents, and play with the children. There is no need to check your behavior too closely: everything goes as it comes, and you just enjoy your time.

Sighted agency, on the contrary, is purposeful, intentionally focused behavior. Suppose you must undergo a difficult surgery. In such a case, you probably like to think that the surgeons and their teams will be completely engaged with the proper thing to do. In other words, you want them to have no distractions, to accurately focus on every detail, and to consciously master every single move.

Now, mainstream Kantism is a broadly construed meta-ethical view, i.e., it is a theory about the nature and constitution of normative reasoning and expectations. Briefly, such a position is *prima facie* a conjunction of the following claims:

⁴ Schneider & Shiffrin (1977), La Berge (1990), Nicoletti & Rumiati (2006).

⁵ Nicoletti & Rumiati (2006), pp. 65-67, 74-75.

Normativism (N). An action counts as moral if, and only if: (1) it is the outcome of the application of a norm; and (2) the norm turns out to be autonomously established by the agent's own will in reasons of considerations about how actions produce effects on other agents⁶.

Rationalism (R). An agent which is performing a moral action is justified (in doing so) if she is able to exhibit a number of public reasons in support of the norm that she is applying⁷.

Proceduralism (P). The ethical value of an action consists in the rational procedure of public justification, which is equivalent to giving universal reasons for self-legislation⁸.

My question is: how does mainstream Kantism approach inattentive behaviors and sighted agency? It is a trivial consequence of N that only sighted agency can be ultimately regarded as morally relevant. Indeed, since inattentive behaviors are not normatively dependent on the will, they never qualify as ethical phenomena. This means that they can deserve attention from a moral standpoint only in reason of their blind-to-the-agent negative impact on freely established agency: inattentive behaviors are always to be condemned because they cause actions that are not the outcome of normative reasoning. Even if they were vehicles of ethical contents, such contents would not qualify as morally relevant.

Kantians specify the meaning of N by assuming "R & P". In their view, human agency appears to have two main properties: it is somehow dependent on the intentions of individuals — agents are responsible for what they do -, and it is accounted for by reasons that are available to the agent — agents provide reasons when asked why they behaved in a particular way. According to mainstream Kantism, agents are responsible for what they do if they have reasons that support their action (assumption of R). What Kantians want to highlight is that the dependency of actions on intentions is not to be understood in terms of causality. When an agent performs an action, she does not simply make it occur. Her mental states, dispositions, behavioral biases, and acquired automatisms cannot originate actions. Otherwise, agency would be compulsory and agents could not be regarded as responsible for their

⁶ Rawls (1980), pp. 548-549; Habermas (1990), pp. 67-72; 120-121.

⁷ Bagnoli (2014); Bagnoli (2016).

⁸ Korsgaard (1996), pp. 36-37; 231-232.

actions. On the contrary, full responsibility consists in the fact that individuals are sensitive to reasons in their strongest sense: when human beings consider the occurrence of an action, they understand it in terms of rational normative constraints. In other words, agents are free to decide how to act by considering what they should and should not do.

As a consequence, contemporary Kantians assume that agency tout court consists in relating actions to what is right and what is wrong, and that agency has a positive ethical value if, and only if, agency is constituted in such a way (assumption of P). Actually, the mere fact that a biological organism such as an human being produces some practical effects on others and on its environment is not sufficient to qualify it as an agent. Real ethical agency consists in justified actions flowing from the application of some norms⁹.

The peculiar way in which mainstream Kantism pictures moral life originates from the conjunction of "N & R & P". It does not matter who we are, it is not important the network of our relationships, the kind of person that we try to socially embody, and the plurality of feelings and emotions that we experience towards others. The complexity of our moral life is reduced to our capacity to apply rational answers to highly simplified, abstracted and idealized courses of actions.

Such a framework relies on Kant's distinction between *acting in conformity* with duty and acting from duty¹⁰, which he exemplifies as follows. Merchants usually apply standard prices to all their customers, that is, they deal with each customer in the same way. By so doing they behave honestly, and they are definitely in agreement with their own duty. Nonetheless, Kant holds that this is no cause for rejoicing. He asks: which reason do merchants have in support of their behavior? Not honesty itself, but their own interests: it is a matter of fact that dishonest merchants lose all their customers in the long run. Consequently, the correspondence between a merchant's behavior and duty is merely accidental: they cannot be said acting from duty, because they are simply acting in conformity with duty. Their actions are motivated by personal interests, and if the merchants had the opportunity to be dishonest with no negative consequences on their trade, they would be!

⁹ Korsgaard (2014).

¹⁰ Kant (2002), p. 13, Ak 4:397.

Kant is calling attention to the fact that, even when the behavior of merchants appears to follow a rule, merchants do not behave morally because they do not assume any relevant rule in terms of normative considerations. In other words, they do not act autonomously, i.e., they do not set themselves any universal law through moral reasoning.

3. The case of Ivan.

My claim is that "N & R & P" is unable to characterize the concrete ethical experience of individuals. Since a conjunction is false if any of its conjuncts is false, providing reasons against one or the other of the above-mentioned assumptions would be sufficient to refute mainstream Kantism. I will focus on why N should be dismissed. Consider the following argument:

- 1) If N is the case, inattentive behaviors do not matter to morality;
- 2) However, inattentive behaviors do matter to morality;
- 3) Consequently, N is not the case.

Let me add a few words about the modus tollens (1)-(3). Evidently, inattentive behaviors are not the outcome of the application of a norm. Therefore, they do not count as morally relevant (1). Nonetheless, my intuition is that inattentive behaviors do matter to morality in a full sense because they are subject to moral evaluations in reason of the ethical views they endorse¹¹ (2). Therefore, if evidential reasons support my intuition, then conclusion (3) is logically warranted. The following case provides evidence for the assumption of (2).

Suppose Ivan is a greengrocer. He is smart, and his shop applies very good prices. He also pays much thought to the best way to exercise his profession and is determined to respect any deontological norm that ensures good and responsible management practices. Nonetheless, there is something strange about Ivan's shop: several pictures of Josef Stalin and other communist icons are hanging on the walls. A large Soviet Union flag dominates the wall behind the checkout. Here and there you can see hammers and sickles.

¹¹ The attitude of merchants towards their customers is evidently the result of training: they acquire the skills necessary to their profession through practice. Therefore, after focusing long enough on the right thing to do, apprentices develop salesmen's habits and no longer need to exercise a strong control on their own behavior. The way in which they receive customers, they listen to their requests and give them suggestions, are applications of behavioral patterns. Consequently, the merchant in Kant's example behaves inattentively.

Naturally, many customers are disappointed by this display. When someone asks him why he appears to like a bloodthirsty dictator, Ivan smiles and argues that Stalin was a philanthropist and that historians are servants on the payroll of Western capitalism.

Now, Ivan is neither an intellectual, nor a politician. He is not really interested in the theory and history of communism, and has no interest in activism. He does not think that a revolution is imminent, or that individuals should actually fight to change society. His defence of red ideology is more a folkloric habit than a well-pondered view.

Briefly, Ivan's adherence to communism is a matter of personal identity. He was raised within a strongly politicized family. His parents were members of the Communist Party, and he has spent many hours of his childhood by playing with the children of his parents' communist friends. When he was a teenager, many people still believed that the Soviet Union was a glorious alternative to the injustice of liberal societies, and Ivan shared their strong collective ideals and dreams. He has taken part in communist festivals, listened to communist rock bands, and worn typologizing clothes such as parka, a blue sweatshirt, brown velvet trousers and Clarks shoes. In other words, communism has been the existential context wherein Ivan has been living his entire life. Friendships, love affairs, work, and other notable events: they all happened to him as a communist.

Now, is Ivan's attitude towards communism relevant to a moral evaluation of his trade? Ivan and a contemporary Kantist do not think so. Ivan conducts his activity by following universalized norms that consider customers not as means, but as ends. He only sells them excellent organic goods, never lies in order to achieve a profit, regularly and correctly pays his suppliers, abides to all the relevant laws, applies the right prices, and, finally, treats everyone with the same impartiality, professionalism, and kindness. In orther words, since Ivan acts in reason of normative considerations about his trade, Ivan does not behave as Kant held merchants do, but can be said to act from duty. Nonetheless, customers can be strongly offended by the communist photos and symbols in his shop. Think what would happen if the relative of someone who was killed in a Stalinist purge entered the grocery. She would probably not be satisfied with Ivan's explanations. The reason is simple: while Ivan attributes a folkloric value to his adherence to communism and treats all the accessories in his shop as signs of his personal history, the relative of the purge victim sees these communist icons as wounds inflicted to humanity, due to her family experience. She will not consider Ivan simply as

a stupid person: if she thinks of him as a moral agent, she evaluates his behavior as reproachable.

Suppose that Ivan replies to her accusations. He could say: I've never realized that the emblems in my shop could offend anyone. I wasn't thinking about their meaning for the victims of communism. I'm sorry for your relatives and for how they lived and died. I don't approve of what Stalin and other communist leaders did to them. But I don't think that these pictures mean that I condone their political decisions. They are simply a testimony of my own culture. My icons show my ideals and dreams. I'm neither a racist, nor a violent person. I always treat everyone with kindness and respect. If this were the case, even if the customer asked Ivan to remove the symbols, he would probably not do it.

4. Is Ivan's case evidence against the normativist approach to morality?

A couple of interesting things follow from the case of Ivan. First, although we may regard our inattentive behaviors as morally irrelevant, these behaviors can undergo an ethical evaluation from others on the basis of the values they express. This is due to the fact that the actualization of a norm is a complex process involving also behavioral biases. Such biases can remain untouched by our normative practices: when an agent universalizes a rule, inattentive behaviors may simply fall outside the scope of the universalization. For example, in the case of Ivan, the range of the unconditional imperatives involved in his trade concerns only the obligations of being honest with his customers. But others could proceed to universalizing by including different sets of obligations within the procedures that need to be normatively assessed. The complaint made by the relative of the purge victim seems to express the view that agents are obligated towards respecting others' personal life: whatever action she is performing, an agent must not offend the sensitivity of others. The conclusion that follows is that inattentive behaviors do matter to morality, although their impact on moral agency is not dependent on the normative practices the agent adheres to.

Naturally, mainstream Kantians would be tempted to argue that once a moral evaluator rationally claims the ethical relevance of a given inattentive behavior to the assessment of an action, an agent who is familiar with this rational claim will have to rework her standard requirements for the universalization of norms in order to implement how to deal with such inattentive behaviors. Unfortunately, such a reply goes against both reality and the prescriptive features of mainstream Kantism. Ivan does not remove the icons; and his reasons for not doing so are indeed good. On the one hand,

while the removal option addresses the kind of human being he loves to be, the complaint made by the relative of the purge victim leaves Ivan's adherence to the public procedures of rational justification untouched. Consequently, if Ivan holds that human beings qualify as rational moral agents whenever they assent to public procedures of rational justification, Ivan has no reason to change his moral agency in light of the customer's complaint. On the other hand, his actions as a merchant are perfectly moral from a deontological viewpoint. Why should he change? No persuasive facts would justify such a possibility. All things considered, Ivan is a good man and a strongly ethical greengrocer.

The problem here is the allegedly seminal role which autonomy has in moral reasoning. According to the Kantian jargon, agents are responsible for what they do because they autonomously choose which goods are to be pursued and how. Contrary to heteronomous moral doctrines (according to which goods precede moral reasoning and are the objective criteria for the assessment of ethical matters), the autonomous view claims that goods are discovered through the practice of moral reasoning, and that they are chosen in terms of the rational procedures of justification. Although the claim that autonomy is a collective enterprise sounds more Hegelian than Kantian, I concede to mainstream Kantism that a way to secure N against the ethical relevance of inattentive behaviors consists in the prescription of negotiating the universalization of rules from the public standpoint of the community of rational agents.

Nonetheless, several difficulties arise. At the beginning of the story, Ivan runs his business by following a self-legislated moral law about how to deal with suppliers, customers and the tax system of the country where he lives. Suppose that when he encounters the complaining customer, he is ready to listen to her complaints. As a consequence, he starts reworking a new self-legislation of the moral principles governing his trade in order to address her accusations. Now, if this were the case, Ivan would not be a rational moral agent. Actually, no human being is facing the entire community of rational agents at the same time. The reasons that an agent is able to implement in her universalization of rules depend on how the concrete individuals she meets react to her moral standards, and, more importantly, on how much they are ready to communicate their objections. As a consequence, translating inattentive behaviors into sighted agency is entirely an empirical matter of fact: no one can answer all the normative expectations of the community of rational agents, for the evidential reason that we have a very partial access to

such expectations. The problem is hard to handle: independently on his adherence to the rational procedures of justification, a Kantian moral reasoner such as Ivan cannot be considered a moral agent because his ability to justify his agency is not sufficient to answer the moral requirements of other agents who are not already implemented in his self-legislation of the moral law. That is, since the question of whether Ivan is justified in his agency whenever he violates the moral standards of other agents requires him addressing the above-mentioned moral standards, if Ivan's self legislation violates any requirements of other agents whom he did not previously acknowledge, Ivan is not justified in his moral reasoning. However, Ivan has a very partial access to moral standards of other agents. Therefore, the degree of accuracy of the the universalization of rules is not important: throughout their lives, agents will fail to meet the ethical standards and expectations of others.

In any case, this is not the worst possible shortcoming of the public notion of autonomy. If an agent constitutively depends *a posteriori* on others for performing her moral reasoning, then a heteronomous motive is introduced in the justification of her moral agency. Consider the case of Ivan. The kind of moral agent that Ivan is does not depend on his intention to assent to formal procedures about how to manage his disagreement with his customers. On the contrary, he constructs himself as a moral agent through his concrete reaction to the content of the customer's complaints. Thus, the autonomous view turns out to be contradictory: on the one hand, the moral reasoning of a rational agent should remain independent from contraints that are not self-legislated; on the other, an agent cannot carry out that reasoning without considering the views of other agents. In other words, the agent is unable to autonomously establish her law without implementing several non-self-legislated constraints.

Furthermore, the most common way to relate inattentive behaviors to moral evaluations consists in testing whether the actions of an agent are consistent with the principles she endorses. The problem here regards the proper extension of ethical judgements. According to Ivan, there is no need to call his entire personal life into question. Only some actions are the contents of moral assessments. Kant agrees: he provides his readers with different ways of

understandings how we are subordinated to duty; but these merely command how to perform an action¹².

Mainstream Kantians are over the moon when hearing about this approach to the formulation of imperatives.

Rawls theorizes that a *veil of ignorance* should conceal any diversity among individuals. Who you are, your personal history, where you come from — none of this matters: you become a moral agent only in terms of your acceptance of universal rules for the performance of actions¹³. This is exactly why Ivan believes to be a morally honest merchant: he does not care who is in front of him, and each customer receives an equal treatment.

Habermas goes further in his condemnation of the claim that personal diversities play a role in morality. The kind of Kantian formalism that he defends is a theory which eliminates all concrete values orientations as a mere matters of biographical interest. This implies that the claim that *morality* is a normative affair should be interpreted as morality has nothing to do with the concrete orientation towards values that permeates any form of life¹⁴.

Contrary to the above-mentioned formulation of the nature of ethics, the case of Ivan attests that moral evaluations usually address both our life as a whole and the values to which we adhere. A short analysis of promises provides evidence in support of such a claim. A promise makes sense to the individual who receives it only if she regards the individual who makes the promise as personally trustworthy. A known liar is never believed when uttering a promise. The words of an inconsistent person do not carry the same weight as those of a consistent one. The commitments of absent-minded individuals deserve little attention: everyone expects them to forget what they said. Parents know that the best way to maintain their authority and influence over their children is to keep their promises. Politicians are seldom believed, but if they are, they are believed in reason of the consistence their have shown throughout their political careers.

¹² In Kant (2002) we find various formulas of imperatives. Their commands are phrased according to a common pattern: "Act as ...". Here is their textual reference: a) Formula of Universal Law (p. 37/Ak 4:421); b) Formula of the Law of Nature (p. 55/Ak 4:436); c) Formula of Humanity (pp. 46-47/Ak 4:429); d) Formula of the Realms of Ends (p. 56/Ak 4:439).

¹³ Rawls (1980), pp. 522-524.

¹⁴ Habermas (1990), p. 121.

All these examples point to the same fact: being personally trustworthy is fundamental for the impact of our promises¹⁵. Howevere, being personally trustworthy is a matter of direct experience. Saying *I trust you* means that I am ready to believe you in terms of what I have experienced about you. Thus, in order to judge whether you will keep your promise I must perform an evaluation of your qualification as a moral agent. Such evaluation does not concern the content of your action: it concerns you as a person. Consequently, inattentive behaviors do matter: in a very common case such as that of a promise, trustworthiness mainly depends on the degree to which your decision to perform an action is consistent with the inattentive behaviors that are relevant to the actualization of your practical behavior.

Moral evaluation can then extend from a single act of a person to the person's life as a whole. For example, the relative of the purge victim does not care whether Ivan is a good person and an honest merchant in his daily activities. Upon entering the grocery store, the only thing that she sees, as a victim of communism, is that the owner is involved to some extent with a violent ideology of totalitarian slaughters, no matter how honest the owner tries to be.

Mainstream Kantians would object, however, that the customer's complaint misses the target because she is not expressing a moral criticism of Ivan's behavior by complaining about Ivan's endorsement of communism. Actually, she does not provide Ivan with normative considerations on why his agency does not follow universalized imperatives. In fact, her reproach is merely an emotional reaction. According to "R & P", moral evaluations that follow from non rational procedures of public justification do not count as ethical facts. Therefore, moral criticisms derived from emotional reactions have no moral weight.

This way of characterizing ethical matters is highly unpersuasive, however; because it violates the ordinary use of moral language. Consider the life of the man whose photos Ivan chooses to exhibit in order to make manifest his communist identity, i.e., Josef Stalin. It is uncontroversial that he probably made some good actions during his existence. Nonetheless, most people judge him as a strongly immoral person in reason of his stubborn use of

¹⁵ I say *personally trustworthy* in order to distinguish between *trusting as a personal attitude towards someone we are familiar with* and *trusting as a prosocial attitude towards others*. Being personally trustworthy involves a relationship among individuals, independently on their social behavior concerning trusting others; that is, it does not involve generalized trusting, which is a social norm. See Bicchieri & Xiao & Muldoon (2011), pp. 171-174.

violence as a mean to solve political disagreements. Stalin's adherence to a violent political behavior is not simply the outcome of the application of a norm: it is the consequence of the way in which Stalin lived his life (that is, a consequence of how he liked to be evaluated by others). Therefore, it would be odd to say that Stalin is to be morally judged act by act. It would be more appropriate to say that he was a person without morals, but that he also of course occasionally did a few good things. I conclude that it is very common (and fundamentally right indeed) to formulate a moral evaluation of others in terms of their overall existence. But, such a conclusion implies that inattentive behaviors are deeply morally relevant: far from rationally establishing a hierarchical architecture of duties, our moral life is a complex rationalization of motives derived from heteronomous facts as emotive reactions, inclinations, a multiplicity of affective relations to others (which largely shape our inattentive behaviors), what we learned from our own experiences, and our constant work on ourselves to become the kind of human being we want to be.

5. Concluding remarks: Autonomy vs. Heteronomy in Morality.

Moral autonomy is a strategy for the meta-ethical justification of a trivial fact: despite the evidence that human beings commonly disagree at the highest degree on moral matters, moral evaluations appear to be essentially objective in their nature.

Autonomous doctrines approach this fact in terms of reason giving, rule following and freedom of the will. Once a moral thinker is able to provide public reasons in support of the universal rules she self-legislated, she is constituted as a moral agent and is fully justified in her morally relevant agency.

Contemporary Kantism is an unpalatable defence of autonomy because it aims at establishing too much: (a) it accepts that moral disagreements are real; (b) it asserts that rational procedures of justification are available to moral reasoners, and (c) it holds that rational moral thinkers have accessibility to a universal and objective law. While the conjunction "(a) & (b) & (c)" may perhaps be made consistent (I do not think so, but I do not want to argue for my view here), contemporary Kantism pays a high price for pursuing such an enterprise.

In order to dismantle the claim that moral disagreement implies the assumption of non-objective moral law, mainstream Kantians disqualify one of the two sides of the disagreement by assuming that not all subjects deserve

the status of moral agents¹⁶. Moreover, according to Kantians, the correct use of reason marks the boundaries between unsound and sound moral agents. While the former are unable to leave their subjective inclinations and private interests aside, the latter properly listen to a universal inner voice that displays objective moral truths.

This being the case, contemporary Kantism outlines an imaginary picture of the ethical experience of human beings by disregarding the empirical phenomenology of morality. It does not matter that real moral agents find a plurality of motives for their actions; that they believe to have objective values that orientate their achievement of goods; that they are unable to ensure consistency in their lives, and that they adopt ordinary psychological rationalizations in order to manage anxiety and uncertainty; that they sometimes feel fragile, insecure, and sceptic; that they often behave differently from what they claim to be the right behavior; and, finally, it does not matter that they are constituted as moral agents through their relations with other human beings that they encounter in their life: according to mainstream Kantians, all these facts should be removed from ethics for the prejudice that morality is not a descriptive affair, but it is a prescriptive one. In other words, a good moral reasoner should bracket the world and whatever she has learned from experience, and should effortlessly drive herself to become a fully rational being dealing with oversimplified and idealized moral situations. Whoever follows that rule acquires the status of a moral reasoner, and, as a consequence, is the only kind of human being who deserves the qualification of moral agent. In a few words, when moral problems must be evaluated the agent is not in front of her fellow peers: she is beyond others indeed.

It is my opinion that the implausibility of such conclusions should prompt us to distance ourselves from the stance of moral autonomy. Relying on heteronomous motives in relation to others appears as a potentially more fruitful path to explore.

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