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Desires as additional reasons? The case of tie-breaking

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Abstract According to the Desire-Based Reasons Model reasons for action are provided by desires. Many, however, are critical about the Model holding an alternative view of practical reason, which is often called valued-based. In this paper I consider one particular attempt to refute the Model, which advocates of the valued-based view often appeal to: the idea of reason-based desires. The argument is built up from two premises. The first claims that desires are states that we have reason to have. The second argues that desires do not add to the stock of reasons the agent has for having them. Together the two theses entail that desires are based on reasons, which they transmit but to which they cannot add. In the paper I deal with a counterexample to the second premise: tie-breaking desires. I first distinguish two interesting cases and argue that only the second challenges the premise. Then I move onto analyze this challenge by focusing on Ruth Chang's recent employment of it. I show that contrary to its counterintuitive appearance, the challenge can be sustained. However, I also argue that Chang overlooks the full potential of one particular response to the challenge: the introduction of higher-order reasons determining the normative significance of these desires. At the same time, I show that this response has a problem that Chang does not consider. As a result, the response can only partially disarm the challenge of tie-breaking desires; or not at all, depending on what significance we attribute to the counterexamples.

Keywords Reasons for action · Desires · Tie-breaking · Ruth Chang · Joseph Raz

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1 Against the Model: reason-based desires

In the theory of normative reasons one particular approach enjoys widespread support: the Desire-Based Reasons Model (henceforth: the Model). The Model purports to give us an account of normative practical reasons (henceforth: reasons) in terms of desires. In Schroeder's (2007, p. 193) most recent formulation the Model claims the following:

For R to be a reason for X to do A is for there to be some p such that X has a desire whose object is p , and the truth of R is part of what explains why X 's doing A promotes p .

The idea is this. Take Schroeder's example (Ibid, p. 29). If Ronnie (X) likes dancing (p), then the fact that there will be dancing at the party (R), helps explain why Ronnie's going to the party (A) would promote Ronnie's desire to dance. 'Explanation' here is meant in the metaphysical sense: explanations are facts about "what is true because of what" (Ibid, footnote 19). Hence this particular feature of Ronnie's situation, i.e. that there will be dancing at the party becomes a reason for Ronnie.¹

This is a simple and powerful idea, which is both epistemologically and metaphysically attractive. Nevertheless, several contemporary philosophers are critical of it holding an alternative view of practical reason, which is often called valued-based (Dancy 2000, p. 29; Parfit 2001; Quinn 1993; Scanlon 1998, Chap. 1; Raz 1999).² In this paper I will not flesh out this view, nor will I defend it against possible attacks. Instead, I will consider one particular attempt to refute the Model, which advocates of the valued-based view often appeal to: the argument from *reason-based desires*.

The argument is built up from two premises. The first claims that when we desire something we desire it for reasons. That is, when we desire an object we take it that features of this object are reason-providing: they give us reason to pursue, have or in some other way relate to the object of the desire. In short, desires are had under the guise of reasons (Raz 1999, pp. 5, 52–62; Scanlon 1998, pp. 39–44; Quinn 1993, p. 247; Dancy 2000, p. 35).³ At the same time, advocates of the premise do not deny that there can be non-cognitive mental states that do not fit the above characterization of desire. What they hold is that these mental states are mere *urges* that do

¹ There are other versions of the Model, depending on e.g. whether all desires are admitted, or only those that pass a certain test, or whether only actual desires of the agent matter. See Brandt (1979), Williams (1981, 1995a, b, 2001), Hubin (1996, 1999, 2001, 2003), Noggle (1999), Murphy (1999), Sobel (2001a, b). Since the argument I deal with is designed to tackle all of them, details do not matter.

² I use the label 'value-based' only for lack of a better term: I will use the terms 'reason' and 'value' interchangeably in the text. It is not my intention to take side in the debate, which is the primitive: reason or value. Accordingly, although the view is often put in evaluative terms, in what follows I will assume that those who talk about goodness would also endorse the normative version insofar as they want to make claims about reasons for action by employing the present argument.

³ I disregard the distinction between normative judgment and normative appearance, although the latter is also used to formulate the premise. See Scanlon (1998, pp. 39–44), Hurley (2001), Tenenbaum (2007). Given the nature of the discussion to come, this and other refinements do not matter for the purposes of this paper.

not provide us with reasons. The most plausible ground for this distinction between urges and desires derives from a particular theory of action (Raz 1999, Chaps. 1, 2, 53–57; Quinn 1993, pp. 236, 241–242, 246–247, 252; Scanlon 1998, pp. 20–21, 38; Dancy 2000, pp. 36, 85–86). The idea is that unless one acts on the basis of one's normative judgments, one is not acting for reasons. Hence urges, which lack this normative element, do not prompt intentional action; consequently, they are not states that can provide reasons for action.

What the first premise establishes is that there is circularity in the analysis of reasons the Model offers. Take Schroeder's definition. He sets out to analyze reasons in terms of desires, but if the first premise is true, we must conclude that desires themselves must be analyzed in terms of reasons. The circularity is obvious: we must have an account of reasons at hand before we can make claims about the connection between reasons for action and desires. Our account of reasons must then come from elsewhere; the value-based theory is here to help us. The Model is refuted.

However, this is too quick. Desires can get back in the picture, if they can add to the stock of reasons they are based on. This is what the second premise of the argument denies. If the first premise is true and we desire everything for reasons, the fact that we desire something provides no reason over and above the reasons for desiring it. Desire is nothing else but the endorsement of the reasons it is based on.⁴ Hence to claim that it could add to these reasons would lead to double counting of these reasons, and this is unacceptable (Raz 1999, p. 61; Dancy 2000, pp. 36–37). The premise has two applications (Dancy *ibid.*). The primary application claims that desire is not an additional reason to do the thing desired; the secondary application holds that desire is not an extra reason to do what promotes the desire. Note that since one way of promoting a desire is just to do the thing desired, if we accept the secondary application, we also affirm the truth of the primary application.

Together the two premises entail the following conclusion: desires are based on conceived reasons, which they transmit but to which they cannot add. Desires are merely channels for these conceived reasons, which may or may not turn out to be real reasons. The Model's picture of desires as setting ends and thereby providing reasons for action as means to those ends is false. For there are reasons to have those ends and these reasons are our reasons to take the means to those ends, *i.e.* to act.⁵ Desire serves no normative role in this scheme: it only transmits the reasons for the ends to the means to those ends. The argument thus paints a two-faced picture of the field of allegedly reason-providing mental states: there are desires that only transmit

⁴ Admittedly, I work with fairly brush strokes here. The relation between desire and the agent's normative judgment is a controversial issue. In particular, it is not clear whether the premise understands desire as necessarily related to normative judgment, or takes desire to have some kind of normative content. It is also not clear whether the relation in the first case is biconditional or only runs from desire to judgment, nor is it obvious what the nature of the content referred to in the second case is. See Hurley (2007), Tenenbaum (2007), Hawkins (2008) for further discussion along these lines.

⁵ However, as we know from the toxin puzzle and recent discussions on Scanlon's buck-passing account of value, reasons for having desires may not be the same as reasons for action. In particular, if there are reasons provided by the *state* of desiring, it might be the case that one has reasons to desire something, but no reasons to act on this desire. See Scanlon (1998, p. 97), Parfit (2001, pp. 21–24), Rabinowicz and Rønnow-Rasmussen (2004) for influential discussions.

reasons they are based on, and there are urges that neither transmit reasons nor do they provide reasons in their own right. No desires provide reasons; value-based reasons are all the reasons there are.

This is no doubt a controversial argument; especially the first premise, which invokes a version of what is known as the 'guise of the good' thesis, has come under fire both in the present and in the past. Questions of a more extraneous kind can be asked also about the nature of the normative judgment referred to or about the metaphysics of normative facts. In the paper I will however focus on a particular challenge to the first application of the *second* premise: tie-breaking desires. I will first distinguish two interesting cases and show that only one poses a real challenge. In the rest of the paper I will deal with this case by focusing on Ruth Chang's recent rendering of it. I will argue that the challenge is a real one, and that the best response to it can only go some way in tackling it. The question then becomes what force this counterexample has, and that in turn depends on what status the premises have in the above argument. It is the examination of this question that I will end my paper with.

2 Tie-breaking: first interesting case

The primary application says that we have no more reason to do something just because we desire it. Many have questioned this claim, however. The counterexample typically referred to is that of tie-breaking, situations in which it is supposed that the reasons for the available options either evenly match or are incomparable.⁶ Some of the so-called 'feeling like it' cases are good examples. Scanlon's (1998, p. 48) example with the agent standing at crossroads with each path being equally desirable for him can be interpreted in this way, and Raz (1999, p. 62) has a similar case with a hungry agent who has to choose between a banana and a pear the two being incomparable in value for him.⁷

Both cases invite the same diagnosis: the agent has more—and in this special case this means *most* reason—to take one option just because he 'feels like it', i.e. just because he desires it. Reason in these cases has run its course and it must be the agent's desires that decide the issue. And, it seems, there is no reason why we should deny this role to desires and, what is more important, no reason why we should deny that this is a *normative* role: that desires in these cases add to the stock of reasons the agent has for having them. How significant this role is depends on how significant the range of cases desires can play the tie-breaking role in or what

⁶ For discussion of incomparability (or incommensurability) see Chang (1997) and Baumann and Betzler (2004). According to some reasons can also be *on a par*. This happens when neither of them is stronger than the other while being comparable and unequal. See Chang (2002, 2005), Gert (2004b) and Rabinowicz (2008).

⁷ One might find it awkward that I refer to Scanlon and Raz at this point. Are they not committed to holding that these desires are urges and do not provide reasons? I don't think so; I say more about this later. It is also possible, as I explain later, that they think they can accommodate these desires. What I should emphasize though, is that what matters are the examples, not where they come from. Whether Raz, Scanlon and other advocates of reason-based desires can consistently make this exception to their account is not my concern in this paper.

other consequences their admission can have for a theory of practical reason. At the end of the paper I will say more about this question. What I want now to point out is that we can say at least this much: the tie-breaking role of desires offers a minimal program for those who want to contest the value-based account. Hence it would have great significance to show that tie-breaking desires do not offer counterexamples to the first application. This is what I set out to investigate in the rest of this paper.

There are two interesting cases. Take first the case in which reasons for either option are equal or incomparable, but suppose that the agent desires only one of the options. Both Raz's and Scanlon's case can be interpreted in this way, and we can easily create a myriad of similar situations. Imagine, for instance, a young and talented piano player who is bored by playing piano and wants instead to become a philosopher.⁸ His talent, we can suppose, gives him good reason to prefer the glamorous life of a piano player to the simple life of philosophy for which he might have no talent at all. But, as a matter of fact, he is positively inclined to do the latter and finds it impossible to bring himself to pursue the former. To make the case less dramatic, we can further suppose that the reasons involved are equally strong or, what is perhaps more plausible, that they are incomparable. Even so, the verdict seems not to change: if it is the life of philosophy the piano player desires, he should pursue this life and, if the two are incompatible, give up professional piano playing. In other words, we should accept that desires do add to the stock of reasons the agent has for acting making the option he desires to be the option he has most reason to pursue.

There is, however, an alternative interpretation of these cases that attributes a role to desires without admitting them as reason-giving forces. It is based on the distinction between the role of desire as a necessary (and, perhaps, sufficient) condition for the existence of reasons and its role as a reason-provider (Dancy 2000, pp. 15–20, 26–27; Sobel 2001a, p. 473, 2001b, p. 233; Enoch 2005, p. 764; Scanlon 1998, pp. 48–49; Raz 1999, p. 64, 2004, p. 182; Regan 1997, pp. 145–146; Arneson 2007, p. 21). Desires may function as a tracking device that indicates the existence of reasons without grounding them. Or they can function as motivational conditions for reasons' existence: unless the agent is moved by some consideration, that consideration cannot be a reason for her. It might also be that desires are necessary (and, perhaps, sufficient) for the agent to pursue some value energetically and successfully. In any case, it is only accepting the latter, reason-grounding role that would lead us to the conclusion that agents in the above examples have *most* reason to do something because they desire it. The former reading admits only that certain reasons (or all, according to some) cannot *exist* for the agent unless the agent has a desire connected to them: they exist (*if and only if*) the agent has the relevant desire, but they are not *provided by* the relevant desires of the agent.⁹

⁸ I owe this example to János Kis and Greg Bognár.

⁹ I am not claiming that this is a worked out proposal. For instance, for desires to serve as motivational conditions, we must assume the truth of what Stephen Darwall (1997, pp. 308–309) calls existence internalism as well as the truth of the Humean theory of motivation (Smith 1994, Chap. 4). And, certainly, these theories must be worked out and justified. My aim here is only to show that given the existence of these theories, those who want to give a reason-grounding role to desire should rather avoid relying on the

Once we have this distinction in view, we can deploy it in defense of the second premise. We can say that in all the above cases we have two sets of considerations present. On one side, there are the considerations that serve as reasons for the agent: the particular features of the chosen road, the taste of pear and the pleasures of eating it, and the characteristics of a life spent with philosophy. They are, however, not based on the agent's desire: that the agent desires them only signals that they are reasons for the agent but they are not reasons because the agent desires them. Instead, they are reasons because they are all valuable activities, experiences and aspects of objects. At the same time, the other sets of considerations—the particular features of the other road, the taste of banana, and the life spent as a famous piano player—do not function as reasons at all since the agent has no relevant desire connected to them. So what we have in the above situations is not one course of action that the agent has more reason to do than another course of action, but one course of action, which is supported by reasons and another, which is not supported by reasons. And this is not a picture that would in any way be inconsistent with the second premise.

3 Tie-breaking: second interesting case

The second scenario is less easy to deal with. Here we are asked to repeat the above cases as to the balance of reasons, but now we should suppose that the agent desires all options. Moreover, she does so to a different degree: her overall desire, i.e. what she most wants to do lies squarely on one side. Then the claim is made that the agent has most reason to do what she most desires to do just because of that. The bottom line case is when the agent's normative judgment is correct, that is, when the agent is right about the reasons present as well as about their respective weight. This is, I believe, the version Raz and Scanlon had in mind when formulating their examples, and others have also agreed that desire can play this sort of tie-breaking role when the reasons present evenly match or are incomparable (Quinn 1993, pp. 250–252; Bond 1983, pp. 16–18; Audi 2001, pp. 122, 130).

In this case we cannot employ the previous strategy since, by stipulation, all reasons that are present have a desire connected to them. However, we can still ask *how* exactly desires tip the balance of reasons in these cases. Since on the present scenario one has most reason to do one thing just because this is what one most wants to do, it follows that we should first specify what it is meant by 'most wants to'. However, at first look we are in trouble here because we have to make sense of a seemingly paradoxical claim: that agent *A* prefers φ -ing to ψ -ing even though she does not think that φ -ing is in any way better than ψ -ing (Dancy 2000, p. 40). But it is possible to meet this task.

Footnote 9 continued

first interpretation since this would require confronting all these theories. Advocates of the second premise are not defenseless in this case, so to speak; attacking them via the second interpretation is therefore a much more fruitful strategy.

There are two interpretations. Recently, Ruth Chang has argued that what goes on in tie-breaking situations is that the agent is attracted to, i.e. feels like taking one option rather than the others. 'Attraction' she understands as a kind of desire, she calls it *affective desire* that does not fit the picture the first premise gives of desire. It is not a desire that involves the agent's seeing something good about the object of the desire or about anything related to it. Affective desires are non-cognitive mental states that essentially involve attraction to their objects understood along phenomenological lines (Chang 2004, pp. 68, 70 note 18, 71–72). Thus Chang's interpretation of what happens in tie-breaking cases is that the agent has in fact *two* desires in tie-breaking situations: a reason-based desire and a phenomenologically peculiar inclination attached to it. And it is this extra affective desire that makes it the case that the agent wants one option more than the others.

Observe first that Chang's interpretation targets the second premise by running counter to the first. If she is right, tie-breaking desires are in fact desires that are not based on reasons. This will be important later, but it will not affect the immediate reasoning. However, Chang's interpretation raises the issue of separation, and we need to be clear about this before we move onto the second interpretation. The problem is the following. Chang wants to say that when I desire mountain climbing I can have two desires. One is a reason-based desire where reasons are provided by the value of the feature of climbing and perhaps of other features related to these. When asked, I cite this desire and give reasons for it. At the same time, according to Chang, I may also have an affective desire for mountain climbing, which consists in my mere attraction to climbing. But, one might complain, we have one desire here it seems, with one object—how can we squeeze two desires into the picture? The affective desire seems to be superfluous. I have an attraction to climbing, all right; but this attraction is nothing else but the phenomenological feel of my reason-based desire.

From what Chang says I can extract the following argument. She makes a distinction between two kinds of attraction: feature-free (because it is an attraction to the object as such) and feature-bound (because it is an attraction to certain aspects of the object) (Ibid, p. 80). Tie-breaking affective desires are feature-free attractions, whereas reason-based desires are feature-bound with the relevant reasons being provided by the value of the features, as the first premise indeed states (Ibid, p. 85). Thus the suggestion is that the affective desire in my example has climbing *as such* as its object, whereas the reason-based desire has certain *features* of climbing as its object. We then have the two desires the first interpretation needs, hence the problem of separation is resolved.

Turn now to the second interpretation. This accepts that there is only one desire present and this desire is reason-based. We can also assume that Chang's description as to the phenomenology of tie-breaking is correct.¹⁰ Then we can say the following. The agent's attraction, the affective feel she experiences is nothing else but the phenomenological feel of the reason-based desire. Thus, on this

¹⁰ We need not assume this, in fact, we need not assume that Chang is right even concerning the first interpretation. After all, both interpretations trade on the strength of desire, and unless one is holding a phenomenological account of desire, the force of a desire need not be cast in terms of a force that is felt by the agent. I remain non-committal on this issue.

interpretation what happens in tie-breaking situations is that one of the agent's desires has overriding force propelling the agent towards one particular prospect and this overriding force is the affective feel Chang talks about. This also explains away the paradoxical nature of the second scenario. If agent A is more pushed to φ than to ψ , then in this sense she can prefer φ -ing to ψ -ing, even though φ -ing may not be better than ψ -ing by her own lights.

Naturally, this also means that this interpretation is not complete until one provides an account of the strength of desire. I, however, will not attempt to do this here. It is implausible to hold that the strength of desires *just is* the strength of the reasons they are based on since these are strengths of different things, mental states and normative considerations respectively. At the same time, most (or, perhaps, any) other account of strength would do for the purposes of the present interpretation. For instance, if desires' strength is determined by their motivational force, we can get a measure that is comparable across desires, and gives us a simple form of the second interpretation: when one prefers φ -ing to ψ -ing, one is more moved to φ than to ψ , even though one may not judge φ -ing to be better than ψ -ing. And, I submit, similar claims can be made about other ways of measuring the strength of desire; at least I see no a priori reason to rule this out.¹¹

However, even if the strength of reasons and the strength of desires are different things, one can determine the other. A *crude proportionality thesis* might be true that claims that the force of a desire is proportionate in strength to the stringency of the reasons that it is based on. Admittedly, the second interpretation denies this thesis, but I don't think this is a problem. Rejecting the thesis does not make a difference in the case when the reasons involved are incomparable since, due to the lack of comparability, the corresponding force of the desires involved need not be equal. But even in the case when reasons are comparable and equal, I see no reason to deny this empirical possibility. I think it is hard to deny the psychological possibility that someone desires something disproportionately, even relative to her own normative judgment. For instance, one form of weakness of will is when one does not do what one judges most reason to do exactly because one is overcome by a desire that is itself reason-based. In general, we could say that the 'frequency' of the force of desire can fluctuate both spatially (from occasion to occasion) as well as temporarily (from time to time). As a result, when the agent finds herself in a particular situation at a particular time it may well be possible that she is more inclined to φ than to ψ , even though in general she does not think that she has more reason to φ than to ψ . I see no reason to deny that this can happen.

On the present interpretation then, what tips the balance of reasons in tie-breaking situations is the overriding, disproportionate force of one of the agent's desires; its affective feel, if we endorse Chang's description. This conclusion

¹¹ I believe that this is the interpretation Raz had in mind. It makes sense of his repeated remarks that in tie-breaking situations to explain the agent's choice we need to invoke, in addition to the agent's rationality, considerations such as taste, predilections, "and much else besides". See Raz (1999, p. 117). In my interpretation this means that we need to invoke these factors because they explain the force of the agent's desire. As Raz remarks elsewhere, "[o]ur chemistry rather than our rationality explain why we want one thing rather than another" (See Raz 1999, p. 66).

immediately rules out a tempting strategy to explain away the difficulty the apparently normative role desires play in tie-breaking situations poses. The idea is to invoke the distinction between picking and choosing and claim that what we have in such situations is picking, not choosing. This would be significant because the difference between picking and choosing is exactly that the latter is reason-governed, whereas the former is not. The classical case is that of Buridan's ass who is unable to find any reason for preferring one to another bundle of equidistant hay and therefore, being unable to decide, starves to death. The ass is unable to choose all right, the idea goes, since choice requires reason. But he is still able to pick: picking does not require reason; it is an ability of the agent to directly extricate herself from tie-breaking situations, to transform "into a chance device that functions at random and effects arbitrary decisions" (Ullmann-Margalit and Morgenbesser 1977, p. 773).

I am inclined to accept this idea. Even so, if our above analysis of tie-breaking situations were correct, an appeal to picking wouldn't do. For the situation is different. Ullmann-Margalit and Morgenstern who brought the distinction back to life, describe picking situations as cases in which the agent is strictly *indifferent* between available options, that is to say, the agent does not prefer either option to others: her preferences are completely symmetrical, they are of equal strength. It is not entirely clear how they measure strength, but one plausible interpretation is that the agent is motivationally neutral as to the alternatives (Ibid, pp. 763, 772, 773 note 18). Although this might happen, it need not and in the tie-breaking cases we considered, it does not happen. In those situations the agent does feel like doing one of the alternatives (Chang 2004, pp. 80, 82). And on the motivational interpretation given above there is nothing mysterious about this: the agent is just more moved to pursue that particular alternative than all the others.

However, we might still say that the force of the desire is normative *only to the extent* that it follows the stringency of the reasons that back the desire. This, Raz notes, is not a contingent fact, but follows from the idea that desires are based on reasons (Raz 1999, pp. 15, 17, 21, 54, 62). We can call this the *sophisticated proportionality thesis*. But this thesis, even if accepted, would not be of much help in the case of incomparable reasons since these can come with varying force on either side. Hence even if we normatively disregard the bit of force, which is out of proportion of the strength of reasons supporting the desire, we may still be in a situation where we have different strength on the two sides. And thus incurring difference can tip the balance of reasons and be normatively significant. The only possible response to this situation would be to completely disregard desire's force as a normatively relevant factor but this is not something I am prepared to do. For it is a claim about the *nature* of normativity, i.e. what the essential features of normativity are, whereas what we are dealing with here are the *bearers* of normativity, i.e. the considerations that carry normativity. I cannot discuss the other, even larger question within the confines of this paper.

Furthermore, although we might accept the thesis to hold most of the time, the case of tie-breaking is arguably an exception. I see two grounds for endorsing the thesis. One is rationality: the thesis gives us a plausible principle of rationality, especially if, like Raz (1999, Chaps. 1–3) or Scanlon (1998, Chap. 1, 2004, 2007), we

take rationality to be responsiveness to (conceived) reasons.¹² However, as both authors point out, this principle of rationality gives us no guidance in situations of tie-breaking. Since reasons are equal or incomparable, were we to respond to them proportionately, we would end up like Buridan's ass: indecisive and unable to act. To get out of this situation in a rational manner, we must, it seems, take desires to be reasons in these cases and respond to them appropriately (Raz 1999, pp. 65–66, 111, 116–117; Scanlon 2004, pp. 236–238). Moreover, it is not obvious that the thesis should be followed even in ordinary situations. As Richard Arneson (2007, pp. 23–29) points out, desiring the good disproportionately might be the best way to desire the good effectively, i.e. to attain as much good as possible. Proportionate desiring, he shows, might pose serious psychological obstacles in the way of the agent's attaining the most good she can achieve or has a realistic chance of achieving. At the same time, disproportionate desiring might help the agent to overcome psychological obstacles such as fright or exhilaration that impedes putting forth her best effort.

The second ground for endorsing the thesis is intentionality. The normative account of agency mentioned in the introduction may be employed here. Raz (1999, p. 17) brings the example of a heroin addict who desires heroin for reasons (pleasure, flight from harsh reality etc.), but finds her disproportionate urge for heroin incomprehensible. And, we should add, the same could be said of the affective desires of the first interpretation: they would be incomprehensible simply because they are not based on reasons. The claim is that in both cases the agent would disavow her desire, would find it alien, not under her control, and would consequently be passive in the face of it. As a result, one might consider these attitudes and the action they produce as lacking intentionality. They are more like urges than desires, purely functional states that do not provide reasons.

However, two considerations change this conclusion. First, the special nature of tie-breaking again matters. Even if the normative account of agency was right about ordinary situations, tie-breaking is an exception. In these cases, it is not incomprehensible for the agent to follow her desire. After all, the agent *is* doing something that she thinks there are reasons to do, *and* this is the only way for her to remain an acting, choosing agent. There is enough contrast here with the heroin addict to avoid classifying this desire as an urge even within the constraints on agency that Raz or Scanlon advocate. Second, it is arguable that the normative account of agency takes matters too far.¹³ Two considerations are taken typically to support it, both appear in Raz's above remarks: intelligibility and control. As to intelligibility, advocates of the Model have a parallel story to tell (cf. Smith 1994,

¹² Not everyone accepts that this is all there is to rationality. See Broome (2007) for a comprehensive criticism of the view. Here we should also note that Broome (2001), and more recently Brunero (2007) argue that desires—they prefer to speak of intentions—do not provide reasons even in tie-breaking situations. However, they see the Model as articulating a consistency requirement between the agent's desires and action/intention. And their claim centers on what is called the bootstrapping objection and relates to the ongoing debate on reasons and rationality. But not everyone is happy with this view of the Model and/or with the bootstrapping objection. See Schroeder (2007), Chaps. 5 and 7 for a defense of the Model against the objection, and Kolodny (2005), Scanlon (2007) for an argument that rational requirements are reducible to responsiveness to (conceived) reasons.

¹³ For further criticism of the account see Gert (2004a, Chap. 9), Hills (2007), Setiya (2007), Hurley (2001, 2007), Schroeder (2007, Chap. 8).

pp. 139–140). Intentional action is intelligible from the agent's point of view—the agent can see her action as achieving the goals set by her desires. Action is execution of the agent's aims and insofar it achieves this aim, it is justified. But even if it does not achieve this aim, it is still justified from the agent's point of view: the agent can see her action as in pursuit of a goal set by her desire. Raz's appeal to intelligibility thus leads us nowhere in our attempt to tackle the challenge of tie-breaking desires; at best what we reach is a stalemate.

Turn now to control. Here too there is substantial, unsettled disagreement. Chang (2004, pp. 69, 81) herself takes up this point. She points out that affective desires have intentional content, i.e. they are desires *about* something, whereas urges have phenomenological feel and nothing else. As a result, affective desires are ours in a way urges are not; our relation to them is one of active engagement: we *have* these attitudes. We might add that affective desires, unlike urges, come with a complex bundle of dispositions to think and react in specific ways; and to engage the agent's decision-making mechanisms. The presence of this complex bundle of dispositions does not seem to depend on whether the desire is based on reasons with its force being proportionate to the strength of these reasons (cf. Copp and Sobel 2002, pp. 259–263).

There is also some independent ground for claiming that the notion of control employed here is too strict. According to Audi (1993, pp. 165–167), control, as relevant for intentional action, can take two forms. One is control as reversibility: whether the agent, via her motivational system can resist the force of her desires, hence alter their direction, thus creating the possibility of alternative actions. The other is integration: whether the agent, via her motivational system can reduce the force of her desires, hence integrate them in her motivational system, thus ensuring the possible influence of opposing reasons. True, the case of the heroin addict can plausibly be claimed to be violating both conditions. But this is a pathological case and the reason why it is pathological is not because the addict's desire has a force that is out of proportion of the underlying reasons. It is difficult to prove this claim decisively, but it seems easy to imagine that the agent if necessary can restrain disproportionate force, and that the agent would be able to refrain from acting on such desires. The same, I believe, can be said of the affective desires of the first interpretation.

4 The best response to the challenge of tie-breaking desires

We have two interpretations of the claim that in tie-breaking situations desires can add to the reasons they are based on. One is the idea that in addition to reason-based desires, a further type of desire, an affective desire is present and tips the balance of reasons. Another is that the phenomenon of attraction, of affective feel is nothing else but the felt force of a reason-based desire, and it is in virtue of this force that the desire resolves the tie. To simplify matters, in what follows I will speak of affective desires without distinguishing the two interpretations. The task then is to accommodate affective desires in a way that is in line with the argument from reason-based desires.

Here is what I take to be the best proposal. Start with the claim that in tie-breaking situations the appeal to affective desires functions as a decision-procedure, as a sort of *escape principle*: if all value-based reasons have run out, it is time to bring in desires. Scanlon (1998, p. 48) says that in tie-breaking situations the agent “let the matter be decided by what happens to appeal to [the agent] at the time”, and Raz (1999, p. 63) agrees (cf. also Dancy 2000, p. 39). The point is straightforward: the reasons desires provide in such cases are conditional on the fact that there are no other value-based reasons present that could decide the issue. If this is true, Raz and Scanlon need not, after all, make an exception to their account.

One problem with this suggestion is that it hangs in the air. We want to say that the reasons desires provide are conditional, that is to say, derived from other reasons. But those reasons are not given; they are not substantiated. This is why in my introduction of the problem I found this way of putting the issue harmless: it does not seem to decide anything. It is just a figure of speech until we *justify* why to adopt this decision procedure and not just regard affective desires as reason giving in their own right. The second problem is that, as Chang (2004, p. 84) points out, even if we accept the proposed idea, it can only cover certain cases. In other situations, such as in many ordinary tie-breaking situations, desire, i.e. what the agent feels like doing can still serve as a reason in its own right. To take Chang’s example, in a choice between two equally delicious meals for dinner, the agent just as much can choose what she feels like doing *per se* than as to see her desire as mandated by an adopted decision procedure.

I think both problems have the same root. What we need is a background structure that explains *why* we adopt this particular decision procedure in certain situations and not others. If we can see this structure, which we can put in terms of *higher-order reasons*, we can substantiate the missing reasons and we can also see how much truth there is in Chang’s claim. Here is what I mean in more detail.

We can say that there is a scale along which we normatively evaluate affective desires as appropriate and inappropriate, with the degree of appropriateness varying from situation to situation. This scale, moreover, is governed by higher-order reasons that are not themselves based on desires. Following Chang, we can start with distinguishing two types of tie-breaking situations. If the available options are trivial or not important—as when the agent is choosing between alternative routes or between a banana and a pear—the agent’s affective desire gains normative relevance. But when the available options are crucial—as when one must choose whether to save one drowning stranger or two—what the agent is most inclined to do does not count. It might still be thought that the agent will decide on this basis since she *must* decide. But in these cases she can just as well adopt a random device such as flipping a coin or something similar. Either way of deciding will be equally horrible and inappropriate in the given situation and will cause corresponding bad feelings, typically guilt in her owing to a decision for which she cannot take full responsibility and which she cannot endorse as her own. The impossibility of resolving a dilemma in a proper way seems to be one defining feature of these moral dilemmas (Kis 2004, pp. 200–201, 203).

In the first type of situation, in the case of trivial decisions, the higher-order reason can be that of living a spontaneous life, whereas in the second case no

relevant higher-order reasons are present. Note that the value of a spontaneous life is just one possible reason the agent can cite. The point is just this: when agents choose what they feel like choosing in trivial tie-breaking situations, they do so on grounds of higher-order reasons, spontaneity is one of them, which they take to govern the employment of desires. Chang who also considers this sort of response is less enthusiastic, however. But what she says does not seem to me to be of much relevance. She points out that in the case of tie-breaking affective desires are relevant also in choices between careers, lovers, places to live, and so on, whereas the above analysis only holds for trivial decisions (Chang 2004, p. 85).

I see no difficulty here. In the case of unimportant, trivial choices we have referred to the higher-order reason of spontaneity as governing our choice. Why can we not come up with a higher-order reason here as well? We can appeal to self-realization as the operating higher-order reason, for instance, and then repeat everything what we have said above. In fact, we do not even have to appeal to such 'abstract' values. It has been pointed out, perhaps most eloquently by Sunstein and Ullmann-Margalit (1999, pp. 7, 11) that the reason why people employ higher-order decisions is efficiency: it is a way of avoiding or at least reducing the problems, i.e. the costs associated with making first-order decisions (cf. also Scanlon 2004, pp. 240–241). As Sunstein and Ullmann-Margalit show, there are a large number of such procedures depending on the circumstances they are employed in. I see no reason why recourse to affective desires cannot be one of these strategies, namely the strategy agents employ in a particular type of circumstances, that of tie-breaking. In fact, we have already seen a case when efficiency is appealed to as a reason. Arneson's point in the previous section fits the present framework well: efficiency is a higher-order reason to desire the good disproportionately. And if this is so, this, i.e. the reason of efficiency certainly justifies the employment of desires in almost all ordinary tie-breaking situations.

Chang, as far as I can make out, does not have a reply. In the end she entirely disposes of talk of background rationales even in cases of trivial importance: "[I]n so far as doing what one feels like is relevant to what one should do, 'feeling like it' can rationalize as an independent reason in its own right, not as a reason that is conditional on the other reasons being of trivial importance." (Chang *ibid*, p. 85) This is of course just the point made earlier, illustrated by the dinner meal example. But now it is much less plausible. It is somewhat strange that Chang first accepts both that in certain situations employing desires as tie-breakers functions as a decision procedure and that in cases of trivial importance there may be other rationales for such employment, and then she announces that 'feeling like it' serves as an independent reason even in these cases (and perhaps, she adds, only in these cases).

Why? We now have a perfectly plausible alternative that at least has the potential to cover the whole range of tie-breaking situations with appropriate rationales ranging from spontaneity through self-realization to efficiency. We can further multiply these reasons; this is really just a matter of ingenuity (recall what I have said about spontaneity). These rationales perfectly justify our use of affective desires as an adopted decision procedure, i.e. as one that is governed by a kind of escape principle. The exception is the case of moral dilemmas, but there, as noted,

no form of resolving the conflict appears to be adequate (nor does Chang think that recourse to affective desires in these cases would be appropriate, *Ibid.*, p. 84). But if affective desires are relevant only because they are *made* relevant by higher-order reasons, then they are not independent reasons, full stop. I cannot find anything in Chang's remark that would meaningfully question this thesis.

However, this may be too quick. Chang might be appealing to our intuitions; her example with the dinner meal suggests this. But I don't find this move convincing. First of all, as demonstrated by the distinction between the moral and the non-moral case, we, including Chang herself, make judgments of relevance or appropriateness when it comes to employing affective desires as tie-breakers. On what ground do we do this? When we speak of 'relevance' and 'appropriateness' we already presuppose something that decides when it is relevant to employ desires and when it is not. While a background structure of higher-order reasons is a good candidate to do this job, Chang provides no other plausible alternative.

There is another, related consideration that supports my case. Recall the sophisticated proportionality thesis according to which the strength of desires should reflect the strength of the reasons they are based on. Although I have argued that desires that do not conform to this rule can nevertheless be reason-providing, we can now incorporate the thesis. The present proposal introduces two sets of reasons, those grounding the desire and those governing the employment of the extra force of desires in situations if tie-breaking. Note that it is not claimed that one reason only plays one role. It is the content not their function that separates these reasons (though in a particular situation one reason can only be wheeled in once). In the first-stage of practical deliberation we deal with the first group of reasons, in the second stage with the second. Hence, although the force of a tie-breaking affective desire is not proportionate to the strength of the underlying first-order reasons, it is in the end governed by higher-order reasons. There are only two exceptions. In moral dilemmas we accept that there is no proper way to decide the matter, whereas in situations when the first group of reasons as well as the force of desires are tied, we pick.¹⁴

5 An objection to the response and what it achieves

There is, however, a problem with this response, a problem that Chang, strangely, overlooks. 'Strangely', because it is an obvious objection given that we are dealing with higher-order considerations: regress. It goes like this. Chang can reconfigure tie-breaking cases in such a way that we get a conflict of reasons on the higher-order level as well. And then she can further suppose that these reasons are also equal or incomparable and therefore we need to invoke relevant desires of the agent to break the tie. Of course, in response the value-based reasons theorist can invoke even higher-order reasons to support his case. Let us suppose that this is possible; this

¹⁴ Not necessarily. Chang (2009) proposes the employment of what she calls voluntaristic reasons in certain cases of tie-breaking. These are reasons that agents can create for themselves by an act of will. Cf. also Raz (1999, pp. 47–48, 65, 109, 111, 117) on the independent role of the will.

would, after all, be a charitable move from Chang. But this leads nowhere. For Chang can now reiterate her previous move holding that even these reasons are equal or incomparable, so again we need desires to break the tie—and so onto infinity.¹⁵

However, there is nothing in the original description of tie-breaking situations that would necessitate the existence of a tie on a higher level. Those situations concern first-order reasons and there is neither empirical, nor obvious theoretical support for the claim that whenever there is a tie on the first-order level, there *must* be a tie on higher-order levels as well. This means that the regress problem may only hold in certain cases, which in turn brings up the question of what exactly tie-breaking desires as counterexamples to the second premise are meant to achieve. Chang's (2004, pp. 57, 86) 'official' line on this is that *some* reasons are certainly provided by affective desires. What we get if we accept the normative significance of tie-breaking desires is thus a sort of hybrid account of practical reasons.

If we follow this line, the problem with the response to the challenge of tie-breaking desires leads to a partial reinstatement of the Model. At the same time, however, this reinstatement will be restricted. Since the existence of a tie on the higher-order level is not an essential characteristic of tie-breaking cases, only some, perhaps only few of them will fit this pattern. And if these cases turn out to be exceptional, which admittedly the reason-based desire theorist has the burden to show, they would make a thin case for the Model.

To achieve more than this, we must rethink the status of tie-breaking desires as counterexamples. I see three ways of doing this. Chang (Ibid, pp. 78, 68) offers the first, slippery slope type of argument. Her idea is that if affective desires provide reasons, then even in many cases when desires conform to both premises, this may just be the consequence of the agent's attraction to the object of the desire. One ground for claiming this I have already referred to (Ibid, pp. 85–86).¹⁶ Tie-breaking affective desires, on this interpretation, are feature-free attractions: they are attractions to the object as such. However, Chang claims, once we admit that the agent's attraction to the object as such is reason-providing, we can move onto admit that ordinary, feature-bound desires are often reason-providing in the same way: the object as such in their case is the feature itself. Her argument, if successful, shows that in the case of many ordinary desires any kind of normative thought on the part of the agent is better regarded as an independent disposition that is the *result* of the agent's attraction.

However, if the response to tie-breaking desires, even bearing in mind the problem it encounters, goes through, the move from feature-free to feature-bound

¹⁵ The fact that higher-order reasons can conflict has another consequence: that it can happen that the balance of these reasons is such that the agent should *not* employ affective desires in breaking ties, but should instead choose the *less* desired alternative. One might think that this is a problem since we are supposed to capture the intuition that in tie-breaking cases one should do what one feels like to do. However, this was true only when we had at our disposal first-order reasons only; now that we can wheel in higher-order reasons, there is no longer any such—rational or intentional—need.

¹⁶ The other ground forms Chang's negative argument against the first premise: affective desires that are not tie-breaking, but nevertheless are not reason-based. See Chang (2004, pp. 66–68). For similar examples see Copp and Sobel (2002, pp. 258, 267) and Setiya (2007, p. 38). I discuss these examples in my manuscript "Reasons and Desires: The Case of Affective Desires".

desires can hardly be maintained. Tie-breaking desires will in this case be only conditionally reason-providing most of the time. It is hard to see how Chang's general move could be carried out on such meager ground. After all, Chang's idea does not build on some kind of a logical, conceptual or metaphysical connection. It concerns merely our way of relating to the object of our desires, the idea being that once we see that feature-free attractions are reason-providing, we would come to see our feature-bound attractions in the same way and to regard our normative cognition merely as added post hoc rationalization. But once it is seen that feature-free attractions in fact play a limited role, much of this motivation will, I believe, disappear, and we will be more inclined to see these desires as exceptions to the rule. Admittedly, this is no knock-down argument, but then nor is Chang's point any more conclusive.

Turn now to the other two ways of increasing the significance of the counterexamples. Both rely on the claim that hybrid accounts are controversial. The second claims that a hybrid account relies on a duality in the sources of normativity; one internal to the agent, the other external, and that this is unacceptable. However, this claim does not lead us to strong objectivism. We can go either way from here, and the chosen path need not be the one that leads to the Model. Moreover, Chang (2004, pp. 88–91) herself argues that this 'duality' does not in fact occur, and Scanlon (2004, pp. 238–240) makes a similar point in the particular case of tie-breaking. They both claim that whereas the bearers of normativity are different on a hybrid theory, the source is the same, namely external.

The last attempt is probably the most effective. The idea is to build on the status of the two premises of the reason-based desires argument. For if these premises have the status of a conceptual, metaphysical or logical truth, one counterexample is enough to shatter them. However, this is certainly not the case with the second premise of the argument; hence invoking affective desires of the second interpretation leads no further than the hybrid theory mentioned earlier. Things are different with the first premise, though. This is more shaky ground since this premise does seem to offer an analysis of desire (cf. Hurley 2001, 2007; Schroeder 2007, Chap. 8), although it is not clear what advocates of the first premise think about this (cf. Quinn 1993, pp. 246–247, 247, 250; Dancy 2000, pp. 11–13, 36–37; Raz 1999, pp. 50, 54; Scanlon 1998, pp. 38–40, 2002, pp. 337–338, 340). Even so, what they must at least be offering is a theory of end-setting (thus reason-giving) states (cf. Bedke 2008, pp. 86–89), and this theory too is refuted if affective desires are end-setting, but not reason-based. In any case, in my interpretation the first premise derives from a conceptual circularity charge. And for this charge to be effective, there can be no exceptions to the premise. If there are, and we saw that there are, the charge, and together with it the premise collapses.

However, even if we accept this claim, we may not get to the Model. In this paper I have acted on the supposition that the first premise is right as to the description of how people relate to their desires. What we have so far seen is that there is one case the premise does not cover: affective desires. This, however, still leaves the premise right about most of our desires. Agents do think that they have reasons to have those desires, and now those reasons must be accounted for by the Model. And it is not obvious that it can do so. The problem is simple. The way the Model would ground

these reasons is by invoking another desire. But this desire must either be reason-based or it must be an affective desire—since, to repeat, this is the only proven case of desires that are not based on reasons. If it is the first, we invoke another desire to ground the relevant reasons, and so on. At some point, however, we must get to the end of the chain, and this end must be a desire that is not itself reason-based. That is, either way we must end up with an affective desire. But unless we are willing to go along with Chang's slippery slope argument and dispose of the agent's normative cognition as mere post hoc rationalization, there will be a fairly restricted set of affective desires to appeal to. And this will make it less likely that we will be able to base all or even most of our reasons on desires. The Model might thus be built on fairly thin ground even if affective desires do make the first premise collapse.

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