

# The Authoritative Normativity of Fitting Attitudes\*

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Any old standard or norm can provide reasons, oughts, and requirements: according to the ‘no-snitching’ code we have reasons to refrain from telling the police if we are assaulted; according to the norms of mid-20<sup>th</sup> century US high-society women should not wear white after the start of September; and according to the norms of masculinity, men are required to refrain from crying and are forbidden from wearing mascara. But there seems to be a distinction between the reasons and requirements of these standards and those provided by moral, prudential, and epistemic standards: moral, prudential, and epistemic reasons seem to be authoritatively, robustly, substantively, or genuinely normative in a way that the reasons of the no-snitching code and masculinity are not. If we violate moral, prudential, and epistemic requirements, we seem to have gone wrong in a certain way: we seem to be going wrong normatively and to be blameworthy or criticizable for violating the requirements of these standards. If we violate the norms of masculinity, mid-20<sup>th</sup> century high-society, and the no-snitching code, we don’t seem to go wrong in a similar way and seem to be criticizable in the same way.

These standards are all action-guiding standards. And there has been discussion about the authoritative/genuine normativity of action-guiding standards in the literature<sup>1</sup> but little if any about the authoritative or genuine normativity of (fitting) attitudes’ standards. However, there is a similar intuitive difference regarding the normativity of attitudes’ standards. Attitudes have internal standards, which determine when those attitudes are fitting. Consider admiration. The standard of admiration is the admirable. When we admire someone, we see their features as admirable. And we have reasons to admire admirable people in virtue of their admirable features. So, the standard of admiration, the admirable, gives rise to reasons to admire admirable people. Our perceived evidence analogously guides our beliefs. When we believe something, we see it as true in light of our evidence. And our (perceived) evidence gives rise to reasons for us to believe things.

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<sup>1</sup> See McPherson (2011) (2018), Woods (2018), Wodak (20118), Enoch (2019), Finlay (2019), Letsas (2019), and Southwood (2019).

Some attitudes have standards that seem genuinely normative. Belief's evidential standard seems authoritatively normative. If you don't desire good things for yourself and your friends and family, you seem to be normatively criticisable and going wrong normatively. So, the standard of desire, the desirable, also seems to be genuinely normative. Other attitudinal standards do not seem to give rise to genuine/authoritative normativity. Perhaps the standards of boredom and depression are the boring and the depressing, but these standards are not authoritatively or genuinely normative: we are not criticisable or normatively missing something if we never get bored or depressed. Similarly, we are not normatively criticisable if we are never jealous or envious. So, the enviable and the standard of jealousy do not seem genuinely normative.

In this paper I propose a value-based account of what makes an attitude's standard genuinely or authoritatively normative and draw out the implications of this account for the normativity of certain attitudes' standards (§I). I then give some reasons to prefer this account to other accounts of the genuine normativity of attitudes' standards that are suggested by recent work, explain how the value-based account relates to other work on authoritative normativity, and show how the value-based account can be generalized to provide a plausible and illuminating general account of *which* standards are genuinely normative (§II). Finally, I'll discuss some objections to the value-based account (§III).

## I

Here's how I see things. If we look at the discussion of the genuine/authoritative normativity of action-guiding standards, we see that action-guiding standards fall into three categories. There are standards that are generally agreed to be intuitively authoritatively or genuinely normative such as the correct moral, prudential, and epistemic standards. There are standards the authoritative or genuine normativity of which is debated such as legal and aesthetic standards.<sup>2</sup> And there are standards that are agreed to not be authoritatively normative such as the 'no-snitching' code; we can call these standards, formally normative standards. The set of standards falling into this latter category is extremely large because it is plausible that formal normativity comes extremely cheap. According to Enoch (2019: 69),

This kind of normativity is present whenever there are any relevant criteria of correctness at all.

Set up a game—no one is allowed to step on the lines—and immediately some actions are correct

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<sup>2</sup> See the debate between Southwood (2019) and Enoch (2019) and Greenberg (2014) and Letsas (2019).

(stepping between the lines) and some aren't (stepping on the lines)...But when we say that morality is normative, we seem to want more.

McPherson (2011: 232-233) and Woods (2017: 209) similarly consider standards of schmetiquette and schmess. Schmetiquette is 'a system of norms covering the same territory as etiquette, but differing on its verdicts about what to do'; suppose that schmetiquette requires us to set forks to the right when setting places for dinner. And the rules of schmess are identical to those of chess 'except that in schmess one is permitted to move one's Knight diagonally'. According to McPherson and Woods, these standards are merely formally normative.

Genuinely Normative Standards	Standards whose Genuine Normativity is Contested	Merely Formally Normative Standards
Morality; Prudence; Evidential/Epistemic Standards	Legal Standards; Aesthetic Standards	The no-snitching-code; (20 <sup>th</sup> century) masculinity; mid-20th century US high society; schmess; schmetiquette

There is a similar intuitive difference regarding the normativity of attitudes' standards. Some attitudes have standards that seem genuinely normative. As we've discussed, desire's standard seems genuinely normative. We seem to be normatively missing something if we do not believe that anthropogenic climate change is happening or that dinosaurs once roamed the earth. So, the epistemic standard that governs belief seems genuinely normative too.<sup>3</sup> Other attitudinal standards do not seem to give rise to genuine normativity. We can construct arbitrary attitudinal standards just as we can construct arbitrary standards for action: e.g. whenever possible form beliefs that represent the world as a dark and malicious place. According to this standard, we have reasons to believe that all events are the result of nefarious conspiracies; this standard is not genuinely normative. Furthermore, perhaps the standards of boredom and depression are the boring and the depressing, but these standards are not genuinely normative: we are not criticizable or normatively missing something if we never get bored or depressed. Relatedly, consider the following attitudes/feelings:

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<sup>3</sup> This epistemic/evidential standard of belief should not be confused with the norm of belief. The latter is something like: believe  $p$  only if  $p$  is true. The epistemic/evidential standard of belief involves more such as the considerations that give rise to reasons for belief. For instance, suppose that you're a member of a jury at a trial. According to (belief's) evidential standard, DNA evidence and eyewitness testimony favour the claim that the defendant is guilty and give you reasons to believe this.

*'kenopsia'*. the eerie, forlorn atmosphere of a place that is usually bustling with people but is now abandoned and quiet;

*'chrysalism'*. the feeling of tranquility of being indoors during a thunderstorm.<sup>4</sup>

Suppose that Beth doesn't feel kenopsia. She goes to places—cafes, shopping malls, stadiums—at weird times when there's no one there. She doesn't find them eerie. She's not going wrong and she's not criticizable. Suppose that, like me and most dogs, you don't feel a tranquility to being indoors during a thunderstorm; you just feel terrified by thunderstorms. It doesn't seem that you're missing something normatively by failing to have this feeling. Finally, there are attitudinal standards that there is debate about the genuine normativity of. Srinivasan (2018) and Owens (2012) argue that anger's standard is genuinely normative; Nussbaum (2016) argues that it is not. Harman (2007) argues that guilt's standard is not genuinely normative; others, such as Wallace (1994), disagree.

<b>Genuinely Normative Attitudinal Standards</b>	<b>Attitudes' Standards whose Genuine Normativity is Contested</b>	<b>Merely Formally Normative Attitudinal Standards</b>
Belief, Desire, (Admiration?)	Anger, Guilt, Sadness	Kenopsia, Boredom, Depression

As we'll discuss in §2, there are multiple tasks that we might be interested in here. But one task is to give an account that explains *which* attitudes' standards give rise to genuine normativity and *why*. An account that does this will be akin to an explanatory first-order normative account of which actions are right/wrong. Explanatory first-order normative accounts of which actions are right/wrong, such as rule consequentialism and contractualism, give accounts of right and wrong that explain why paradigm cases of actions that are wrong, such as promise-breaking and lying, are wrong and why paradigm cases of actions that are right, such as saving lives, are right, whilst shedding light on unclear cases of actions that there is a debate about the rightness/wrongness of. Similarly, at a minimum, an explanatory account of the genuine/authoritative normativity of attitudinal standards should fit with the paradigm cases of attitudes' standards that are authoritatively normative, and those which are not, and shed light on the normativity of attitudes' standards whose genuine or authoritative normativity is debated.<sup>5</sup>

<sup>4</sup> See Koenig (2012a) (2012b).

<sup>5</sup> A reader might be left wondering what such standards are. In some domains, such as law and aesthetics, there are a variety of standards that all might claim to be genuinely normative and which do not (normally) compete. In others, such as the moral, epistemic, prudential domains, the only standard that is or could be genuinely normative is the correct standard for that domain;. So, when we're concerned with the question, which standards are genuinely normative, we are not even considering standards like those italicized below as possibly genuinely normative.

*The Evaluative Account*

Things that are non-instrumentally valuable are not just valuable because they are a means to something else. There are at least two categories of non-instrumental value. First, intrinsic value. Intrinsically valuable things are valuable in virtue of their intrinsic properties; instrumentally valuable things are valuable in virtue of an extrinsic property they have: the property of being a means to something else. Second, some things are extrinsically non-instrumentally valuable. These things are valuable in virtue of their extrinsic features but are not valuable in virtue of the fact that they are instrumental to other things. For instance, the pen that Abraham Lincoln used to sign the Emancipation Proclamation is valuable for its own sake and not just instrumentally. But it is valuable in virtue of an extrinsic feature: that it was used to sign the proclamation.<sup>6</sup> Audi (2015: 125-126) holds that the only intrinsically valuable things are experiences, but that, nonetheless, beautiful paintings are non-instrumentally good. He says that

such things as beautiful artworks [are] *inherently valuable*, in the sense that appropriately experiencing them...for their own sake (hence non-instrumentally) would have intrinsic value owing to their intrinsic qualities experienced therein. Inherent value is distinct both from intrinsic value and from instrumental value...an inherently good thing such as a beautiful painting is good “in itself”: it has intrinsic properties...that reward us when we appropriately experience it as having those properties, and it is not a means (in any ordinary sense) to the value of experiencing them, since it is partly *constitutive* of that experience.<sup>7</sup>

Many including Brentano (1969: 22-23), Moore (1903: 204, 208-209, 211, 217), Nozick (1981: 443), and Hurka (2001: ch. 1) have argued that it is non-instrumentally valuable to have certain

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Domain	Standards
Moral	The correct moral standard (whatever that is, e.g. rule consequentialism, a particular Kantian view); <i>incorrect moral standard 1</i> (e.g. perhaps <i>Egoism</i> ); <i>Incorrect moral standard 2</i> (e.g. perhaps <i>Nietzscheanism</i> );
Legal	British Law; US Law; Moroccan Law; Singaporean law; etc...
Admiration	The correct account of the admirable; <i>incorrect standard 1</i> (e.g. <i>admire whatever features they have</i> ); <i>incorrect standard 2</i> (e.g. <i>admire the evil</i> ); etc...

<sup>6</sup> Kagan (1998: 285). Similarly, Rabinowicz and Rønnow-Rasmussen (2000: 41) hold that one of Princess Diana’s dresses is non-instrumentally valuable but this is because of one of its extrinsic features: that she wore it.

<sup>7</sup> See Zimmerman and Bradley (2019: §6), Lewis (1946: 391), and Frankena (1973: 82).

pro-attitudes (desire, admire, praise, respect, love, etc.) towards things that are non-instrumentally valuable; more specifically it is non-instrumentally better to have *non-instrumental* versions of these attitudes towards that which is non-instrumentally valuable: to desire the desirable for its own sake and to admire admirable people for their own sake.<sup>8</sup> Hurka calls this view a *recursive view* because on this view it is non-instrumentally good to have non-instrumental pro-attitudes to things that are intrinsically valuable. On this view, admiring the admirable is non-instrumentally valuable and so is desiring the desirable. This is because to desire the desirable is to desire something that is non-instrumentally valuable, and similarly, to admire a trait that is admirable is to admire something that is non-instrumentally valuable.

On the recursive view, the non-instrumental pro-attitudes that we have towards non-instrumentally valuable things have a similar kind of derivative non-instrumental value to that which inherently valuable things, such as paintings, have on views like Audi's. These pro-attitudes are not (just) extrinsically valuable because they are a means to these good things; on the recursive view it is good to desire your own pleasure (for its own sake) even if there is absolutely no chance you will get it.

I will not rehearse the arguments that Brentano, Moore, Nozick, and Hurka make for this recursive view. But I will add one. Consider two worlds. In both of these worlds there are very admirable people. The two worlds are identical except that in the first world people admire the admirable people; in the second world no one admires them. The first world seems better. But since all other things are equal it cannot be instrumentally better, so it must be non-instrumentally better. The recursive view explains this intuition.

I propose that:

*The Evaluative Account.* An attitude's standard is genuinely normative iff it is sometimes non-instrumentally better to have that attitude for its own sake than to not have it.<sup>9</sup>

On this view, admiration's standard is genuinely normative iff it is sometimes non-instrumentally better for an agent to admire things/people for their own sake. The evaluative account does not

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<sup>8</sup> For a thorough account of what it is to have a non-instrumental pro-attitude see Cosker-Rowland (2019: 103-108).

<sup>9</sup> More specifically: an attitude X's standard is genuinely normative iff in the actual world, there is some agent such that it would be (or would have been) non-instrumentally better for them to have X for its own sake than for them to not have X or to have some set of attitude's that excludes their having X for its own sake.

hold that we have genuinely normative reasons to have an attitude only if it is non-instrumentally valuable to have it. Rather, on this view, an attitude type's (admiration, desire) having instances that are non-instrumentally valuable is an enabling condition on that attitude's standard (the admirable, the desirable) being genuinely normative. But it is not part of the reason why we ought to have an attitude on any particular occasion that it is non-instrumentally valuable to have that attitude on that occasion (or on another). On this view, that your friend is creative and whip smart are genuinely normative reasons to admire her but these facts are made into genuinely normative reasons to admire (from merely formally normative reasons to admire) by the fact that it is sometimes non-instrumentally valuable to admire admirable people. Similar to how on Schroeder's (2007: ch. 2) Humean account of reasons for action, desires are not reasons for action or part of the content of such reasons but make other considerations into reasons for action.

### *Implications*

The evaluative account is plausible because it entails that the desirable and the admirable are genuinely normative attitudinal standards. For, as I've been discussing, it is sometimes non-instrumentally better to desire and admire things. It also explains why we do not have genuinely normative non-instrumental reasons to be bored or depressed or to have the attitudes of kenopsia (the eerie forlorn feeling) or chrysalism (the tranquil feeling in a thunderstorm). This is because it is never non-instrumentally better to be bored or depressed or to have the attitude of kenopsia or chrysalism rather than to not have that attitude<sup>10</sup>—of course, it might be *instrumentally* better to have the chrysalism feeling for that can be a very pleasurable experience.

The evaluative account also has plausible results regarding the genuine normativity of belief's standard because it is sometimes non-instrumentally better to have certain beliefs. It is non-instrumentally better to have a deeper understanding of one's surroundings, the world, or some particular thing than to lead a life without such understanding, true beliefs, and knowledge.<sup>11</sup> Many of us aspire to have such understanding at least within a particular domain and this aspiration does not rely entirely on the instrumental benefits of attaining such understanding. Furthermore, consider the lives of Diane and Ellie. Both Diane and Ellie lead happy autonomous lives in which they achieve a lot and have lots of meaningful relationships. Diane and Ellie's lives, let's suppose, are identical from the inside. However, Diane has far fewer true beliefs, far less understanding, and far less knowledge than Ellie. Fill out this case however you want. For instance, suppose ~~th~~

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<sup>10</sup> See e.g. Howard (2018: 4).

<sup>11</sup> See Kvanvig (2003: esp. ch. 6) and Boylu (2010).

Diane spends a large part of her life in an elaborate deception that she never comes to know that she was a part of. Suppose that Diane's entire upbringing was spent in a Truman-show-esque deception—but a deception involving others being deceived as well so that she did have true friendships—that she never discovered was a deception. It seems that Diane's lack of understanding is worthy of regret even though this lack of understanding did not harm her in any other way. And it seems that if we had to choose to live Diane or Ellie's life we would choose to live Ellie's life.<sup>12</sup> The view that we think that knowledge of, understanding of, or (significant) true beliefs about the world around us is of final value would also explain why people bemoan the loss of particular crafts or trades and, for instance, our ability to navigate our cities without utilizing GPS. (When people bemoan these losses they do not seem to be bemoaning these losses on purely instrumental grounds). So, it seems that we have good evidence that some beliefs are non-instrumentally valuable and that it is sometimes non-instrumentally better to have certain beliefs than to not have them. In this case, belief's standard is genuinely normative.

The evaluative account also has plausible implications for the genuine normativity of the standards of envy, jealousy, and fear. Though it is fitting to envy the enviable and be jealous of those worthy of jealousy, it is never non-instrumentally better to be envious or jealous of someone than to not be.<sup>13</sup> In this case, the enviable is not a genuinely normative standard and we never have genuinely normative reasons to feel jealous. Similarly, although it is instrumentally good to fear things, because doing so alerts us to danger and motivates us to avoid it, it is not non-instrumentally valuable to fear things. So, according to the evaluative account, although when we feel jealous, fearful, and envious we do have these emotions for reasons, namely the reasons that there are according to the standards of these emotions, these reasons are not genuinely normative.

The evaluative account's implications for fear, envy, and jealousy are plausible. Suppose that your friend is a very creative, successful, prize-winning, esteemed author who has a great life: she lives in one of the world's most liveable cities, and she has a lot of free time to spend with her friends and family. You're an author who isn't quite as successful and whose life is not quite as great: you don't live in a great city and you don't have much free time to spend with your friends and family. You believe that your friend is fantastic and her life is great but you don't envy her and you're not

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<sup>12</sup> Objection: filled in this way, Diane's life has dis-value that Ellie's life does not, namely misunderstanding and false beliefs. However, suppose that Diane does not form fully committal beliefs about the reality of her surroundings—she's agnostic about whether she's a brain in a vat or not for instance—and Ellie does. In this case, Diane does not have false beliefs or misunderstanding but Ellie's life still seems preferable.

<sup>13</sup> See Howard (2018: 4).



jealous of her life. If anyone and anything is enviable it's her and her life, especially from your perspective. So if there are ever strong genuinely normative reasons to feel envious and jealous it is in cases like this. But you don't seem to be missing something normatively or criticizable for failing to be jealous or envious of her. The evaluative account entails that you are not criticizable or normatively missing something in this case, and explains why this is; because it is never non-instrumentally valuable to feel jealous or envious.

Now let's look at fear. Suppose that Alice always has accurate beliefs about how dangerous things are and that she cares about herself and her friends and family very much so that she's always motivated to get herself and her friends and family away from danger, but that she never feels fear. Alice's feeling fear would not help her to care for herself or others; there would be no instrumental benefits to her fearing things. It would make sense for Alice to fear dangerous things, but it doesn't seem that she is missing something normatively or is criticizable for failing to fear things. The evaluative account explains why this is: although it is instrumentally valuable for most of us to be guided by the standard of fear and to fear fearful things, it is not instrumentally valuable for Alice to be guided by this standard, and it is never non-instrumentally valuable to fear things. So, although most of us have genuinely normative *instrumental* reasons to fear things, Alice has no instrumental reasons to fear anything and has no genuinely normative (non-instrumental) reasons to fear anything either.

As I explained earlier, there is disagreement about whether the standard of anger is genuinely normative. Srinivasan (2018: 132) gives a rationale for the view that it is, which is useful in the context of the evaluative account. She suggests that

...getting angry is a means of affectively registering or appreciating the injustice of the world...our capacity to get aptly angry is best compared with our capacity for aesthetic appreciation. Just as appreciating the beautiful or the sublime has a value distinct from the value of knowing that something is beautiful or sublime, there might well be a value to appreciating the injustice of the world through one's apt anger—a value that is distinct from that of simply knowing that the world is unjust.

Srinivasan is right that anger in response to injustice can be a valuable way of affectively registering an injustice, but it is not obviously the only or uniquely best way of affectively registering an injustice. It is not obviously better to be angry at an injustice than to have a different suite of affective responses to it, for instance, to be devastated by it, and to react to it by calling it out and

protesting it without getting angry at it. It is a commonplace in the literature on blame and anger to note that Gandhi and Martin Luther King had paradigmatically apt responses to the injustices they were protesting but were not angry at these injustices. It would not have been non-instrumentally better for Gandhi and King to have responded differently to the injustices they were protesting.<sup>14</sup>

Suppose that the evaluative account holds, the standard of appropriate anger is injustice (as Srinivasan's view implies), and that I'm right that *it is* non-instrumentally valuable to be angry in response to injustice but that *it is not* non-instrumentally better to get angry than to have certain other affective responses to injustice. The combination of these views suggests that we have genuinely normative reasons to feel anger in response to injustices but that we are not normatively required to feel anger in response to injustices and wrongdoings rather than to affectively engage with them in other ways. Anger's standard, injustice, is genuinely normative but it gives rise to a kind of genuine normativity that is more permissive than the kind of genuine normativity that some other standards give rise to. There is one unique kind of response to the evidence regarding anthropogenic climate change that belief's evidential standard requires of us: that we believe that it is happening. There is no normative substitute for believing in climate change; we do not have normative latitude regarding the kind of response that we have to the evidence, we must have the belief. (Or if there are no beliefs but only credences, we must have a credence within the appropriate range; we cannot have some attitude other than a credence instead). In contrast, we are not uniquely genuinely normatively required to be angry at injustices; there are responses that we can have as a substitute rather than being angry at injustices. The standard of injustice issues a disjunctive genuinely normative attitudinal requirement: be angry, devastated, or otherwise strongly negatively affectively moved by injustices (and be motivated to protest and stop them).

So, if we accept the evaluative account, we have a certain latitude regarding how we affectively respond to injustice but not regarding how we respond to the evidence of anthropogenic climate change. We have genuinely normative reasons to feel angry but we are not genuinely normatively required to do so rather than have certain other affective responses. This view seems plausible. For as I've discussed, if we are genuinely normatively required to  $\hat{\jmath}$ , we are criticizable and missing something normatively if we do not  $\hat{\jmath}$ . If we do not believe that anthropogenic climate change is happening, we are criticizable and we are missing something normatively. But Gandhi and King

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<sup>14</sup> See Watson (2004: 257-258) and Nussbaum (2016: 212, 218).

were not criticizable or missing something normatively by responding to the injustices they were campaigning against without getting angry; their responses were paradigms of praiseworthy responses to injustice.<sup>15</sup>

So, the evaluative account fits with paradigms of genuinely and merely formally normative attitudinal standards and sheds light on unclear cases.

## II

I've been asking: *which* standards of attitudes are genuinely normative and why? This question is analogous to the *first-order normative ethical* question: *which* actions are wrong and why? Contractualism and rule-consequentialism give answers to this question; the evaluative account answers the analogous first-order question about genuinely normative (attitudinal) standards. The literature on authoritative/genuine normativity has focussed on different *metanormative rather than first-order* normative questions about authoritative/genuine normativity such as on what it is to make a genuinely normative judgment, what it is to make a merely formal normative judgment, and on how we should understand the concept of the authoritatively normative practical ought.<sup>17</sup> These are analogues of the metaethical questions, 'what is it to make a moral judgment?' and 'how should we understand the moral ought?' Just as answers to the latter questions are compatible with a variety of views in first-order ethics such as contractualism and rule consequentialism, similarly, the answers to metanormative questions about genuine normativity are compatible with first-order accounts of *which* standards are genuinely normative such as the evaluative account.

Two discussions in the literature do, however, suggest alternative views of which attitudinal standards are genuinely normative which conflict with the evaluative account. First, several arguments in the literature at least suggest the view that no attitudes' standards provide authoritatively normative reasons, or that no affective attitudes' standards provide genuinely normative reasons.<sup>18</sup> These views have counter-intuitive implications. Suppose that you're being held captive by a sadistic torturer. You know that your partner and children are outside looking for you and that you and they will be much better off if you're reunited with them. But that you won't ever be freed no matter what you do. These views entail that you have no genuinely

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<sup>15</sup> See *supra* note 14.

<sup>17</sup> See McPherson (2018), Wodak (2018), Woods (2018: esp. 208), and Finlay (2019: esp. 207).

<sup>18</sup> See Maguire (2018) and Maguire and Woods (2020).

normative reason to desire that you are freed. But this is counter-intuitive. It seems that you do have genuinely normative reason to hope that you're freed. And it seems that you would be normatively missing something if you didn't have such a desire. It seems clear to us that we have genuinely normative reasons to want happiness and to avoid pain (even if there are no good consequences to our wanting these things).<sup>19</sup> And it seems that someone who doesn't want these things is normatively missing something: they're not responding to their reasons as they should be; just as someone who doesn't take steps to avoid their own unhappiness or doesn't ever act in line with morality's requirements seems to be missing something.<sup>20</sup>

Sylvan and Lord's (2019: 66-67) discussion of right kinds of reasons suggests the

*Agency Account.* An attitudes' standard is genuinely normative only if following that standard (to some degree) is constitutive of agency.

This view yields plausible implications: desiring and believing are constitutive of agency, so following these attitudes' standards to some degree is constitutive of agency; and these attitudes' standards are also paradigmatic genuinely normative attitudinal standards. Envy, depression, and kenopsia are not constitutive of agency, so following these attitudes' standards is not constitutive of agency; and these attitudes' standards are not genuinely normative.

However, there are two problems for this view. First, as Sylvan and Lord (2019, p. 66) note, *to be admirable* seems to be genuinely normative but it is far from clear that admiration is an activity

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<sup>19</sup> See Cosker-Rowland (2019: 146-151).

<sup>20</sup> The opposite of this view, that all standards of fitting attitudes are genuinely normative—call this the fittingness view—has not been suggested in the literature, and this paper attempts to articulate, motivate, and defend a new view rather than discuss all possible views. But I do have concerns about the fittingness view. First, it would seem to imply that kenopsia, boredom, and envy's standards are genuinely normative. But they do not seem to be so. It might be argued that standards of fittingness are permissive and this explains why no one seems criticisable for failing to envy anything or failing to be bored consistent with the view that all standards of fittingness are genuinely normative. But it seems to me that there is no genuine normativity to kenopsia, boredom, and envy's standards regardless. Furthermore, some standards of fittingness do seem to give rise to requirements and not just permissions: we are criticisable for failing to believe that anthropogenic climate change is happening for instance, so belief's evidential standard of fittingness does not seem so permissive. (It might be argued that belief's evidential standard is permissive but the fittingness standard of the criticisable makes it fitting to criticize those who do not believe in anthropogenic climate change. However, sometimes we are required to criticize people rather than just permitted, so it's not clear that this move will solve the problem).

Another issue with the fittingness view is whether it can plausibly be extended to provide an account of the genuine normativity of action-guiding standards. Suppose that we hold that an action-guiding standard is genuinely normative iff it is fitting to be guided by it (for its own sake). But it may be fitting to be guided by paradigmatically merely formally normative action-guiding standards. If one sets up a game, don't step on the cracks, it may then be fitting to be guided by those rules for its own sake and to not step on the cracks; it may be fitting to be guided by the no-snitching code for its own sake when doing so is the only way to keep oneself and one's family safe.

that is constitutive of agency. Second, one can be an agent and yet not be motivated by, care about, or follow to any extent any moral or prudential standard: agents can fail to be motivated by their future well-being and psychopaths and sociopaths are agents but many of them (at least) are not motivated to follow a moral standard. So, it is doubtful that the agency account can plausibly be generalized to provide a general account of which standards are genuinely normative standards and why. But we should expect an account of the attitudinal standards that are genuinely normative to be generalizable in this way.

However, this second problem for the agency account shows that we should accept the evaluative account—and that we have reason to accept it over the agency account—only if it can plausibly be generalized to provide an account of which action-guiding standards as well as which attitudinal standards are genuinely normative and why. In the rest of this section I'll argue that the evaluative account can plausibly be so generalized.

### *Generalizing the Evaluative Account*

We can be guided by standards non-instrumentally or due to the instrumental benefits of our living up to them: a man might be guided by the norms of masculinity and be motivated to refrain from wearing mascara and nail polish just because he does not want to face negative reactions from others. We can also be guided by standards for their own sake (non-instrumentally), just because we think that they, or their demands, are worth living up to. We can be guided by the moral standard, and motivated to refrain from wronging others, to keep our promises and help others, for its own sake, that is, because these things seem worth doing to us in themselves and because the moral standard seems to be one that tells us to do things that are worth doing for their own sake.

It seems non-instrumentally valuable to be guided by the moral standard for its own sake. Virtue and moral worth are very plausibly non-instrumentally valuable. It is good in itself to care about others' well-being and not harming or exploiting others. (This is not to say that it is good to be motivated by moral standards *de dicto*). Similarly, it is plausibly non-instrumentally valuable to be guided by prudential standards and prudential reasons. Being guided by the correct prudential standard just involves having pro-attitudes towards getting that which is intrinsically good *for you*: desiring pleasure, achievement, and friendship; desiring the desirable. For being motivated by this standard for its own sake involves such non-instrumental desires. The recursive view that I argued

for in §1 entails that it is non-instrumentally valuable for us to have such positive attitudes towards things that are intrinsically good *for* us.

With the goodness of being guided by prudential and moral standards in mind I propose that

*Evaluative Account, Action-Guiding Standards.* An action-guiding standard is ~~genuinely~~ normative in context *C* iff it is non-instrumentally better to be to some extent guided by that standard in *C* than to not be guided by that standard at all in *C*.

This account of action-guiding standards' genuine normativity is the analogue of the evaluative account of attitudinal standards' genuine normativity. It involves context-sensitivity, whereas the evaluative account of attitudinal standards' genuine normativity does not. But this is just because such context-sensitivity seems to have useful implications regarding action-guiding standards, which will become clear. That is to say, I think that restricting the evaluative account of attitudinal standards' genuine normativity in an analogous way is unnecessary because doing so may not yield different implications, for if it is non-instrumentally better to have an attitude in one context, then it may be non-instrumentally better to have that attitude in all contexts: if it is non-instrumentally better to desire desirable things in one context, then it will be non-instrumentally better to desire desirable things in all contexts. This account of the genuine normativity of action-guiding standards entails that moral and prudential standards are genuinely normative. It also promises to yield substantive implications for standards the genuine normativity of which is contested such as aesthetic and legal standards. I'll briefly sketch how this is the case.

### *Aesthetic Normativity*

Aesthetic standards yield reasons to perform actions as well as to have attitudes.<sup>21</sup> Aesthetic standards give us reasons to, for instance, put brush strokes in particular places, write metaphors, and compose photos according to the golden ratio. Stand-up comedians have aesthetic reasons to include well-timed punchlines in their work, graphic artists have aesthetic reasons to draw elegant lines in certain circumstances, and musicians act for aesthetic reasons when they add a note to clarify the harmony or raise the tempo to break the mood.<sup>22</sup> If aesthetic objects are non-instrumentally valuable, then, according to the evaluative account, aesthetic standards are genuinely normative. If a book of beautifully written prose is non-instrumentally valuable, then it

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<sup>21</sup> See Dorsch (2017: 5) and Rohrbaugh (forthcoming).

<sup>22</sup> See McGonigal (2017: 60) and Ridley (2012: 673).

will be non-instrumentally valuable to be guided by aesthetic standards that lead one to produce such a book, since: (i) being guided by these standards involves having pro-attitudes towards the production of such a book; and, as I argued in §1, (ii) we should accept a recursive view about non-instrumental value according to which, it is non-instrumentally valuable to have positive attitudes towards that which is non-instrumentally valuable. So, when a kind of aesthetic object (a kind of painting, music, photography, etc.) is non-instrumentally valuable, it is non-instrumentally (as well as instrumentally) valuable to be guided by the aesthetic standards that one needs to be guided by to produce an aesthetic object of that kind. So, according to the evaluative account, to the extent that aesthetic objects and experiences are non-instrumentally valuable, the aesthetic standards and reasons associated with these objects and experiences are genuinely normative.

Much of the time it seems that we have latitude over which aesthetic reasons and standards we are guided by. We can choose to get into and spend our time making or appreciating jazz, ~~pop~~ post-rock, photography, sculpture, or opera: we are not obligated to appreciate one of these types of art rather than another. And it is plausibly at least as valuable for us to gain a deep understanding and appreciation of a particular genre of art as it is for us to have a surface level of appreciation and understanding regarding a wide variety of forms of art. The evaluative account fits with these ideas because it is plausible that there are a variety of different equally or incomparably valuable aesthetic experiences that we can have and aesthetic objects that we can produce. In this case, we have strong genuinely normative reasons to be guided by the standards and reasons of jazz *or* post-rock *or* photography *or* sculpture *or* opera *or* contemporary classical *or* pop (and so on) because it is non-instrumentally better for us to be guided by some aesthetic standards (have pro-attitudes towards some types of aesthetic objects) than to not. But there is no genuinely normative requirement for us to be guided by one of these standards rather than the others because—plausibly—it is not non-instrumentally better for us to be guided by one of these standards rather than the others (because these different types of aesthetic value are equally or incomparably valuable). In §1 I argued that the evaluative account implies that we have a degree of latitude regarding how we respond to injustice: with anger or with other affective responses. Similarly, if the evaluative account of action-guiding standards holds, we have latitude regarding how we respond to the aesthetic features of our world, but this latitude manifests in a slightly different way: we have latitude regarding *which aesthetic features* of our world we engage with; rather than regarding *how we respond* to features of the world.

The evaluative account's implications for aesthetic normativity may also fit with Enoch's (2011: 268) claim that aesthetic normativity is in a distinctive sense normatively less important than moral normativity. It is plausible that when aesthetic and moral requirements conflict, it is non-instrumentally better to be guided by moral standards rather than aesthetic standards. Yet this does not mean that aesthetic standards and reasons are not genuinely normative for it is still sometimes non-instrumentally better to be guided by them than to not be, just not when they conflict with (important) moral demands. It might seem that in this case, it is too easy for the genuine normativity of aesthetic standards to be neutralised. However, the genuine normativity of these standards is only neutralised when their conflict with moral requirements is such that it is better not to be guided by them at all, rather than to be guided by both the moral and aesthetic standards but to be guided more strongly by the correct moral standard.

### *Legal Normativity*

According to the evaluative account, a legal standard (e.g. the laws of the contemporary UK) is genuinely normative in context C iff it is sometimes non-instrumentally better to be guided by it in C than to not be. What could make it non-instrumentally better to be guided by a legal standard? It is plausibly non-instrumentally valuable for a community or group to come together and make decisions democratically with one another. Some argue that democratic decision-making involves treating others as one's equals in a particularly valuable way or instantiates a non-instrumentally valuable form of civic friendship.<sup>23</sup> And some working on the legitimacy of states and laws argue that only laws produced by a democratic decision-making procedure or procedures that instantiate or are conducive to civic friendship are legitimate.<sup>24</sup>

So, suppose that democratic decision-making is non-instrumentally valuable for one of these reasons. And that our legal system is an extremely well-functioning democracy. In this case it will, other things equal, be non-instrumentally (recursively) better for visitors (and us) to have positive attitudes towards our democratic system of laws, and to be to some extent motivated and guided by the legal standards of our society. And so, other things equal, if the evaluative account holds, our legal system will be genuinely normative. (The question is whether we should think that our democracy is non-instrumentally valuable in this kind of way.)

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<sup>23</sup> See e.g. Christiano (2008: esp. 96-111), Dworkin (2001: 185-190), Lister (2013: esp. 106, 115-118) and Quong (2018: §1.4).

<sup>24</sup> See *supra* note 23.



If the evaluative account holds, then it implies that some legal standards are sometimes genuinely normative, but others are not. Legal standards that it is not non-instrumentally better to be guided by in particular contexts, such as bad sets of laws made by totalitarian regimes, are not genuinely normative. But sets of laws that are reasonable and that have been arrived at by non-instrumentally valuable processes are (or at least may be) genuinely normative because it is to some extent non-instrumentally valuable to be guided by them. I can't fully develop this account of the genuine normativity of legal standards here. But this account of the genuine normativity of legal standards provides a conciliatory middle ground between Enoch (2019) and Southwood's (2019; esp. 38) view on which no legal standards are genuinely normative and Greenberg (2014: esp. 1307, 1337-1338) and Letsas' (2019) accounts on which all are.

So the generalized evaluative account has plausible implications regarding the genuine/merely formal normativity of action-guiding standards.

### III

In the rest of this paper I'll discuss two objections to the evaluative account.

#### *A controversial axiology?*

Some might argue that the plausible implications of the evaluative account that I outlined depend heavily on controversial views about which things are non-instrumentally valuable. Consider

*Recursion.* It is non-instrumentally derivatively valuable to have (non-instrumental) pro-attitudes towards things that are non-instrumentally valuable.

Without *Recursion* the evaluative account will be unattractive because it will entail that no attitudinal standards are authoritatively/genuinely normative. Consider

*People and Paintings.* Works of art and persons, or their virtuous traits, are ~~not~~ instrumentally valuable.

Without this view the evaluative account will entail that admiration's standard is not genuinely normative.

However, *Recursion* and *People and Paintings* are consistent with a wide variety of accounts of final value. Take hedonistic, preference-satisfaction-based, and mental-state-based accounts of final value. These views do not entail that it is never non-instrumentally derivatively valuable to desire things for their own sake or admire things for their own sake; they only entail that enjoyable (or other) experiences and desire-satisfaction (respectively) are the only things that are *intrinsically* valuable.<sup>27</sup> Some proponents of these views, such as Audi (2015: 125-126), explicitly hold that there are derivatively non-instrumentally valuable things such as works of art. So, *Recursion* and *People and Paintings* are not incompatible with or in tension with these monist views.

Furthermore, those proponents of these views who do not want to hold that it is *in fact* non-instrumentally derivatively valuable to have non-instrumental pro-attitudes towards things that are non-instrumentally valuable can stipulatively define *recursive value* in the following way:

*Recursive Value.* A non-instrumental attitude (e.g. an instance of desiring or admiring something for its own sake) has recursive value iff it is a pro-/con attitude towards something that is non-instrumentally valuable/dis-valuable, which matches its evaluative valence.

We could then revise the evaluative account to be made in terms of *non-instrumental value* or *recursive value*. This revised evaluative account would have the same implications that the evaluative account has. (We should still think that such stipulatively defined recursive value is normatively important because it is defined in terms of non-instrumental value). If this is right, then there is no problem with the evaluative account relying on either recursion or recursive value.

Finally, if *People and Paintings* were false it's not clear that this would undermine the evaluative account rather than show that it has different, interesting, implications. Suppose that a desire-satisfaction-based account of final value holds, and that *People and Paintings* is false. The implications of this would be that it is only non-instrumentally recursively valuable to desire the satisfaction of one's own or others' desires. But in this case, (given recursion or recursive value) it will sometimes be non-instrumentally/recursively better to desire things, so the evaluative account will still entail that desire's standard is genuinely normative. And it will be non-instrumentally/recursively better to have positive attitudes in response to objects of final prudential value, so it will still be non-instrumentally better to be guided by the correct prudential standard than to not be. So, the

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<sup>27</sup> See Moore (2018: §2.1) and Zimmerman and Bradley (2019).

prudential standard will be genuinely normative. Consequentialists hold that what morality ultimately requires is that we maximize the (impartial) good. So, they hold that being guided by the correct moral standard involves having positive attitudes towards the (impartial) good: desiring it and promoting it for its own sake. In this case, the correct moral standard is genuinely normative too. Other standards such as conventional moral and legal standards will not be genuinely normative but it will be instrumentally valuable to be guided by them in most contexts; the same will be true of the standard of admiration.<sup>28</sup> This is not a problematic result: many consequentialists hold that conventional moral standards are not genuinely normative beyond being standards that it is generally instrumentally useful to be guided by.<sup>29</sup> (What if a deontological moral view is correct? Most deontologists hold that it is non-instrumentally valuable to be guided by moral standards—e.g. Kantians—and/or are pluralists about the good—e. g. Ross 1930).

### *Genuine Normativity and Genuine Value*

Wodak (2018: 834) argues that the genuinely/merely formally normative distinction is a distinction that can be made regarding value as well as regarding reasons, oughts, and requirements. If Wodak is right, this would seem to pose a serious problem for the evaluative account. For we will need an account of what makes an instance of non-instrumental value *genuinely normative* non-instrumental value rather than merely *formally normative* non-instrumental value in order to apply and/or understand the evaluative account.

Wodak does not explain what he has in mind by this idea that the genuinely/formally normative contrast arises regarding value as it does regarding oughts, reasons, and requirements. (This is not a fault with his discussion: Wodak only raises this point in passing). A first, natural, way of understanding the contrast between genuinely normative and merely formally normative value is to understand this as the contrast between predicative value—something's being good *simpliciter* or good *for* someone—and attributive value—something's being good *as* a particular kind of thing such as good as a knife. It is natural to understand this contrast in this way because many, including Parfit (2011: 38-39) and Scanlon (2011: 444-445), have argued that the fact that *X* is attributively good—that is, good as a particular kind of thing—does not establish that there is a normative reason for anyone to do anything or have a positive attitude in response to *X*, whilst if *Y* is good *simpliciter* or good *for* someone, necessarily there are reasons for others to have positive attitudes towards *Y*: the fact that a particular torture device is *good as a torture device* does not establish **it**

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<sup>28</sup> On the instrumental value of being guided by the standard of admiration see Rabinowicz and Rønnow-Rasmussen (2004: 403).

<sup>29</sup> See e.g. Crisp (2006).

anyone has reason to have a positive attitude towards this device; but if virtue, for instance, were good *simpliciter* or good *for* us, this would establish that everyone has reasons to desire it. Furthermore, any standard what-so-ever (e.g. golfing, torturing, assassinating, cutting) can give rise to attributive value properties (good golfers, good torturers, good assassins, good knives) just as any old standard of correctness can give rise to merely formal normativity.

However, if the genuinely/merely formally normative contrast in value is just the predicative/attributional value contrast, then the fact that there is such a contrast in value presents no problem for the evaluative account. This is because the evaluative account provides an account of which standards are genuinely normative in terms of non-attributional final (non-instrumental) value; discussions of final value and the recursive derivative value of having certain attitudes—such as those discussed in §1—are taken by participants in those discussions to be discussions of non-attributional final value. Some philosophers are skeptics about non-attributional value (value *simpliciter*), but myself and others have recently argued that the arguments for such scepticism fail.<sup>30</sup> And we have a good grasp on non-attributional value and how it differs from attributional value.<sup>31</sup>

Perhaps this response misses the mark: perhaps Wodak has something different in mind by the genuinely/merely formally normative contrast regarding the evaluative. Perhaps the idea is that those who endorse the norms of (20<sup>th</sup> century Western) masculinity will hold that it is non-instrumentally better for men to sometimes be guided by the norms of masculinity and so to not wear mascara (even if they want to) and that those who accept the mafia's norms of *omerta* will judge that it is non-instrumentally better for the mafia to cold-bloodedly kill those who persistently pay them late. These people won't just think that someone is a *better man* if they don't wear mascara and that someone is a *better mafioso* if they kill those who do not pay them on time but that it is non-instrumentally better *simpliciter* for men not to wear mascara and/or for Mafiosi to kill those who persist in refraining from paying them on time.

This second way of understanding the genuinely/merely formally normative contrast regarding evaluative notions sees this distinction as mapping onto disagreements about what things are finally non-instrumentally (non-attributionally) valuable: those who accept mafia and masculine norms think that some things are finally valuable that we do not. But this cannot be the right way of understanding the genuinely/merely formally normative contrast regarding evaluative notions.

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<sup>30</sup> See Cosker-Rowland (2016) and Byrne (2016); cf. Cosker-Rowland (2019: 6-7).

<sup>31</sup> See, for instance, *ibid.* ch. 5 and Schroeder (2010).

For the merely formally normative/genuinely normative standard contrast is a contrast between the normativity of different domains' standards: moral standards, legal standards, etiquettal standards, photographic standards, epistemic standards, contemporary classical standards. These standards sometimes *require incompatible things*: for instance, when prudence requires that we ~~save~~our money and morality requires that we give it away. But these standards are not *themselves inconsistent or incompatible*; the fact that the prudential standard requires that we  $\{$  and that the moral standard requires that we not-  $\}$  does not show that one of these two standards must be incorrect. In contrast, if the hedonistic standard of final value holds that  $X$  is finally valuable and the desire- satisfaction-based standard holds that  $X$  is not finally valuable, then this shows that one of these two standards must be incorrect because they are standards that purport to be the correct standard for the same thing. The question, 'which standards are genuinely normative?' concerns ~~wh~~ standards of different things are genuinely normative, not which standards that purport to be standards for the same thing (e.g. morality) are non-instrumentally valuable. But this second way of understanding the genuinely/formally normative contrast regarding evaluative notions sees this distinction as within standards that purport to be the correct standard of the same thing, namely within standards for that which is finally valuable.<sup>32</sup>

It is not the task of a theory of which standards are genuinely normative to figure out what the correct moral or evaluative standard is: these tasks are tasks for first-order theorising about morality and about what is valuable. If this is right, then the fact that some people hold a partially *omerta*-based account of which things are non-instrumentally valuable does not show that they have a merely formally normative account of non-instrumental value and we have a genuinely normative account of non-instrumental value: all this shows is that we disagree about value or have different conceptions of what is valuable, as libertarians and Rawlsians have different conceptions of justice. (The fact that there are many different conceptions of justice does not show that there is a merely formally normative/genuinely normative distinction within the concept of justice). Put simply, that there are such disagreements about final value wouldn't show that there is a genuinely/merely formally normative contrast in the evaluative realm but only that there are disagreements about what things are non-instrumentally valuable just as there are disagreements about what things are morally right and wrong and what we have most prudential reason to do. (I discuss two further objections in a footnote).<sup>33</sup>

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<sup>32</sup> See also *supra* note 5.

<sup>33</sup> 1. The evaluative account gets things the wrong way around by putting value before genuine normativity. However, the evaluative account does not hold that value is metaphysically prior to reasons and fittingness, for it is a first-order explanatory rather than meta-normative account, which is consistent with different (value-, fittingness-, reasons-first)

The evaluative account provides an attractive account of which standards of fitting attitudes are authoritatively normative. It fits with the paradigm cases and sheds light on the unclear cases of attitudinal standards that are authoritatively normative. It can also plausibly be extended to provide a general account of which standards are genuinely normative in a way that alternative accounts cannot. And the evaluative account does not face insurmountable objections.

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views of the metaphysical structure of normativity. The evaluative account is justified on the basis of its explanatory pay-off and the fact that it helps us to think better and get substantive verdicts about unclear cases, as discussed in §1-2. (For instance, it's hard for me to think about whether the enviable or aesthetic standards are genuinely normative or not; it is much easier for me to think about the non-instrumental value of envy and aesthetic objects).

2. It is implausible that the enviable is not genuinely normative for if we envy someone who is not enviable we are going wrong and this suggests that the enviable is genuinely normative. However, the same is true of any merely formally normative standard; see Woods (2018). If we feel kenopsia in a bustling shopping centre, we are going wrong,

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