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Varieties of Normativity: Reasons, Expectations, Wide-Scope Oughts, and Ought-to-be's.

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1. Introduction

This chapter distinguishes between several senses of “normativity”. For example, that we ought to abstain from causing unnecessary suffering is a normative, not descriptive, claim. And so is the claim that we have good reason, and ought to drive on the right, or left, side of the road because the law requires us to do that. Reasons and oughts are normative, by definition.¹ Indeed, it may be that “[t]he normativity of all that is normative consists in the way it is, or provides, or is otherwise related to reasons” (Raz 1999, 67)². That is what the “reasons-first” view holds, but there are also other views, and what is by definition a normative statement, or a normative fact if you like, depends on how we define normativity.

It may seem that requirements are also by definition normative.³ But it seems that there can also be requirements that one has no reason to meet: it is less clear whether such requirements are normative in the same sense that reasons and oughts are normative. This paper will go through various further phenomena, which are candidates for being normative in some other sense than normative reasons and oughts, defending however the view that not all of them are. But arguably four or so different senses of normativity can be distinguished.

The paper will accept the view that the normativity of reasons and oughts, which is here called *normativity*₁, is central.⁴ It is an open question whether all requirements or expectations or socially constructed norms are normative in that sense. Arguably it depends on the contents and content-independent authority of the legislators, whether we have good reasons, or ought, to meet the

¹ A valid argument can lead to a conclusion about reasons or oughts only if there is a premise that includes reasons or oughts.

² See e.g. Fabianne Peter (2019), Simon Robertson (2012) and Daniel Star, ed (2018) for discussions of this “reasons first” view, defended e.g. by Parfit 2011, Scanlon 2014 and Raz 2010.

³ Chisholm 1964.

⁴ This defended by a number of authors, Broome 2013, Dancy 2000, Kolodny 2005, Parfit 1997, 2001, 2011, Raz 1999, for example. They disagree on the relationship between oughts and reasons, but agree that these are the central normative concepts.

requirements, obey the law, or to follow the etiquette, or to conform to others' interpersonal expectations, requests, demands or prescriptions. Whether and when we do have such reasons is a difficult and important substantive question, which concerns the *normativity*₁ of requirements of law.⁵

In another sense, norms (intended to guide behavior) are trivially or by definition normative, and constitute normativity: some forms of behavior are ruled as acceptable (e.g. driving on the right) and others as unacceptable (e.g. driving on the left) in light of the norm. Even in the case of a bad norm (that we have no reason to follow, and which ought to be changed, and ought not prevail) classifies behaviours as acceptable or unacceptable in light of the norm.⁶ Surely norms are by definition normative? Call this conformity to social norms and actual expectations *normativity*₂. It is *not* an open question whether social norms are normative in *that* sense – they are by definition normative₂. But importantly, it is an open question whether one has good reasons, or sufficient reason, or ought, to follow any social norm – that is, whether the norm in question is normative₁.

The first section of the article characterizes further the difference between these two senses of normativity, and additionally introduces various other candidate senses of “normativity”. These possible senses of “normativity” may be at stake in the debates about normative requirements of rationality⁷, about so called ought-to-be -rules⁸, about normativity of linguistic meaning⁹, about “directions of fit” of beliefs and desires¹⁰, about subjective authority of intentions and decisions¹¹ and interpersonal authority or co-authority of concrete others¹².

In later sections these cases are discussed. Do they constitute separate senses of normativity? And are the later phenomena such that they give agents good reasons: do they include normativity₁ – the core sense? A “normative

⁵ See Raz 1999, Christiano 2008, also Searle 1995 for whom institutional statuses can generate desire-independent reasons for action. Raz (1999, 67) writes that “The normativity of rules, or of authority, or of morality, for example, consists in the fact that rules are reasons of a special kind, the fact that directives issued by legitimate authorities are reasons, and in the fact that moral considerations are valid reasons. So ultimately the explanation of normativity is the explanation of what it is to be a reason, and of related puzzles about reasons.”

⁶ Bicchieri 2006, Brennan et al. 2013.

⁷ Broome 1999, Kolodny 2005, Sellars 1991.

⁸ Chisholm 1964, Sellars 1968, Tuomela 2007, Wedgwood 2007.

⁹ Kripke 1982, Boghossian 2003, Glüer and Wikforss 2018, Kusch 2006, Millar 2004, Hattiangadi 2007, Whiting 2013.

¹⁰ Anscombe 1957, Humberstone 1992, Platts 1979, Zangwill 1998.

¹¹ O'Brien 2019

¹² Ikäheimo & Laitinen 2007.

power -model” is suggested as a framework for examining whether actual social norms, laws, expectations provide good reasons and oughts or not. Once we understand the relation between the first two senses of normativity, do the later phenomena follow the same pattern – is the “normative powers – model” relevant for them as well?

2. Different senses of normativity

Sometimes talk of normativity (we will call this normativity₂) has a negative connotation, related to the external *pressure to conform* with *factual demands* and *behavioural expectations* that others pose, or that result from *actually accepted social norms*, whether justified or not.

The term “heteronormativity”, for example, is often used for a kind of insensitive expectation that everyone be heterosexual: deviation from this norm is held to be somehow shameful, and it is perhaps tolerated in some contexts, say, military service or football teams, only on the condition that it is not made public. Our everyday practices indeed often have such in-built assumptions even when not explicitly acknowledged, and in participating the practices we collectively uphold such norms.

As this example shows, the factual social norms and actual expectations can be quite unjustified, and criticisable. But the claims that such expectations or norms are “unjustified”, “criticisable”, or that people “ought” to resist such insensitive pressures, or that there are in fact “no good reasons” behind such intolerant demands, are *normative* claims in what I take to be the central sense – not in the sense of conformity to prevailing norms, but in the sense of what one really ought to do or believe, or has good reason to do or feel. This we call *normativity*₁.

The mere fact that something *is* demanded or expected by someone does not show that it *ought to* be demanded or expected, or that people ought to behave accordingly.¹³ And the core sense of normativity concerns precisely how agents ought to respond to the reality; what people have reason to do, believe

¹³ “I do not use ‘requires’ as a normative term. For instance, I might say that freemasonry requires you to roll up one trouser-leg, without suggesting you ought to do that. However, it seems plausible that the requirements of rationality are indeed normative. This paper investigates whether that is so. What would it mean, exactly? It might mean that, necessarily, if rationality requires you to F then you ought to F, and moreover you ought to F because rationality requires you to F.”(Broome 2005, 324).

or feel; what expectations and demands are justified; and what is criticisable. Arguably, making some kind of normative claims or assumptions in this sense is inescapable in human life: human mind and action, as well as institutional reality and possibly language are thoroughly “fraught with ought” (Sellars 1991). So, what we mean by “normativity” comes out different when we start from social norms, or from reasons and oughts.

The central question concerning the authority of law is whether and when and why we ought to obey the law. Two approaches give very different answers: one starting from practical reality which is already normatively structured, and seeing social constructions like law as modifications of such reality, and the other starting from a normative vacuum and seeing social constructions (from informal to institutional, with law as a special case) as the origin of normativity. Both approaches must conceptually distinguish between good reasons and requirements of social and institutional norms, to be able to ask whether the norms ought to be followed. The answer to that question turns out to depend on a number of variables, to be discussed in the next sections. The crude answer is that if the norms and expectations are justified exercises of normative power, they do result in reasons for action.

A third paradigmatic starting point for approaching normativity is *formal* rationality, stressing the consistency and logical impeccability of one’s beliefs, intentions or commitments – but formal consistency is not by itself any reason to believe or intend anything: it may be consistent to believe that moon is made of cheese and the moon is a dairy product, but such consistency alone gives us no reason to believe either of these. Thus, although formal rationality may by definition be “normative” in some sense of normativity (3), this sense must be distinguished from the core sense of normativity₁ related to reasons and oughts. (see Broome 1999). Such requirements of rationality need not be socially constructed, but are something that for example theorists of logic find. Rules of logic may be both constitutive of “inferring” and normative₃: one feels normative pressure to accept the conclusion, if one accepts the premises.

So, we can distinguish normativity in the sense of good reasons and oughts (normativity₁), normativity in the sense of meeting any norms or standards (normativity₂), and normativity in the sense of meeting the logical demands of formal rationality (normativity₃). It is naturally an interesting question to ask under what conditions one ought to obey social norms and expectations (see e.g. Raz 1990), and whether there are reasons to be formally rational, consistent (see e.g. Kolodny 2005, Broome 1999, 2007).

Concerning the normativity of formal rationality, we can again distinguish an open and a closed question: it is an open question whether rationality is normative₁, but there may be a sense of normativity₃ where requirements of

<i>Normativity 1</i>	Normativity 2	Normativity 3	Normativity 4
Reasons and oughts: what one really <i>ought to</i> (<i>has good reason to, is justified to</i>) do, believe, intend, judge etc.	Meeting a given social norm, standard or expectation (whether or not the norm, expectation or standard itself is justified)	Meeting the formal requirements of logic and consistency. One “ought” to accept the conclusion if one accepts the premises. It does not follow that one ought to accept the conclusion, period. The “ought” has a wide scope.	Ought-to-be’s: what ought to be the case

Table 1. Four Senses of Normativity

rationality are by definition normative. (Instrumental rationality may be some case in point: “in order to get to Hamburg, one should take the A train” - but what if one has no reason to get to Hamburg? Should one take the A train?). This indirectly strengthens the idea that normativity₁ and normativity₂ should be distinguished, by showing that there may be further forms of normativity that should be distinguished from the core sense of normativity₁, and which are not reducible to normativity₂.

“An important fact about statements of the form “If *X* wants *A*, he ought to do *B*” is that they do not permit what we might call unconditional detachment. Suppose “If Harry wants his inheritance now, he ought to kill his father” and suppose “Harry wants his inheritance now.” We do not draw the unalloyed conclusion “Harry ought to kill his father.” The reasonableness of killing his father remains strictly relative to Harry’s desire and does not achieve the objective status signaled by unconditional detachment.”(de Vries 2016, 7.2).

John Broome has suggested about such cases, that the “ought” has a wide scope: one ought to (if one accepts the premises, accept the conclusion). One cannot detach a narrow scope ought to accept the conclusion: after all, perhaps one ought accept the premises. This seems different from the oughts that substantive reasons generate, and from the (putative) normativity₂ involved even in unjustified norms. Here are some of Broome’s examples:

“First requirement. Rationality requires of you that you do not both believe p and believe not-p.

Second requirement. Rationality requires of you that, if you believe p and you believe (if p then q), and if it matters to you whether q, then you believe q.

Third requirement. Rationality requires of you that, if you intend to G, and if you believe your Fing is a necessary means to your Ging, and if you believe you will not F unless you intend to F, then you intend to F.

Fourth requirement. Rationality requires of you that, if you believe you ought to F, and if you believe you will not F unless you intend to F, then you intend to F.” (Broome 2005, 322).

These are genuine requirements, but you can typically satisfy them in two ways: by dropping one of the beliefs that causes a contradiction, and by either forming the intention or dropping the belief. The requirements do not tell which one should do; they have wide scope. These requirements seem to be constitutive of rationality, and thus unlike contingent social norms and expectations.

A fourth case whose reducibility to the previous forms of normativity is worth considering, are the so called “Ought-to-be -norms”, which differ from ought-to-do -norms (see e.g. Sellars 1968).¹⁴ What does it mean that legal systems “ought to be” morally just? Does it mean merely that it is good that they are just? Or does it mean that the responsible agents or communities in charge ought to see to it, that they are just? A separate “agentless” form of normativity of artefacts and biological entities is discussed e.g. by J.J. Thomson (2007), so we can take it into consideration that this is a separate idea from ought-to-do – norms (or better, ought-to-do – principles, if we reserve the term “norms” for social norms).¹⁵ We can reserve the term normativity₄ for it. DeVries, in his article on Sellars, explains this notion as follows:

“Sellars’s other ‘ought’ is the *ought-to-be*, aka rules of criticism. For example, it ought to be the case that dogs come when their masters call. Such a rule speaks to no agent in particular, and it is certainly not a rule that dogs *obey* in the paradigmatic sense. It simply endorses a particular state of affairs without regard for any mode of achieving it. Still, dogs can exhibit a pattern of behavior that accords with the rule, and they can do so *because* of the rule, if their masters train them to come when called because the masters have reasoned along the following lines: ‘ It ought to be the case that dogs come when their masters call. Therefore, it ought to be the case that my dog comes when I call. My

¹⁴ Glüer and Wikforss (2018) characterize *norms for action* and *norms of being* as follows: “Norms of being are often associated with evaluations; they tell us that a certain state of affairs *ought to obtain*, i.e., is valuable or good in a certain sense. Norms for action, on the other hand, tell us *what to do*.” They refer to von Wright 1963, 14; Schnädelbach 1990, 83ff; Hartmann 1925, and Moore 1922..

¹⁵ See also Ikäheimo 2011.

dog will come when called only if I train it to do so. Therefore, I ought to train my dog to come when called.’ This reasoning moves from an ought-to-be to a relevant ought-to-do and comes to full fruition not in a belief about one’s obligations, but in a set of actions that result in one’s dog learning to come when called. Ought-to-be’s imply ought-to-do’s; and ought-to-do’s typically lead to action.”(DeVries 2016, sec. 7.3).

This notion of norms of being, or ought-to-be’s seems a distinct normative phenomenon from action-guiding normativity of reasons and norms. (See Table One).

We can think of four other phenomena, where either the term “normativity” is used, or normative considerations are at stake, but which seem irreducible to the question of reasons and oughts, that is, normativity₁. They may, however, be reducible to the previous kinds of normativity or not be normative at all. (See Table Two)

Normativity 5?	Normativity 6?	Normativity 7?	Normativity 8?
“Normativity” of linguistic meaning: correctness of use?	The direction of fit of desires: the world ought to match the desire?	The subjective authority of intentions and motivations?	Interpersonal normativity of requests and demands?

Table 2: Further Putative Senses of Normativity

One context is the debates on normativity of linguistic meaning.

“To say that meaning... is essentially *normative* is to say that meaning... is essentially such that *certain norms are valid, or in force*, whenever something has meaning/content.”(Glüer and Wikforss 2018, 1.2).¹⁶

Kripke’s (1982) book on rule-following made the point that a satisfactory theory of linguistic meaning must be able to distinguish between correct and incorrect use of terms (e.g. applying “cow” to cows and not horses). That came to be called “normativity” of meaning, as there is a natural sense in which one should use language correctly. But in the debates that ensued, these two senses of normativity have been distinguished, correctness and prescriptivity.¹⁷ The latter seems reducible to either oughts (normativity₁) or norms (normativity₂).

¹⁶ Note that for them, the normative concept is “norm” (normativity₂), not “reason” or “ought” (normativity₁). They seem to think that normativity has to do with (constructed) norms in force for some individuals or communities. (It may of course be that they also think oughts are also involved as normativity is action-guiding, I thank Alekski Honkasalo for the comment). They mention, but put aside, the possibility that normativity of meaning is related to norms of being (normativity₄).

¹⁷ See e.g. Fennell 2013.

It has been pointed out that no reasons for action or belief follow from meanings alone. If that is correct, then the normativity of meaning is not normativity₁ but something else. Early on in the debate, these were not so clearly distinguished. It may be that the correctness of linguistic usage is normative in the same sense that different norms or rules (such as rules of etiquette) are by definition normative – what is at stake is a match between a token case and a rule.¹⁸ So it is worth examining whether there is an irreducibly new sense of normativity at play at all; we can call the candidate normativity₅.

The debates on “directions of fit” of desires and beliefs suggests another, possibly different usage of normative terms.¹⁹ The idea is that states such as desires and beliefs may have the same propositional content, e.g. “that it rains”. I may believe that it rains and I may desire that it rains. What is the difference? It has been suggested, that one's beliefs ought to conform to the world, whereas the world ought to conform to one's desires (see e.g. Gregory 2012). It has been pointed out that in the case of a mismatch between reality and the mental state, desires and beliefs are constitutively different: if one perceives that it does not rain, one ought to (or has epistemic reasons to) alter one's belief to fit the state of the world. But in the case of desires there is no normative pressure to change one's mind to fit the world – rather, the world ought to change to match the desire.

Elizabeth Anscombe's (1957, §32) example of a shopping list with various items in it, and a shopping basket which ultimately ought to have all the same items as the shopping list, has been widely and rightly regarded as a nice illustration of the difference between two directions of fit, although Anscombe does not use the phrase “direction of fit”. It may help to think of this in terms of a boss (the shopper's wife in Anscombe's text) having first made the list, and then sent a personal assistant to the shop—the assistant's task is to obey the shopping list and regard it as fixed, and collect the mentioned items.

Such a shopping list contrasts with the record of a detective spying on what the shopper puts in the shopping basket: The detective's record ought to have all the same items as the shopping basket. The detective obviously should not regard his or her list or record as fixed in advance. When both the shopper and the detective have been successful, the shopping list, the basket, and the detective's record have the same items in them. The difference with the shopping list and

¹⁸ For Millar 2004, the normativity of meaning derives from social practices (normativity₂ in our terms); and it is an open question, whether one ought to (normatively₁) participate in such practices. (But if one does participate, and violates the norms of the practice, one may act against what one ought to do; I thank Aleksi Honkasalo for the comment).

¹⁹ Anscombe 1957, Humberstone 1992, Platts 1979, Zangwill 1998.

the detective's record concerns the unsuccessful case: What happens if the list in question contains, say, "bananas" when there are no bananas in the basket. The shopper should not delete "bananas" from the list but add bananas to the basket. And the detective in turn should not add anything to the basket but delete such unfit items from the detective's record. Anscombe asks what distinguishes the shopping list from the detective's list, and answers: "It is precisely this: if the list and the things that the man actually buys do not agree, and if this and this alone constitutes a mistake, then the mistake is not in the list but in the man's performance (...) whereas if the detective's record and what the man actually buys do not agree, then the mistake is in the record." (Anscombe 1957, p. 56)

The point is that the detective's record functions like beliefs or assertions about the contents of the basket, the shopping list functions like desires, intentions, or orders about the contents of the basket. The direction of fit of theoretical representations (record, belief, assertion) is such that their contents should fit the world, whereas the direction of fit of practical representations (shopping list, desire, intention, order) is such that their contents should be kept fixed, while the world should come to fit them.

This is fine as such for illustrating one difference between desires and beliefs, but in the context of this chapter it is interesting to ask what it possibly could mean to say that the world ought to change? It could be that we deal with "ought-to-be's" of the sort discussed above. Or are we dealing with (desire-based) practical reasons such that the agent has reasons to fulfil the desires? That is no doubt often the case, but it is a different issue (that concerns ought-to-do-norms), and not always the case (some desires we have no reason to fulfil). Or perhaps what is at stake is a wide scope -ought: in order for the world to match the desire, it ought to be thus-and-so. This cannot be reduced to mere statement that if the world is thus-and-so it matches the state of mind, because that is true both of desires and beliefs, and loses out the direction of fit.²⁰

Once we already have a variety of senses of normativity, it is harder to see clearly whether a new suggestion is irreducible to all the previous suggestions. It is clear that descriptions of the world (it rains), and "orectic" characterizations (I want that it rains) differ, but it is unclear whether the latter is normative at all. Normativity will in any case differ not only from descriptions of the world, but also from evaluations, explanations, causal relations, constitutive relations, modality etc. So again, it seems to me there is not a new form or sense of normativity

²⁰ Thus, the direction of fit – debate is not merely about the normativity of the intentional (Wedgwood 2009), but the difference between beliefs and desires, and the special sense in which desires made demands on the world, and not merely the agent.

at play. But of course there could be – it could be that on closer scrutiny we come to appreciate that desiring is in some sense a normative relationship to the world, a matter of implicitly demanding something from the world, or prescribing something to it.

Finally, even though normative and motivating reasons are typically distinguished, sometimes “normativity” is used for what the agent is motivated by, moved by (see Parfit 2011 on Korsgaard). The idea may be that something, like intentions, has “subjective authority” and is experienced as binding. (see e.g. O’Brien 2019). Similarly, interpersonal prescriptions or demands (or threats or appeals, for that matter) are positive attempts to make a normative difference – analogously to law. Indeed, I will below suggest that the subjective and interpersonal cases can be understood on the same model as law, it is just that the holder of the normative power is different in these cases: in case of personal motivations, expectations, decisions and intentions it is oneself, in interpersonal cases it is the other (who asks for a favour or makes a demand), and in social and institutional cases it is the larger collective. So I will suggest that at least these forms of normativity turn out to be extensions of normativity².

In this section we have seen that different definitions of what normativity is give different answers to what is by definition normative. Let us now turn to the core sense of normativity: reasons and oughts, and after that, the exercises of normative powers that result in a variety of demands and expectations.

3. Normativity₁: Reasons and Oughts

A reason to do something is a consideration that favours doing it (Dancy 2000, Scanlon 1998, 2014).²¹ That the trash can is full is a reason to take it out. That she is in pain is a reason to give her a painkiller. That resources are unevenly allocated is a reason to redistribute resources more justly. That something is humiliating is a reason not to do it.

When there are overall stronger considerations to do X than to do Y, then one has more reason to do X. This can be the result of several more minor considerations favouring X-ing, even though the strongest individual consideration would favour Y-ing. Suppose you are deciding which apartment to live in: there

²¹ For Scanlon (2014, 31), the reason-relation is “a four-place relation, $R(p, x, c, a)$ holding between a fact, p , an agent x , a set of conditions c , and an action or attitude a . This is the relation that holds just in case p is a reason for a person x in situation c to do or hold a .”

may be one major reason to choose Y, but the combined weight of considerations favouring choosing X may nonetheless override them.

This suggests that one reason is a consideration that does what it does, favours some course of action, on its own, and can do it even if there is some other reason that favours the opposite action (Dancy 2004). In that sense, reasons may seem “atomistic”. There may, however, be contextual features which make a difference to whether the reason is a reason, and how strong the reason is. These contextual features may be called disablers and enablers, and intensifiers and attenuators (Dancy 2004). That a band’s gig tonight promises to be great is a reason to go to the gig, but the fact that it has been sold out disables that consideration from having relevance in one’s practical deliberation about what to do tonight. That something was done in full awareness of the suffering it causes intensifies the reason others have to condemn the action. And so on. According to Jonathan Dancy (1993, 2004), there may even be contextual features that change the polarity of the reason: while typically the fact that something would be a lie is a reason not to say it, in the context of playing a game of “Contraband” one is, however, supposed to lie, so the same consideration (“that it would be a lie”) is a reason for, not against, saying it. That something looks to me red is normally a reason to believe it is red, but if I have taken a pill that makes red things look green, it is a reason to believe it is not red. Such contextual features suggest “holism” about reasons: while reasons can function individually, the way they function depends on the context (Dancy 2004).

Typically, what one overall ought to do in a situation is the same as what one has most reason to do, or has conclusive reason to do, in a situation. Overall “oughts” are determined by the balance of reasons for and against all alternative courses of action in a situation.²² In a different situation of course one ought to do a different thing, but in each situation what one ought to do, depends on the strengths of the normatively significant considerations in that situation. If holism is right, those strengths in turn already depend on the presence and absence of enablers, disablers, intensifiers, attenuators and reversers.

Oughts are requirements on what one is to do, and so it is often rationally impermissible or criticizable to omit doing it. In some cases, the reasons do not add up to a requirement on what to do, but merely a recommendation. The reasons may merely “entice” one to do something, without any normative pressure against not doing it. For clarity, I will not use “ought” for such overall recommendations, but only for overall requirements.²³

²² Raz 1990.

²³ Dancy 2004b.

What one ought not do, or has conclusive reason against doing can be called rationally impermissible. It need not be morally impermissible, if the reasons that speak against the course of action are not moral reasons.²⁴ Whatever view we have about how to distinguish moral considerations from other considerations, it is clear there are other types of reasons. These may include prudential reasons to do what is good for oneself, one's well-being but also value-based reasons of many other sorts: if ecological diversity is a good thing, one has reason to promote it independently of its role in promoting one's own well-being. If something is against the democratically set law, one has reason not to do it. That something is requested by a friend is a reason to do it. That it would be slightly more convenient is a (small) reason to close the door, and so on.²⁵ All in all, there are many kinds of reasons, of varying strength and nature.

Some features of the world are arguably objectively reason-giving independently of any social or subjective decision that they are (Raz 1999). Suppose suffering is always, or at least in almost all contexts, bad. That something causes suffering is (in those contexts) a reason against doing it, even when there is no socially accepted norm of avoiding suffering. One does not need a law, or social practice to confer normative significance to suffering, it is normatively significant independently.²⁶

It is helpful to distinguish normatively significant claims or facts from normative claims or facts (cf. Parfit 2011, McNaughton and Rawling 2004):

- 1) X-ing causes suffering
- 2) Fact 1 is a reason against X-ing

Fact is normatively significant or relevant, because it figures in a normative claim (or fact). A claim (or a fact) is normative, if it features the terms "reason" or "ought" in the normative sense. (Or so at least for normativity₁).

The characterization of normativity in terms of reasons or oughts can only be circular, because both terms are used also in non-normative senses.²⁷ *Motivating* reasons are the reasons for which an agent acted, and sometime the agents act for considerations they should not have acted on. By contrast, *normative* reasons are good reasons, for which the agents should act on. They are considerations that speak in favour of the action. In happy cases, the agents act on good reasons, and then normative and motivating reasons coincide. Further, there are

²⁴ Parfit 1997.

²⁵ Raz 1999

²⁶ Shafer-Landau 2003.

²⁷ Broome 1999

explanatory usages of “reason”, as in talking about the reason the snowman melted, where “reason” really refers to a cause.²⁸ Similarly, there are non-normative usages of “ought” as in “it ought to rain by 12”. I take it that intuitively it is easy to grasp the difference between clear normative and non-normative usages (while there may also be hard cases).

Note that all normative “facts” (Fact 2: fact 1 is a reason against X-ing) can be generalized to be conditional principles (Principle: if fact 1 obtains, it is a reason against X-ing).²⁹ I will reserve the term “norm” for socially constructed expectations, and use “principle” in ways which is neutral between socially constructed and independent normative features.

The question about the normativity of law can be put as: is the fact that law tells us to drive on the left side a normatively significant fact? Ought I to drive on the left *because* the law tells me to? Do I have reason to drive on the left merely because the law says so. The answer to such questions is often positive: the law gives us valid reasons for action.

Consider the following claims:

- 1) As such, there are no independent reasons to favour driving on the left or driving on the right
- 2) The law demands me to drive on the right
- 3) I have stronger reason to drive on the right
- 4) I drive on the right

Of these claims, the last one is descriptive claim. The first and third are normative claims, claims about reasons. What about the claim (2)? It is less clear whether it is a descriptive claim (as it is about demands, and not about events in the world), but it does have a descriptive aspect: it can be mistaken about the contents of the law. And yet it seems normative, as it poses a demand, a normative pressure to act in some way. But contrast it with the following scenario:

- 1') There are strong reasons against killing humans
- 2') The law demands me to kill humans if they engage in blasphemous activity
- 3') I have strong reason to oppose the law publicly, in acts of civil disobedience

This shows that the generalization that I always have a good reason to obey the law is not true. But here as well, the law is normatively significant. It is just that thanks to the morally abhorrent nature of the law, the citizens have a

²⁸ Dancy 2000

²⁹ Shafer-Landau 2003.

reason to protest publicly against it. It may be that the law is in this case disabled, silenced, prevented from having the intended normative effect, because the content is morally unacceptable – if so, it would be wrong to think that it gives me *some* reason for killing the blasphemous humans. It is rather that I have *no* such reason, as the law fails to provide me a reason. It is null and void, when normatively disabled, like counterfeit money, or javelin throws that are out-of-bounds.

The story may continue that

4') I will be punished and labelled a criminal unless I act in accordance with (2')

5') I have reason to avoid punishment and reason to avoid being labelled a criminal, so I have some reason to kill the blasphemous humans (even if those reasons are outweighed by the moral considerations).

This may be true in many cases. Here (4') is either true or false descriptively, and it can be reformulated as high risk of being later punished, so that it can be true even if one happens not to be punished. Claim 5' is again a claim about normativity¹ and it shows that law generates several kinds of reasons.

We have seen three ways in which some norm, namely a law, can be normatively significant: I may have a direct reason to do as the law demands (drive on the right), and I may have a moral reason to act in an opposite way to what the law demands (kill people), and I may have prudential or social reasons to avoid breaking the law, as that comes with punishments and labelling.³⁰

What, then, explains that one sometimes has such a *direct* reason to obey the law, and sometimes not? Why is it that one has a direct reason to drive on the right, or pay one's taxes, but no reason to engage in the killing required by the unjustified law? This is a contested substantive question, but the basics suffice here.

One central concept is the *authority* of law (Raz 1990). Law differs from other social rules and norms in that it is collectively intended to be binding and reason-giving. The point of making laws is to affect the reasons for action that people have. If the law-maker has authority, it can confer normative force to actions, that one need not have independent reasons to pursue. The authority

³⁰ Can a norm or a law ever be normatively¹ insignificant – and give neither reasons for nor against the prescribed activity? Arguably it can. Suppose the law of the country has some remnants from four centuries ago, but these laws are mere dead letters. Or suppose there are some rule-collections, perhaps rules of etiquette, or rules of secret brotherhoods which make no difference to one's life. See Foot 2001, Broome 1999.

of law can derive from democracy: democratically legislated laws derive their reason-giving force from being democratically legislated, expressions of collective autonomy (Christiano 2008). Just like exercises of individual autonomy can generate reasons, exercises of collective autonomy can generate reasons. If I promise you something, I generate a normative reason to act accordingly, and if we collectively decide that some law applies to all of us, we generate a normative reason to act accordingly. That is the basic explanation to how, in a situation where we have no independent reason to prefer driving on the right, we have reason to do so. (See e.g. Raz 1990, Christiano 2008). In majoritarian systems, also the minority who loses the democratic contest is bound by the result. It would be pointless to make laws that only those who voted for the laws, and not others, would be bound by (Christiano 2008).³¹ The demands of authority have *content-independent* justification: independently of the content of the democratic decision (or a demand by a superior) there is a reason to act in accordance with it. (Raz 1990). That is, in rough outline, the explanation for the successful cases. The central feature is that the authority has normative *power*: the ability to alter the normative landscape.

But why are not all cases successful? What, then, explains the *limits* of the authority of law (for example in the killing case)? Christiano (2008) cites two considerations: first, the collective decisions must not be too outrageously morally wrong in violation of the rights of individuals, and second, the collective decisions must not be too outrageously against what people have reason to do anyway (that is, not merely moral reasons). The idea is that within these limits, the requirements of the law generate typically normatively₁ good reasons.

Reasons and oughts are central to our interest in normativity: what we really want to know is what people ought to do, and have reason to do. And while that is the central interest in the normativity of law, we can ask whether law, and other social and institutional norms, are by definition normative even in the cases when they do not provide good reasons for action.³²

³¹ Note however that it is not pointless to give the binding form of a law to something that everyone is doing anyway: they can e.g. externalize self-control by making something otherwise independently desirable also legally binding. Thanks to Renne Pesonen for the observation.

³² A related debate concerns morality: do we (always) have reasons to follow moral requirements? (I thank Jaakko Reinikainen for the comment). For example Scanlon (1998) holds that moral impermissibility is an important and stringent reason against doing something, but like all reasons, can occasionally be outweighed.

4. Normativity₂: norms, expectations, and demands

Let us continue the conceptual pursuit. Remember the two examples we used:

- The law demands me to drive on the right
- The law demands me to kill humans if they engage in blasphemous activity

Claims about what the law demands may be *by definition* normative in the sense that we can call normativity₂. Independently of normative reasons to act in accordance with the law, statements about what the law *requires*, or *demands*, seem on the face of it normative in some sense.

According with norms or rules, that pose requirements or demands, seems normative₂ by definition, quite independently of whether one has reason to follow the norms or rules or not, i.e. quite independently of whether the norm is normatively₁ significant.

A rival view would have it that normativity₁ is all the normativity there is, and the statements are best seen as descriptive on their own. They merely tell what the law is, and what it isn't. But they differ from normal descriptions of the world.

The law is a rule that classifies drivings as those that are “in accordance with the law” (namely those that are drivings on the right) and those that are “in violation of the law” (drivings on the left). It *confers* to them the property of being lawful or unlawful (Ásta 2018). There is a constitutive connection between the law, and the properties of being lawful and unlawful. But further, there is a sense in which the lawful drivings are positively marked as “correct”, “appropriate”, or corresponding to the law – and *required* by the law. And with the unlawful cases, there is something amiss, some mismatch or failure. The relationship can be called “satisfaction” or “fulfilment” of the requirement.

There seems thus to be an obvious difference between descriptive features of the world (“A drives on the right side”) and requirements: the law *requires* one to drive on the right side. The latter are rather *prescriptions* than descriptions, *imperatives* rather than characterizations. They do seem to have a feature of ought, or should, even in the immoral or unjustified cases. So perhaps there is another irreducible dimension of normativity, irreducible to the core normativity of reasons and oughts?

I have not seen these two senses of normativity distinguished in the literature (although e.g. Christine Korsgaard 1996 may have something similar in mind when stating that different theorists have different normative “words” or

concepts; but even she thinks that each theorist has one view of normativity).³³ Some think that what the law requires is merely a descriptive fact (Fact 1 in the schema above), and they study whether and how the law manages to give good reasons for agents (see e.g. Raz 1990). By contrast, many think that normativity is a matter of accepted norms or rules, and the requirement to act in accordance to such rules and norms (see e.g. Brandom 1994; Glüer and Wikforss 2018). My suggestion here is that it can be both. In the more important sense of normativity, namely normativity₁, norms and expectations are not by definition normative, but they can be by definition normative in some other sense, normativity₂.³⁴ The benefit of this verbal distinction is that it allows us to pay attention to both phenomena, and to make more precise what different views ultimately disagree about.

Whether or not we think that normativity₂ is a genuine phenomenon, the question of when norms, expectations and demands create genuine reasons is an important one. Above we already saw that the concept of authority is central for this question. This authority of the other persons or institutions can be stronger or weaker, and so the strength of the generated reason can be stronger or weaker. In addition to authority in a literal sense, there can also be other kind of standing, based on caring or identifying-with someone, where the source creates wishes or requests. Think of telling someone, that “your wish is my command” – the slogan captures the sense in which positive regard for the other, the special standing of a friend for instance, means that the recipient’s positive attitude, or a positive mutual relationship, can strengthen the normative standing of the other’s wishes and requests. It seems that different kinds of recognition (respect, love, esteem) go with different kind of standings (whether or not all of them are forms of “authority”). What is common to all these that they are forms of (content-independent) exercise of *normative powers* by recognized authorities, experts, friends, and fellow humans as co-authors.

All humans are to be respected as what John Rawls (1972) called “sources of valid claims”. Some special authorities may generate “exclusionary reasons” (Raz 1990), which exclude other reasons from consideration and take a

³³ For a discussion of normative concepts, see Eklund 2017.

³⁴ The relation between the expectation, claim or request, and the expected or requested conduct can be called “normative₂” – something is by definition normative if it includes a behavioural expectation. When a behavioural expectation can be satisfied by behavior, the expectation is in normative relation to the behavior, it creates a normative₂ pressure to conform to the behavior. “Heteronormativity” is a description of such expectations and felt pressure to conform.

monopoly of reasons in the situation, whereas arguably other “sources” (such as friends) generate merely reasons to be weighed together with other considerations (Scanlon 1998).

Normative power (had by an individual or collective) is the power to generate or construct a variety of expectations, claims, requests, by a variety of means, from mere mental states such as desires, or overt speech acts, to collective decision-making procedures such as meetings or votes, and it can be had by a variety of sources from oneself, to any human being, to one’s friends, to fellow citizens bound by the same laws, to epistemic experts, and finally to binding authorities, such as one’s superiors in a formal organization and recognized law-making authorities.³⁵

Interestingly, exercise of normative powers has seemed to some a form of “bootstrapping” (lifting oneself up from one’s own bootstraps), others thinking that bootstrapping is obviously bad news (Bratman 1987, Broome 1999), others thinking that on the contrary some kind of bootstrapping is indeed what is at stake, and good news (Brandom 1994, 2000). My suggestion is that both are right about some cases: valid exercises of normative powers (such as the power to make promises that all adults have, or the power to make joint commitments, or a variety of speech acts, or various acts in defined roles) are indeed ways of making genuine normative changes.³⁶ But there are also invalid attempts, where the normative powers are lacking (say, I am not your superior but try to give commands) or existing normative powers are being used out of bounds.

Normative₁ reality has two roots, then: some features of the world generate reasons independently of our activities, or “construction”, and these include our actions and interactions as causal or descriptive features of the world (if you hit your head, I have a reason to help; if some convention has created a path in the forest, I have a reason to walk there). But as recognized holders of normative power, we construe an artificial layer of normativity on top of the independent practical reality, or rather, to the midst of the independent practical reality (in usual cases), or in special cases, to replace the independent practical reality (the case of exclusionary reasons).

Its normativity₁ – does the agent have good reason to satisfy the expectation – depends on five features: the content (and the independent reasons it

³⁵ Hohfeld (1919) uses “power” for the capacity to alter the rights (claims and privileges) people have; I use “normative power” here more broadly for the capacity to create reasons and oughts, even when they do not result in rights, strictly speaking.

³⁶ For an influential criticism of this kind of normativity, see Turner (2010).

generates); the kind of recognized standing the power-holder has (oneself, friend, binding authority, etc); the kind of request, expectation, requirement or decree in question (varying from optional recommendations which are at the agent's discretion to respond to, to binding commands or requirements) and the way of generating the expectation (from mental states to speech acts to collective expectations and official decisions); and whether or not it is an exclusionary reason, or to be weighed with other reasons. (see Table 3).

Content	Does the agent have independent reasons to pursue this content? Is the content of the relevant kind, given the standing of the power-user?	From independently reasonable valuable, moral pursuits to something that will be pursued only if requested, for the sake of the authority.
Standing of the person	What kind of standing?	From oneself, friends, to binding authority
Recommendation or requirement?	What kind of request, expectation, requirement or decree is in question?	From optional recommendations which are at the agent's discretion to respond to, to binding commands or requirements
Form of Address	By what means or method is the expectation generated?	From mental states to speech acts to collective expectations and official decisions
Exclusionarity?		Yes/no

Table 3: Aspects of exercises of normative power

So, there is great variety from the law requiring everyone to pay their taxes, to one's friend asking one to the movies tonight; from the heteronormative expectations in the locker room to the democratic decision to replace carbon-intensive forms of production by 2035.

The outputs are of two kinds: exclusionary reasons which replace all other reasons one has and preempt any need for deliberation, and ordinary reasons of different strengths which enter one's deliberation in a case-by-case basis. In that deliberation all the aspects make a difference (content, standing, requiredness, form of address). A full theory of normativity of law would then deal with these issues.

5. The Other Putative Normativities

For the rest of the paper, the research question is: do the putatively *other* forms of normativity boil down to the first one, or the first two?

As already suggested, the personal and interpersonal cases (cases 7 and 8) can be dealt with using the same normative powers - model as with normativity₂. That is, there is a possessor of normative power X, with recognized standing S, addressing in some form of address F (thought or speech or writing), someone (Y), expecting, requesting or demanding Y to do something Phi. In the personal case X and Y are the same person, but there is no doubt that (adult) agents have the normative power bind themselves in promises and commitments. A full theory of exercises of normative powers would deal with these cases as well. To the extent that Normativity₆ is about subjective desires, it can be placed here as well: it is to be dealt with in the same manner as normativity₂.

But there's another aspect of the "direction of fit"-idea: independently of whether some desire is an adequate exercise of normative power (and thus leading to reasons), it *is* a desire and as such, poses a demand to the world to correspond to it. A belief poses no such demand, but rather expresses an aim to correspond to the world.³⁷

Hegel, for example, anticipates this in writing about desires that there is a double "ought" (*Sollen*): on the one hand desire poses a demand to the world, a demand on how things ought to be, but on the other hand the desires themselves ought to be reasonable.

Central to the idea of "direction of fit" is the distinction between which ought to change, the mind or the world, in the case of discrepancy. In the case of beliefs, it makes sense to say that the believer, the agent, ought to change the belief (an "ought-to-do"). In the case of desire, the world, what is at stake seems to be that the world ought-to-be such-and-such (in relation to a subjective desire). This is clearly a conferred property, a bit like subjective "yuckiness" of certain foods. The food has the feature only in relation to a subject. Similarly, the world "ought to be" such and such only from the viewpoint of the desire. Whether anything normative follows, in terms of ought-to-do's, the explanation seems to be either the exercise of normative powers -route, or the independent reason-giving content – route. If the agent ought to change the world to fit the desire, it is either because the content is such that it does provide good reasons

³⁷ In the "normativity of meaning"-debate the correctness of language is a thinner idea: it is merely the relationship of correctness (e.g. of a token use and a general rule), without a distinction of two ways to achieve the correspondence (by correcting the token, or by correcting the general rule).

for the desiring agent, or because the desire is recognized, say as expressing one's authentic selfhood, and so is something that one, if one wants to be authentic, should realize. Or perhaps, what follows is only a wide-scope normative requirement of the sort that one should either realize one's intentions and desires or drop them. So I conclude that the cases of normativity 6 included in the debates on direction of fit, is also reducible to the previous versions of normativity, 1-4. There is no separate sense of "normativity₆" anymore than separate senses of "normativity₇" or "normativity₈".

In debates on normativity of meaning it seems that there is no real sense of "normativity" at play. The idea of correctness, the putative normativity₅, is not really normative - this seems to be the majority opinion in the debates as well. What seems normative in the "direction of fit"-idea becomes visible in the case of discrepancies: it is either the mind or the world that ought to change, not both. Lack of correspondence is just a descriptive fact, it becomes normative only if one or the other of the relata ought to change, ought to be such, that the correspondence returns. In the case of individual usage of language and the general rules of language it is not clear, whether either the individual ought to change the usage to fit the general rules, or whether the general rules ought to change, to fit the individual usages. To the extent that there is such, it can be captured first on terms of ought-to-be's from which then ought-to-do's (to correct the usages etc.) can be derived. But then it seems that normativity₅ is either not normative at all, or if it is, it will be reducible to the other normativities 1-4.

But it is a live option that the four phenomena will remain different: reasons and oughts; exercises of normative powers resulting in norms and expectations; wide-scope normative requirements; and ought-to-be's. We have seen that the ought-to-be's are irreducible to ought to do's, and remain a distinct conceptual category. Similarly, the wide-scope undetachable oughts seem irreducible, and perhaps even constitutive of the exercises of normative powers. So not even a sophisticated model of exercises of normative powers is likely to catch these two senses of normativity: the model is meant to explicate whether and how normativity₂ results in reasons and oughts (normativity₁). It need not deny that normativity₃ or normativity₄ are real possibilities.

Ought-to-be's can concern artefacts which have functions: clocks ought to be such that they show the right time, even though they are not agents with duties. Same concerns robots, cars, computers. Ought-to-be's can also concern organisms: they ought to be healthy, flourish, and self-maintaining. And ought-to-be's can concern institutions: they ought to be just. These judgements are independent from judgements concerning who ought to do what, to see to it that the artefacts function, that the plants or animals flourish, or that

the institutions are just. Ought-to-be's seem therefore separate from ought-to-do's (and thus from normativity₁)

It also seems that ought-to-be's are irreducible to merely evaluative statements of the form that "it is *good that* institutions are just". Typically, that something is of value is a separate statement from something being a reason (see, however Scanlon's buck-passing account). If so, we can acknowledge that ought-to-be's come with evaluative features (what ought to be is typically good) without reducing one to the other.

Ought-to-be's concern for example virtues: agents ought to be such that they willingly and skillfully do what they ought to do, for the right reasons; i.e. agents ought to be virtuous. They may not have a *duty* to become virtuous, because it may well be they cannot. By contrast, it seems that for each ought-to-do statement, an ought-to-be -statement trivially corresponds, but one must be careful in choosing which statement. From the fact that I ought to eat a cabbage, it follows that I ought to be such that I eat a cabbage, but it does not follow, concerning any particular cabbage, that that cabbage ought to be eaten. So I conclude, that normativity₄ seems to be an independent kind of normativity.

Concerning law, we can also see that this kind of normativity applies to legal systems as well: there are many ought-to-be's concerning legal systems: they ought to be just, for example.

What about Broome's "normative requirements" of rationality then? They seem to form a separate normative phenomenon, normativity₃. But it does seem that the routes towards detached oughts follow the two routes identified above. They result in detached oughts insofar as the premises are backed by independent reasons, or by valid exercises of normative powers. But on their own, they remain wide-scope considerations.

6. Conclusion

About ought-to-be's this chapter merely defended their irreducibility to ought-to-do's.³⁸ Legal systems ought to be fair, for example. The central sense of normativity concerns ought-to-do's and reasons. In this paper, that has been called normativity₁. Certain things we have independent reasons to do, thanks to the

³⁸ In deontic logic, there has been some debate about the possibility to reduce ought-to-do's to ought-to-be's, the majority view being that it will not work. I thank Aleksi Honkasalo for the comment.

content alone. Certain other things we have reasons to do if valid exercises of normative powers lead to legitimate expectations that we do them. The latter route explains why and when the law, which is by definition normative₂, creates normative₁ reasons. And not only law, but a dizzying variety of requests and commands from a variety of sources, including oneself (and so the cases discussed as 6 to 8 above). These two routes together explain when and why normative₃ requirements result in detached oughts.

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³⁹ Anscombe 1957, Humberstone 1992, Platts 1979, Zangwill 1998.

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