

Relativism and Constructivism: A Humean Response¹

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In the debate between roughly Kantian-inspired moral theories, and roughly Humean-inspired moral theories, one issue that the Kantians seem to have on their side is skepticism of moral relativism. Views that take their cue from Hume rather than Kant seem committed to claiming that the various sentiments, pro-attitudes, or motivations that serve to construct the content of morality can vary between persons. And if this is true, the content of morality itself varies. Any view that constructs the content of morality out of the *content-neutral* concerns of individuals is vulnerable to the reply that these concerns (whether they are passions, beliefs, other propositional attitudes), and along with them the content of morality, can vary.

This paper seeks to defend at least one Humean-inspired moral theory against the problem of relativism. Defending Hume against Kant is a daunting task, for many reasons. Not the least of these is that the moral theories of both Hume and Kant have a tendency to inspire views of very different kinds.² To narrow our discussion, I seek to discuss Humeanism and Kantianism in their *constructivist* iterations. In other words, I seek to defend one particular version of a view I call “Humean constructivism” (HC) against charges that it is inappropriately relativistic in the face of a “Kantian constructivism” (KC). If Kantian constructivism succeeds in

¹ This paper has received the assistance of many people, among them Richard Arneson, David Brink, Erin Frykholm, Mitch Herschbach, James Lenman, Donald Rutherford, Adam Streed, Nellie Wieland, and various anonymous reviewers.

² Compare, for instance, the projectivism of Simon Blackburn (*Ruling Passions* (Oxford: Oxford University Press, 1997)) and the “sensible subjectivism” of David Wiggins (“A Sensible Subjectivism?” in *Needs, Values, Truth* (Oxford: Oxford University Press, 1987)).

warding off relativism in a way that its Humean counterpart cannot, we should regard the problem of relativity as one point in favor—though perhaps not a decisive one—of KC. In this paper, I seek to outline a plausible account of HC, one that can adequately respond to the charge of relativism, and adequately live up to the moniker “Humean”.

1. Relativism

Before I begin my inquiry in earnest, it is worthwhile to say a few words concerning the problem of relativism itself. Why should we be troubled by moral relativism? In general, of course, a moral theory should be judged on its ability to accommodate our considered judgments in reflective equilibrium. If a particular moral theory systematically violates a number of our most important beliefs about the moral domain, its acceptance appears to be in substantial jeopardy. Offhand, it appears as though moral relativism does violate such beliefs. But which beliefs? And how strong are they?

First, some have argued that moral relativism presents a *normative* problem. If morality is relative, it loses its practical, normative force. If so, though morality might tell us what to do, its requirements will fail to be binding on agents. Korsgaard writes, for instance, that if moral principles fail to be truly universal, it is difficult to see why they could be normatively binding on agents. “[W]e might, had we been given a differently constituted moral sense, have approved a different motive and so a different action. So the action is not *necessarily* right. But then it is hard to see how it can be obligatory. An obligatory action is one that is binding—one that it is necessary to do. But if the action is not necessarily right, how can it be necessary to do?”³ Call this the problem of normativity.

I think we should be skeptical of the claim that the true problem of moral relativism is the problem of normativity. First, Korsgaard’s argument fails. She equivocates between senses of “necessary”. The first claim, i.e., that an action under a relativist (viz., sentimentalist) picture is

³ Korsgaard, “The Analysis of Obligation: The Argument of *Groundwork I*” in *Creating the Kingdom of Ends* (Cambridge: Cambridge University Press, 1996), 48.

not “necessarily” right is true only if we interpret “necessarily” to mean “universally”. But the second claim, i.e., that an action is binding if and only if it is “necessary to do” is only true if “necessary” is understood as *obligatory* or *required*. Distinguishing between these senses of “necessary” easily illustrates how an action could fail to be “necessarily right” (in the first sense of “necessary”) and “necessary to do”: morality is, and hence one’s obligations are, relative.

Further, it is unclear why we should believe that moral relativism leads to a lack of binding force. Combining moral relativism with the practicality of morality simply leads to relativism both about the moral domain and about the practical domain: an agent, in similar circumstances, can have practical reason to do different things given that morality requires different things of them. We might be more worried about the practical upshot of relativism if we are already convinced of a form of *existence internalism* about practical reason—in other words, if we embrace a view of practical reason that relativizes an agent’s reasons to an agent’s preexisting desires or motivations.⁴ It might be claimed that a relativistic morality would leave people less interested in behaving morally which, given internalism, would leave fewer people with a reason to behave morally—moral action would not be supported by a preexisting desire. (Although that a relativist morality would have this effect seems little more than speculation.) But if internalism is true when it comes to claims about normativity, the problem of normativity is a problem of degree and not kind: if internalism is true, the practicality of morality is held hostage to the preexisting motivations of agents anyway, even if morality is universal rather than relative. Relativity adds to the concern about morality’s normativity only along the margin.

It seems to me that the problem of moral relativism is something far more basic. The problem with moral relativism appears to be that it renders certain intuitive features of the moral enterprise nonsensical. When my friend Jerry and I disagree about a moral issue, it appears that we are having a genuine disagreement—that one of us (or both) are incorrect. One of the

⁴ Cf. Mark Schroeder, *Slaves of the Passions* (Oxford: Oxford University Press, 2008); Bernard Williams, “Internal and External Reasons” in *Moral Luck* (Cambridge: Cambridge University Press, 1981).

presuppositions of our disagreement is that at least one of us is uttering false claims—that both of us might be uttering true claims seems to violate a crucial presupposition of the activity in which we are engaged. This general presumption of efficacious disagreement surely holds, also, on a macro scale. It would be substantially surprising if moral criticism of the Khmer Rouge or South African apartheid was not efficacious: in other words, if there could be no genuine moral disagreement between proponents and critics of these regimes; that is, disagreement that is beyond simply disagreement about non-moral features of the world. Thus Horgan and Timmons write: “The trouble with relativism, we maintain, is that it cannot make good sense of *moral* disagreements—disagreements that cannot be explained as disagreements about the non-moral facts of the case.”⁵ Call this the problem of disagreement.

I think there is something wrong with moral relativism in the neighborhood of the problem of disagreement, but it is inaccurate to describe the inability to “make good sense of moral disagreement” as *the* genuine problem. Moral relativism is and remains unintuitive even in cases where moral disagreement is absent, or where moral disagreement is simply impossible. Consider, for instance, the ultimate scene in *Planet of the Apes*. Imagine now that Charleton Heston’s main character George Taylor was simply alone—that the planet was uninhabited by apes or any other sentient creature, for that matter. Moral disagreement, in this case, is impossible—there’s no one to disagree with. Even so, moral relativism seems problematic. When Taylor seeks to “damn” those who destroyed his planet “to hell”, it would be disappointing to be told that, according to their moral framework, the “maniacs” he is purporting to morally criticize had no moral reason to do otherwise, given their divergent frameworks.

One might respond by claiming that the genuine problem of moral relativism, then, is “potential” disagreement, or “counterfactual” disagreement, but these fixes seem to me to miss the main point. The problem of moral relativism does not lie in the problem of disagreement *per*

⁵ “Morality without Moral Facts” in *Contemporary Debates in Moral Theory*, ed. Dreier (Malden, MA: Blackwell, 2007), 228.

se, but in the problem of *criticism*. If Hitler, for instance, acted perfectly morally from the standpoint of his own framework, my concern is not that I can't genuinely disagree with him, but rather that my criticism of him is infelicitous. But infelicitous in what sense? After all, according to moral relativism, if I criticize Hitler, I do so from the perspective of my own moral framework, rendering my criticism legitimate (given the anti-Nazi content of my moral framework). But in seeking to criticize others morally I do not attempt simply to fit the actions of others into my moral framework. Moral criticism has a further dimension. When criticizing others morally, I am claiming that *they had moral reason to do otherwise*. Moral relativism cannot make sense of this claim; even though I might say that Hitler did something wrong—from my perspective—I cannot say, on the basis of its being wrong from my moral perspective, that Hitler had moral reason to do otherwise.⁶ I certainly have moral reason to do otherwise than Hitler, given my framework. But given his own framework, Hitler did not have such a moral reason; from his own standpoint, he acted perfectly morally (let's assume).

I think the problem of criticism is a better characterization of what is specifically problematic about moral relativism. Characterizing the problem of moral relativism as the problem of criticism also encompasses what was troubling about the lack of genuine moral disagreement between people of different moral frameworks. If I claim that *f* is permissible, and Jerry claims that *f* is impermissible, Jerry is claiming that he has a reason to not-*f* (Jerry's moral framework entails moral criticism of *f*-ers), whereas I claim that I have no reason to not-*f* (my moral framework does not permit of moral criticism of *f*-ers). Hence we have no genuine disagreement. I shall therefore, when discussing the problem of relativism, refer to the problem of "efficacious criticism."

2. *A Kantian Response*

The term "constructivism" is even less well-understood than "realism"—which is saying

⁶ This suggestion is neutral concerning whether moral reasons are genuinely practical. I do not wish to engage this discussion here.

something. For the purposes of this essay, however, when I use “constructivism” I mean a family of theories concerning the truth-makers of moral claims. Constructivism claims that at least one thing that *makes moral claims true* are the beliefs, attitudes, intentions, or maxims of moral agents and judges (or some abstraction thereof). Shafer-Landau contrasts constructivism and realism:

What is common to all constructivists is the idea that moral reality is constituted by the attitudes, actions, responses, or outlooks of persons, possibly under idealized conditions. In short, moral reality is constructed from the states or activities (understood very broadly) undertaken from a preferred standpoint...For constructivists, what reality there is depends crucially on the existence of the preferred standpoint. The way I would prefer to characterize the realist position is by reference to the *stance-independence* of moral reality. Realists believe that there are moral truths that obtain independently of any preferred perspective, in the sense that *the moral standards that fix the moral facts are not made true by virtue of their ratification from within any given actual or hypothetical perspective.*⁷

Constructivism, in opposition to realism, holds that moral claims are “stance-dependent” rather than “stance-independent”. Thus constructivism encompasses a fairly broad class of views. On my understanding, the essential feature of constructivism is its insistence that the truth or falsity of any moral claim depends, ultimately, upon the “ratification” of this claim by moral agents—by this procedure of ratification, moral truths are “constructed”. This form of ratification might take the form of a belief in, a commitment to, or a positive affective or conative response toward, the moral claims in question. (Thus, at least on terminological matters, I follow Shafer-Landau.)

But constructivism, as defined above, runs up against an immediate objection. If the ultimate authority over moral claims is given by a constructive procedure, or some form of authoritative ratification, doesn't that mean that we're committed to an insidious relativism about the content of morality? Moral agents do the ratifying, and moral agents differ when it comes to the morally authoritative attitudes or “stances”. In other words, because the world contains a wide swath of independent moral views, beliefs, and commitments, constructivists must be forced

⁷ Russ Shafer-Landau, *Moral Realism: A Defence* (Oxford: Oxford University Press, 2003), 14-15.

to swallow moral claims being answerable to this variability. We appear to think, in short, that moral claims hold come what may, in a way that *ratification* does not.

Some constructivists accept relativism. Others reject it. Shafer-Landau marks a distinction between “relativist” and “objectivist” versions of constructivism.⁸ Objectivist versions insist that the authoritative ratification is highly *abstract*: views that wish to avoid the relativity problem might “require the abandonment of even one’s deepest desires or cherished beliefs. The preferred standpoint may be literally unattainable by actual human beings, or attainable only after securing an extreme kind of cognitive and affective detachment from the attitudes one at present possesses.”⁹ This form of abstraction appears to be the textbook solution to the relativity problem for those constructivisms troubled by it. Kantian constructivism, of the kind endorsed by Rawls and Korsgaard, holds that though the ultimate authority of moral claims rests not with persons generally, but with persons *qua* rational agents. In describing her version of Kantian constructivism (when it comes to agent-neutral value), Korsgaard writes: “On a less metaphysical view, agent-neutrality does not mean independence of agents as such, but neutrality with respect to the individual identities of agents. On this reading, values are intersubjective: they exist for all rational agents, but would not exist in a world without them. I call this view of agent-neutral values *Intersubjectivism*.”¹⁰ On this reading, relativism is avoided by abstracting from the contingent beliefs, concerns, indeed, *identities* of actual agents. In this way, morality is stance-dependent, though non-relative. It applies to all rational agents, because all agents *qua* rational agents would ratify the same set of moral principles. Thus the problem of criticism is rebutted: all rational agents have a moral reason to adopt the maxims of a perfectly rational agent. Call this the “Kantian response.”

Indeed, this form of universality (universal application to all rational beings) is a basic

⁸ Shafer-Landau, 39-41. I prefer the term “universal” to “objective,” and so will use the former here.

⁹ Shafer-Landau, 40.

¹⁰ Korsgaard, 278. See also John Rawls, “Kantian Constructivism in Moral Theory” in *Collected Papers*, ed. Freeman (Cambridge, MA: Harvard University Press, 1999), 307.

requirement for Kant himself. Any moral pronouncement must be true for all rational beings:

Everyone must grant that a law, if it is to hold morally, that is, as a ground of an obligation, must carry with it absolute necessity; that, for example, the command “thou shalt not lie” does not hold only for human beings, as if other rational beings did not have to heed it, and so with all other moral laws properly so called; that, therefore, the ground of obligation here must not be sought in the nature of the human being or in the circumstances of the world in which he is placed, but *a priori* simply in the concepts of pure reason; and that any other precept, which is based on principles of mere experience—even if it is universal in a certain respect—insofar as it rests in the least part on empirical grounds, perhaps only in terms of a motive, can indeed be called a practical rule but never a moral law.¹¹

Thus is the problem of relativity eliminated: all rational beings are bound to the moral law, because the moral law just *is* the law of rationality; a synthetic *a priori* principle that is accessed by pure reason as such. The content of rationality commands certain inescapable moral duties: rational beings *qua* rational agents are committed to willing the Kantian categorical imperative. And the Kantian approach, if it works, is a clear and distinct response to the relativity problem. Kant shows that all rational beings have moral reason to obey the categorical imperative.

The question now before us is whether Kantian constructivism is the only constructivism that can avoid the problem of relativism. I contend that it is not. In the following section, I offer the broad outlines of a Humean constructivism. Following this, I argue that there is at least one form of a Humean constructivism that can avoid the most insidious forms of relativism. Finally, I argue that the fates of KC and HC *vis-à-vis* relativism are intertwined: there is no independent reason to believe that KC gets the better of HC as concerns the problem of relativity.

2. Humean Constructivism

HC is not a single view but a family of views. My task here is not to show that all views that are properly described as a form of Humean constructivism can avoid the relativity problem. Such a claim would be outlandish. Nevertheless, in this section I want to outline the broad outlines of HC—in the next section I will single out the most promising HC response to the

¹¹ Kant, *Groundwork of the Metaphysics of Morals*, ed. and trans., Gregor (Cambridge: Cambridge University Press, 1997), 2-3, Ak 4: 389.

problem of relativity.

A theory is a member of the HC family if it meets the principles set out as follows. First, according to HC, claims about morality are made true, not by conforming to some independent moral realm (whether natural or non-natural), but rather by the *ratification* of *authoritative agents*.¹² In other words, moral claims are not *stance-independent*. This feature of HC identifies it as properly a form of constructivism, but it does not distinguish it from Kantian constructivism.

The two remaining features of HC concern the proper constructive procedure, or, alternatively, the morally authoritative “stance”. The first crucial difference between KC and HC is the difference between which mental state actually accomplishes the ratification. For Kant, this sort of ratification is *willing*, or *self-legislation*. (Korsgaard sometimes prefers to use the term “valuing”.¹³) Though different iterations of HC might adopt different specifications of the form of authoritative ratification, the second crucial feature of HC insists that the proper form of ratification is not rational willing, but rather *concern*. This concern might take the form of a variety of mental states, including *desire* or other conative states—such as a disposition to praise or blame—or it might include taking pleasure in, taking pride in, or other affective states, some grab-bag of additional authoritative sentiments, or (and here my view departs rather radically from a standard Humeanism) it might construe *concern* as a *belief* in the moral requirement to perform a certain action, object, or event. I interpret “concern” in a way roughly similar to Connie Rosati’s understanding of the doctrine of “internalism,” Rosati writes:

Internalism about a person’s good should thus not be characterized in relation to

¹² It is worth noting that David Wiggins’ development of a Humean position in “A Sensible Subjectivism?” (op. cit.) fails to conform. Wiggins does not identify moral properties with those that are the subject of ratification, but rather with those properties that make appropriate a certain response by agents. Here “appropriate” is not delineated by the attitudes of any particular agent with a particular set of properties, but is rather delineated by those “property/response associations we are able to catch onto and work up into a shared way of talking, acting, and reacting” (Wiggins, 205). In this way, Wiggins’ moral predicates are “stance-independent”, because although moral properties are identified only by an essential reference to the reactions of agents (Wiggins, 194-6), these reactions are in turn judged “appropriate” by the presence or absence of the response-independent properties. There is no particular authoritative *stance* that renders moral claims true or false.

¹³ Korsgaard, *The Sources of Normativity* (Cambridge: Cambridge University Press, 1996), 132.

motivation narrowly construed. Rather, it should be characterized in relation to motivation in the broad sense. In this sense, to motivate is to prompt or elicit a proattitude—such as desiring, liking, being glad of, caring about, and so on—an attitude which may or may not be a motive to action. To say that something must motivate, in the broad sense, to be part of a person’s good, is to say that it must be something that can, in a positive way, matter to her or be an object of her concern.¹⁴

The second feature of HC’s understanding of the authoritative stance, and the final feature of HC, involves identifying not the authoritative mental state, but rather the set of cognitive conditions that must be present such that agents’ concerns are in fact morally authoritative. For instance, a Kantian will insist that the most relevant cognitive condition is practical rationality: the authoritative stance is identified as what the ideally practically rational agent would *will*. Humean constructivism permits of a wide variety of sets of authoritative cognitive conditions; some Humean views identify the authoritative mental state with concern, but note that only *fully informed* concerns are morally authoritative, for instance.¹⁵ One caveat. It is important for HC that the authoritative cognitive conditions be specified morally neutrally.¹⁶ It is important that HC avoid characterizing the authoritative cognitive conditions (and hence morally authoritative concern) in the way Korsgaard, rather than Rosati, characterizes “internalism”:

If we say that the agent comes to accept the principle through reasoning—through having been convinced that the principle admits of some ultimate justification—then there are grounds for saying that this principle is in the subjective motivational set of every rational person: for all rational persons could be brought to see that they have reason to act in the way required by the principle, and this is all that the internalism requirement requires.¹⁷

On Korsgaard’s view, authoritative “concern” would simply be that which persons have *reason* to be concerned *about*. But this, according to HC, puts the cart before the horse. For HC, agents have reason to care about what they in fact care about under cognitive conditions that are

¹⁴ Connie Rosati, “Internalism and the Good for a Person” in *Ethics* 106 (1996), 301.

¹⁵ Cf. Bernard Williams, “Internal and External Reasons” in *Moral Luck* (Cambridge: Cambridge University Press, 1981).

¹⁶ Thus we have a further separation between Wiggins’ Humeanism and Humean constructivism. See Wiggins, 187-9.

¹⁷ “Skepticism about Practical Reason” in *The Journal of Philosophy* 83 (1986), 22.

characterized value-neutrally. Importantly, the understanding of “concern” I have in mind is not simply what a given person actually cares about, at any particular point in time. Rather, “concern” can be given an idealized interpretation, so long as that idealized interpretation is itself morally neutral. Thus, for HC, moral frameworks are constructed in the following way: moral frameworks are constructed, and moral principles are made true, by conforming to the concerns possessed by agents in authoritative cognitive conditions. These cognitive conditions may, but need not be, idealized. A version of HC might suggest that what x is morally obligated to do is simply a function of what x *in fact* cares about—the authoritative stance being x ’s actual concerns.¹⁸

3. *Humean Constructivism and Human Nature*

There are two forms of moral relativism worth distinguishing. Call these moral relativism “in principle” and “in fact”. For a view to be relativistic “in principle”, it must be the case that, at least counterfactually, I x can have a moral reason to f according to my moral framework, and fail to have a reason to f according to x ’s moral framework. For a moral theory to be relativistic “in fact”, it must be not only relativistic in principle, but it must also be the case that moral frameworks actually diverge. A moral theory will be relativistic in principle if, under counterfactual conditions, morality is relative in fact. These two claims are separable. It might defend, for instance, a moral view that relativizes moral claims to a particular culture or society. This view would be relativistic in principle. However, if it is the case that, in fact, cultures or societies don’t disagree on fundamental moral claims, it is not relativistic in fact: I can never say, of any actual x , that x has reason to f from my moral framework when in fact x has no reason to f according to x ’s moral framework. Some relativists have claimed that their view is strongly relativistic in principle, but may be less so in fact.¹⁹

¹⁸ Cf. James Dreier, “Internalism and Speaker Relativism” in *Ethics* 102 (1991). See also Jesse Prinz, *The Emotional Construction of Morals* (Oxford: Oxford University Press, 2007).

¹⁹ Cf. Dreier, 22.

In this section, I want to explore one Humean response to relativism in fact. This view tinkers with the third and final crucial feature of Humean constructivism: authoritative cognitive conditions. In doing so, HC takes its cue from Hume himself. Hume argues that not all agents will maintain the morally authoritative cognitive conditions. For Hume, moral principles are those that conform to the “standard of taste”: “It is natural for us to seek a *Standard of Taste*; a rule, by which the various sentiments of men may be reconciled; at least, a decision, confirming one sentiment, and condemning another.”²⁰ In the aesthetic domain, as Hume goes on to note, the standard of taste is important in distinguishing those critics that are trustworthy and those who are not.

Whoever would assert an equality of genius between Ogilby and Milton, or Bunyan and Addison, would be thought to defend no less an extravagance, than if he had maintained a mole-hill to be as high as Teneriffe, or a pond as extensive as the ocean. Though there may be found persons, who give the preference to the former authors; no one pays attention to such a taste; and we pronounce without scruple the sentiment of these pretended critics to be absurd and ridiculous.²¹

For Hume, the standard of taste is arrived at by identification of properly authoritative cognitive conditions. Hume defines the standard of taste as the set of sentiments that people have or would have were they to be free of certain conditions that distort sentimental reactions. In particular, Hume believes that the influence of *prejudice* is an important distorting factor. Hume also mentions that a lack of practice and a lack of delicacy might rob sentiments of their authority. When an agent is caught up in, e.g., prejudice or other distorting factions, “his sentiments are perverted; nor have the same beauties and blemishes the same influence upon him, as if he had imposed a proper violence on his imagination, and had forgotten himself for a moment. So far his taste evidently departs from the true standard; and of consequence loses all credit and authority.”²² Furthermore, Hume identifies authoritative moral verdicts as verdicts that are issued

²⁰ David Hume, “Of the Standard of Taste” in *Essays: Moral, Political, and Literary* ed., Miller (Indianapolis, IN: Liberty Fund, 1985), 229.

²¹ “Of the Standard of Taste”, 230-1.

²² “Of the Standard of Taste”, 239-40.

under the auspices of the standard of taste.²³ Important to note, however, Hume's standard of taste is specified value-neutrally; in other words, it is specified without reference to an external moral standard (in the way that Korsgaard's is specified by reference to independent "reasons"). According to Hume, one possesses the standard of taste when one maintains sufficient delicacy, practice, proper comparison, and lack of prejudice. Whatever sentiments people arrive at when under these conditions are morally authoritative.²⁴

Taking Hume's account of the morally authoritative stance seriously, however, points in the direction of a reply to the problem of relativism in fact. Very early in Hume's *Enquiry*, he marks out two alternatives.

There has been a controversy of late, much better worth examination, concerning the general foundation of Morals; whether they be derived from Reason, or from Sentiment; whether we attain the knowledge of them by a chain or argument and induction, or by an immediate feeling and finer internal sense; whether, like all sound judgment of truth and falsehood, they should be the same to every rational being; or whether, like the perception of beauty and deformity, they be founded entirely on the particular fabric of the human species. (EPM 1.3)

In claiming that "it is probable, I say, that this final sentence depends on some internal sense or feeling, which nature has made universal in the whole species," (EPM 1.9) he seems to be betraying a particular leaning. *Contra* Kant, Hume does not think that moral judgments ought to hold of all rational beings in all possible worlds. But rather, he claims, moral principles are dependent upon the peculiar fabric of humans, generally.

And this fact is significant. Hume believes that morally authoritative sentiments will be shared across humanity, as a feature of the species. In this, Hume's inquiry into the nature of morality is indeed rightly seen as an inquiry into human nature: what we are investigating is not what some particular person would happen to care about at a particular time. Rather, we are investigating a deep fact about the structure of humanity generally, a deep fact about human nature (EPM 9.1.5, T 3.2.5.6, T 3.2.1.7).

²³ Cf. EMP App.1.21.

²⁴ "Of the Standard of Taste", 241.

As I suggested above, Hume's identification of the proper cognitive conditions are supposed to eliminate "distortions" in the sentiments of moral agents. But it is worth wondering what unpracticed or prejudiced, etc., sentiments are supposed to be distortions *of*. If these cognitive conditions distort one's sentiments, what do they distort one's sentiments away from? Importantly, Hume believes that the distortion is not away from some independently existing moral standard, but rather from *human nature itself*. Hume: "The general principles of taste are uniform in human nature: where men vary in their judgments, some defect or perversion in the faculties may commonly be remarked; proceeding either from prejudice, from want of practice, or want of delicacy."²⁵ For Hume, when someone seriously engages in a discussion of the aesthetic virtues of velvet Elvis paintings, their sentiments are out of congruence with human nature: they haven't taken up the required perspective. In that sense, for Hume, when one takes up the proper cognitive conditions, human nature *reveals* itself. We all share the same sentiments, but only when we take up the proper cognitive conditions.

If Hume's speculation is correct, Hume's own account of HC can reject relativism in fact. According to Hume, as a matter of empirical fact, authoritative sentiments are not split among groups. When taking up the authoritative cognitive conditions, agents display sentiments that are universal; when agents fail to display these conditions, their sentiments are distorted away from the sentiments that are common to our nature as human beings. Though this view does not reject relativism in principle, in the world in which we live groups will share entry points for moral criticism. Given Hume's sentimentalism, *if* any group had different sentiments, that group would subscribe to different moral principles—moral discussion with this group could not get off the ground. HC combined with a Humean account of human nature entails that there will be no radical disconnect between moral principles applicable to different groups.

For those who are troubled by moral relativism, relativism in fact is obviously the most

²⁵ "Of the Standard of Taste", 243-4. See also Sayre-McCord, 220.

problematic version. If Hume's view is plausible, relativism in fact fails. However, there are questions we can and should ask about Hume's rejection of relativism in fact. In particular: why the heck are we supposed to believe Hume's empirical presumptions? In particular, several have questioned whether there is such a universal sentimental nature. Consider, for instance, the following passage from Jesse Prinz:

[C]ulture is the primary source from which we get our values. We learn to be moral by undergoing a moral education, which involves being emotionally conditioned by the people around us, including caregivers, role models, and peers. The values we end up with are predominantly inherited from the values of others. Just as a culture can transmit religious beliefs, or vocational skills, it can transmit values. If we were not exposed to a culture (or cultures), we would not acquire the values we end up with, and we might not have any moral values at all. In this respect, morality can be regarded as a cultural construct.²⁶

Notice that Prinz's speculation is an endorsement of relativism in principle, not in fact; nevertheless, he goes on to note several important examples of cultural disagreement on morality, including disagreement about the moral acceptability of cannibalism, marriage, homosexuality, and sex among the young.²⁷ If sentiments can vary as widely as Prinz seems to indicate, there appears to be little hope for Hume's empirical supposition, viz., that, were we just to take up the authoritative conditions, we would agree on the basic principles of morality. However, it is also important to note that Prinz's speculation about the existence of relativism in fact merely suggests that there is relativism *among our actual sentiments and actual concerns*. Nothing that Prinz writes entails anything at all about the relativity or lack thereof of our sentiments when free of the various distorting sentiments. But there is, I think, at least *some* evidence that, shorn of distortions, there is much actual agreement. Consider, for example, Prinz's argument concerning culture. Far from conforming to the standard of taste, concerns that are maintained solely on the basis of one's own culture are likely to display precisely those distorting mechanisms that Hume mentions: in particular, prejudice and lack of comparison. When I condemn cannibalism given

²⁶ Prinz, 185.

²⁷ Prinz, 188-9.

my culture, it is likely that I do not have the proper experience to compare rejecting cannibalism to embracing it.

Furthermore, there is macroscopic evidence that, as wholesale cultures develop the standard of taste (including the rejection of parochialism and prejudice), moral sentiments and practices have a tendency to coincide. Martha Nussbaum stresses precisely this point in conjunction with cross-cultural moral judgment: “People are resourceful borrowers of ideas. The ideas of Marxism...have influenced conduct in Cuba, China, and Cambodia. The ideas of democracy, which are not original to China, are by now extremely important Chinese ideas. The ideas of Christianity...have by now influenced conduct in every region of the globe, as have the ideas of Islam.”²⁸ When people engage in moral conversation, they begin to compare their own practices and the practices of others, and their moral concern can be altered by precisely this cognitive condition. Furthermore, studies of the moral behavior of pre-cultural groups, including primates, appears to support the claim that there are some basic, shared, sentiments—including reciprocity and a form of altruism—that play an important evolutionary role.²⁹ (Thus it seems to me that Prinz’s suggestion that without culture there could be no morality at all is implausible given the evidence.)

Transmission of ideas across cultures, as well as the existence of certain very basic moral concerns appears to me to be good evidence for the claim that, once the proper perspective is taken up, relativism in fact is deflated. I offer this analysis tentatively, as the anthropological controversy is unlikely to be settled here. But, I think, the empirical data is not *entirely* against HC: there is good reason to believe that authoritative concerns are at heart, entrenched in the

²⁸ Martha C. Nussbaum, *Women and Human Development: The Capabilities Approach* (Cambridge: Cambridge University Press, 2000), 48-49.

²⁹ Cf. Jane Goodall, “Helping Kin in Chimpanzees” in *Ethics*, ed. Singer (Oxford: Oxford University Press, 1994), 60-1; Edward Westermarck, “A Universal Duty” in Singer, *op. cit.*, 61-63; Frans de Waal, “Chimpanzee Justice” in Singer, *op. cit.*, 67-9.

fabric of human kind.³⁰

However, empirical speculation we can only go so far toward vindicating HC from the problem of relativism. There remains an additional option for Humean constructivism. Even if Hume's empirical speculation is too strong, HC can tap into the anti-relativist power of an appeal to human nature by *fiat*. Rather than merely hoping that HC delivers universal results—results that accord with some robust regularity, HC can simply write the appeal to a universal human nature into the view itself. Indeed, there is evidence that Hume believed that human nature is a *crucially important* normative appeal. Consider, first, the standard of taste. Why does Hume identify proper comparison, lack of prejudice, sufficient delicacy, and sufficient practice as those cognitive conditions that are morally authoritative? These cognitive conditions are those under which we are more likely to express *human nature*: human nature plays a justificatory role in identifying, for Hume, the proper cognitive conditions. Only under *these* conditions, and not others, are people's sentiments not distorted from human nature itself.

That an appeal to human nature accomplishes normative work for Hume is reflected in the following:

The notion of morals implies some sentiment common to all mankind, which recommends the same object to general approbation, and makes every man, or most men, agree in the same opinion or decision concerning it. It also implies some sentiment, so universal and comprehensive as to extend to all mankind, and render the actions and conduct, even of the persons the most remote, an object of applause or censure, according as they agree or disagree with that rule of right which is established. (EPM 9.1.5.)

Here Hume is insisting that morality *must* appeal to sentiments common to human nature itself, not simply to *particular* sentiments individuals possess. How could HC capture the moral weight of an appeal to human nature and remain sufficiently (a) Humean, and (b) constructivist? I think there are roughly two ways, although I shall provisionally adopt the second. First, one could insist on an alteration of the second crucial feature of HC, the identification of “concern” as the

³⁰ For a more developed account of the non-relativity of moral systems, see [Author's Paper].

authoritative mental state. Rather than suggesting that the morally authoritative mental state is “concern” *tout court*, HC insists that the morally authoritative sentiment is a subset of actual concerns, viz., concerns that are widely shared across the species.³¹ In other words, HC insists that authoritative concern is not to be identified with the concerns possessed by the speaking agent, but rather with *human concern*. (This way would still leave open the possibility that, in addition to the sentiments reflecting a robust species regularity, they must also conform to the authoritative cognitive conditions.) The second option, I think, is closer to Hume’s intent. An appeal to human nature can be made by leaving *open* the third crucial feature of HC: the appropriate cognitive conditions are just those that would allow any particular agent to display concerns that are found in human nature itself. Hume believes that these conditions are practice, lack of prejudice, delicacy, and comparison. Maybe we agree, maybe we don’t. This form of HC simply declares that the target set of authoritative cognitive conditions are *whatever* cognitive conditions would allow an agent to develop those sentiments that display a robust species-wide regularity. Such a view would be compatible with HC; an appeal to shared, species-wide sentiments does not require an external normative standard from which to assess proper sentiments or concerns. (Two caveats. First, it might be that there is no set of universally shared sentiments; in that case, “human nature” might properly be defined in a weaker way, viz., as a *robust* species-wide regularity, rather than a trait that is universally shared. Second, particular persons that cannot, under any set of conditions, develop the sentiments that correspond to a robust species-wide regularity would, on this view, be properly characterized as beyond the moral domain. Just as morality does not apply to non-rational beings on Kant’s view, so does morality not apply to those who simply could not develop the sentiments found in human nature.)

This account of Humean constructivism embraces a form of perfectionism.

Perfectionism notes that human nature itself is an important normative principle, used in

³¹ Cf. Dale Dorsey, “Hume’s Internalism Reconsidered” in *Journal of Ethics and Social Philosophy* 2 (2008).

arguments by Aristotle,³² Green,³³ and others.³⁴ In addition, Kant's appeal to principles of rationality involves the intrinsic appeal of human nature as a guiding normative notion.³⁵ Any quasi-perfectionist view embraced by HC is bound to differ in substance from more familiar perfectionisms; human nature is generally understood to reflect humanity's rationality.³⁶ If so, a perfectionist constructivism might be expected to require the procedure of construction to reflect that rational nature in the way KC suggests. But rational agency capacity is not the only facet of human nature (if, in fact, it is a facet at all³⁷). Even if the capacity for rational agency is plausibly a feature of the human *essence*, we need not identify the normatively relevant aspect of human nature as the human essence.³⁸ Once we have settled, broadly speaking, on the embrace of a constructive procedure that settles on concern rather than rational self-legislation, we can make use of an appeal to human nature simply by restricting the authoritative sentiments to those that are widely shared across the species. Thus HC can appeal to the normative heft of human nature without relying on the rather speculative empirical supposition that all people would agree were they only to take up some independently specified set of authoritative cognitive conditions.

This quasi-perfectionist account of HC solves relativism in fact. Moral principles are settled by species-wide sentiments, those that might plausibly be described as a feature of human nature. Hence the truth of my claim that *x* has moral reason to *f* does not hinge on *x*'s moral framework or individual concerns. Rather, whether *x* does, in fact, have moral reason to do so depends on whether *f*-ing is ratified by sentiments displayed by a robust species-wide regularity

³² *Nicomachean Ethics*, book I, esp. 1097a-1098b.

³³ *Prolegomena to Ethics*, ed. Brink (Oxford: Oxford University Press, 2003 [1883]).

³⁴ Brink, "The Significance of Desire" in *Oxford Studies in Metaethics*, v. 3, ed. Shafer-Landau (Oxford: Oxford University Press, 2008).

³⁵ Cf. Kant, *Groundwork of the Metaphysics of Morals*, Ak. 4:395-7, 423; *The Metaphysics of Morals*, Ak. 6:386-9, 518-9.

³⁶ Cf. Thomas Hurka, *Perfectionism* (Oxford: Oxford University Press, 1993), esp. ch. 2.

³⁷ Cf. Philip Kitcher, "Essence and Perfection" in *Ethics* 110 (1999).

³⁸ Rationalism is explicitly product of an appeal to human nature that is already morally laden. Cf. Hurka, ch. 2.; Richard Kraut, *Aristotle on the Human Good* (Princeton, NJ: Princeton University Press, 1991), 318; Jennifer Whiting, "Aristotle's Function Argument: A Defense" in *Ancient Philosophy* (1988), 38-9. From a critical point of view,

(which may or may not require an appeal to a set of authoritative cognitive conditions, such as full information or Hume's own standard of taste).

I have so far shown that there is at least one version of HC that can reject relativism in fact. HC, as I noted earlier, is a big tent. Certainly it is compatible with the claim that some forms of HC reject relativism that other forms of HC accept it. But if we are concerned about relativism of this kind, we should give credit where credit is due: There is no structure feature of HC that requires relativism in fact. Furthermore, one particular form of HC that seems to conform to at least one reading of Hume's own motivations fully embraces a moral theory that is universal in fact, *via* an embrace of a form of quasi-perfectionism; defining authoritative sentiments as those that are important and widespread features of human nature.

4. *Contingency*

Relativism in fact is rejected by at least one form of HC. But relativism in principle remains. As I noted above, a view is relativist in principle if, under counterfactual conditions, morality is relative in fact. Is the perfectionist variant of HC subject to relativism in principle?

Yes and no. There are really two forms of relativism in principle that are worth distinguishing. If a view can reject relativism in principle so long as it's the case that, in every possible world or counterfactual scenario, there is efficacious criticism between moral agents in that world, HC can reject relativism in principle. If an appeal to human nature is written into the view, the "nature" of a species will change as possible worlds change, hence in any given world, moral truth fails to be relative—each possible world will simply imply a different set of concerns that display a robust species-wide regularity. However, if avoiding relativism in principle requires the ability, from our possible world, to criticize agents in *other* possible worlds, HC cannot accommodate its rejection. And perhaps this is a limitation for HC. After all, the following question still remains: *what if* our sentiments had been different? For HC, moral principles are contingent; were human concern different, morality would be different. Contrarily,

for KC moral principles are stable even if our sentiments had been wildly different. Principles of practical rationality, let's assume, are necessary (hence it cannot be that a perfectly rational agent in one world would will x while a perfectly rational agent in another world would will y). Thus Kant can claim that in any world, *rational beings* (whatever their sentiments, beliefs, or contingent identities) are committed to the categorical imperative.

Indeed, critics of Hume have insisted that the contingency of morality is, in fact, the true problem with sentimentalism *even if* HC could embrace relativism in fact. Though it might be universal for humanity as instantiated in the actual world, it does not capture the thought that moral judgments ought to be counterfactually stable, or apply to creatures that may not share humanity's sentiments. In discussing Hutcheson's account of moral sentimentalism, Balguy notes that if moral principles are to maintain their "dignity" and "beauty", these principles must be not only "natural" but *necessary* as well.³⁹ Not only rationalists, but also some moral realists believe that moral principles must be stable across possible worlds.⁴⁰ And it is not hard to share the impulse to declare that moral principles are necessary. We have intuitions, often strong, about the counterfactual stability of moral principles. The meta-intuition that "causing suffering simply on the basis of hair color is wrong" is itself counterfactually stable is very strong and hard to dispute. Call the second form of relativism in principle "modal relativism".

One possibility for HC is to argue that the modal reach of moral principles can be expanded, so long as we fully understand the proper "authoritative stance". For instance, Geoffrey Sayre-McCord argues that Hume's "general point of view" can alleviate worries about morality's contingency. If we imagine a creature with vastly different sentiments, viz., a creature that maintained sentiments that were generally malicious rather than benevolent,

Hume might then have no grounds for criticizing their adoption of the malicious

³⁹ John Balguy, "The Foundation of Moral Goodness, Part I" in *British Moralists*, ed. Selby-Bigge (New York, NY: Bobbs-Merrill, 1964), v. ii, 60. Similar thoughts are expressed at 63.

⁴⁰ Cf. David O. Brink, *Moral Realism and the Foundations of Ethics* (Cambridge: Cambridge University Press, 1989). Brink appears to believe that moral principles are *a priori*, synthetic, and necessary.

standard—as long as its adoption by them, in their circumstances, does not have a tendency to hurt those “who have any immediate connexion or intercourse” with them. It is conceivable, though only barely so, that in their circumstances, given their malicious nature, the standard that reflects their disposition would properly secure our approval. Their practice might, that is, be approvable from the general point of view. More likely, though, would be the discovery that their standard deserves our condemnation precisely because its adoption by them would tend to undermine the welfare of those affected. In any case, given our circumstances, and our nature, there is little question that regulating our judgments by appeal to the general point of view has a tendency to benefit us all.⁴¹

Sayre-McCord is surely correct: *given* our sentiments, as corrected by the general point of view, we would have reason to condemn any standard that had deleterious effects on the lives of those who were subject to that standard: the general point of view brings these persons into the set of those whose lives we take a sympathetic interest in. But, it is important to note, a Humean view can only establish that *we* would condemn such a standard. This condemnation is based on *our* sentimental reactions as possessed while enduring the proper cognitive conditions. Hence, this does little to solve the problem of efficacious criticism. Do these creatures have a moral reason to conform their practice to our system of approbation and disapprobation? It seems that the answer is clearly no. If the scope of moral principles is determined by the scope of sentiment, Hume cannot, simply by making use of the general point of view, respond to modal relativism.

In order to ascertain how deep a problem modal relativism is for HC, it is important to have a full picture of HC’s modal resources. It is important to properly imagine the possible worlds in which human concern—those concerns that display a robust species-wide regularity—is actually different than it in fact is. Of course, we might have turned out differently. We might have approved of other things than beneficence, or approved of beneficence in a different way, or for a different reason. But there are contingencies and contingencies. Contingent properties vary in their importance. The color of my hair is a contingent property of me. Nevertheless, not much about me would change were the color of my hair to change—and not much about me would

⁴¹ Sayre-McCord, 227.

have to be understood in radically different ways if that were the case. Though hair color is contingent, it is not, shall we say, *deep*—it does not express a property that would entail a radical revision of other contingent properties. But other contingent properties of myself are deep: my basic preferences and beliefs—enjoyment of philosophy, concern for my sister, sexual orientation, etc.

But consider: if there is a set of sentiments that can properly be said to be a feature of human nature, a robust species-wide regularity, this is no mere accident. It is no mere property that humankind might shrug off and appear nearly the same. If there is a set of sentimental reactions that display a robust regularity across the species, though this is a contingent fact, this fact is a *deep* contingency. What would have to be true for us were we to have significantly different authoritative sentiments? It is possible that we might have evolved differently—we might have gone through a radically different history of social interaction than we in fact did. We might instead care very little for those close to us—perhaps our narrow circle might have been inverted, or it might have been tightened in an extraordinary sense (to the limit of concern only for one's own well-being). There is a further way of expressing the deep nature of moral sentiments: how *distant* must a possible world be from the actual world to have it be the case that humankind, or some segment of humankind, developed different sentiments? I suggest: quite distant. Humans would have had to have developed an entirely different way of understanding the relation between themselves and the world around them—enough to make the resemblance between the affairs of such creatures and the affairs of actual humans unrecognizable. Though a different set of authoritative sentiments might be a metaphysical possibility, it is a distant one.

Thus it is illegitimate to assume that, when considering whether KC does a better job than HC in delivering counterfactual stability, the creatures possessed of various problematic sentiments are *just like us* but for having these sentiments. These creatures are different in the extreme. They have totally different evolutionary histories and a radically different psychological

constitution. The world in which their sentiments were formed is significantly different from ours. Though HC cannot deliver the necessity of moral principles, it can deliver a counterfactual scope that is significant and robust.

Is this enough? Though this move is likely to be embraced by Humeans, it is also likely to be insufficient in solving modal relativism. Why? Simple: it does not solve the problem of criticism for those creatures that are different enough to have developed a different set of authoritative sentiments. Though HC can significantly widen the modal scope of moral principles, it cannot guarantee that these moral principles will be necessary. It appears we have arrived at a fundamental feature of a Humean view. Authoritative sentiments, under whatever description, are contingent.

It is worth pausing at this point to consider the differences between HC and KC when it comes to the problem of relativism. Recall that KC seemed to avoid the problem of relativity by yoking moral principles to the rational nature of human kind: as Korsgaard says, moral principles are constructed given the various maxims that our “core” rational nature is committed to willing. This appears to solve relativism in principle as well as in fact. Furthermore, it appears to extend the modal scope of the moral domain significantly—to all rational beings. However, it is worth noting that the Kantian gambit has its own modal limits. Morality here extends universally, but only for creatures with sufficient rational agency capacity. To re-quote Korsgaard: moral principles “exist *for* all rational agents, but *would not exist in a world without them*” (my emphasis). In this way, KC holds that domain of morality is limited. A world without rational beings is a world without moral principles. Furthermore, for worlds with moral principles, those moral principles will apply to someone only insofar as she possesses the capacity for rational agency. Lacking the power of rationality removes one from the domain of morality. But this fact opens the charge that KC is, in fact, modally relativist. After all, just as HC fails to deliver efficacious criticism for creatures that are sufficiently different from humans along the dimension

of concern, KC fails to allow efficacious criticism of creatures that are sufficiently different from humans along the dimension of rational agency capacity. Any moral criticism of a creature of diminished rational agency capacity is nonsensical: these creatures are simply out of bounds, morally speaking.

I do not mean this as an objection to KC. We certainly don't think that *all* living things are subject to the moral law. Very rarely would we be tempted to agree with Werner Herzog, in claiming that "the common denominator in nature, as we find it out here among wild bears, is hostility, chaos and murder."⁴² Hostility and chaos, perhaps, but not *murder* (insofar as murder implies wrongdoing or a moral judgment). Most would simply not make the judgment that an act of such a creature is morally evaluable. And this point is significant: though it is not truly *universal*, Kant's constructivism is universal *enough*. It is not incumbent upon Kant to extend the scope of his constructivism: stopping *here* satisfies our considered judgments concerning the scope of morality and the use of moral terms by moral agents and judges. Universality enough does not require Herzogian universality.

But if KC is not in trouble on grounds of modal relativism, it is hard to see why HC should be. Any suggestion that HC does worse than KC when it comes to modal relativism appears to beg the question against HC. Here's why. It is worth wondering why the modal limits of a Humean view are any more problematic than the modal limits of a Kantian view. Why should the reach of efficacious criticism be set properly along the lines of the modal scope of KC rather than HC? It is difficult to see why we should accept that KC has the correct modal scope of efficacious criticism, and HC has an incorrect modal scope of efficacious criticism, *unless we are already committed to the main claims of KC*: morality and moral principles are ratified not by concern, but rather by ideal rational agency. The only reason we should be inclined to accept

⁴² "Examining the 'Grizzly' Details", *The Washington Post*, 8/7/2005. This theme is present in a number of films by and about Herzog, including *Fitzcarraldo*, *Aguirre: Der Zorn Gottes*, *Grizzly Man*, *Burden of Dreams*, and *Mein Liebster Fiend: Klaus Kinski*.

rationalist modal limits rather than sentimentalist modal limits is a prior commitment to the importance of rationality as the proper constructive procedure for moral principles or frameworks. But if we are already so committed, we are already committed to the rejection of HC. Hence it seems to me that if Kantian constructivism can deliver plausible results when it comes to modal relativism, one *must* agree that HC can deliver the same; in refusing to do so, one displays one's commitment to the claim that the domain of morality should be settled not by sentiment, but rather by rational agency capacity. The objection from modal relativism is no independent reason to reject HC in favor of KC.

One might respond that the modal limits of a rationalist view are more plausible independently than the modal limits of HC. I will consider two possible justifications for this claim. First, one might suggest that a Kantian view can expand the modal scope morality *wider* than a Humean view. If relativism is a problem, and we want less relativity rather than more, we should embrace KC. Second, one might claim that the modal limits of rationalism are importantly different than the modal limits of Humeanism. For Humeanism, the modal limits do not determine the scope of moral obligation, but rather the *content* of moral obligation. For a rationalist view, the modal limits determine not the content of morality—the content of morality stays fixed—but rather the *application* of morality, the *domain* of moral obligation. It might be thought that Humean relativism is somehow more pernicious given this fact.

In response to the first suggestion, it is unclear that a Kantian view establishes a wider modal scope of efficacious criticism than a Humean view. Indeed, the suggestion itself is unclear. It might mean that there are more possible worlds containing creatures within the domain of morality—more creatures that are capable of acting rationally. But interpreted this way, I see no reason to believe the claim that rationality is more widely shared than the particular moral sentiments instantiated in human nature. On the contrary, even in our own world there is a wide range of creatures that seem to positively respond to basic moral ideas such as reciprocity

but that could not plausibly be described as possessing anything like sufficient rational agency capacity (viz., non-human primates). Furthermore, the extent to which any given human will possess rational agency capacity is scalar. One can possess the capacity to act rationally to greater and lesser degrees. If that is the case, as one becomes “less rational” one will be in the domain of morality to a lesser degree. But this simply entails that virtually all creatures with any degree of rational agency capacity at all will fail to be in the domain of morality and hence fail to be the subject of efficacious criticism *to some extent*. HC does not have this implication: for HC, whether f is a moral requirement for x depends on whether x is a member of a species whose species-wide sentiments mirror those of human nature (which, if x is a human, she is). I submit that this fact itself renders HC’s modal scope *at least* as wide as KC’s. Perhaps this is all wild speculation. More cautiously, there appears to be no particular reason to believe that the scope of moral universality is wider, modally speaking, under KC than under HC.

In response to the second suggestion, it is unclear to me that the Kantian picture—in which there is only one true morality, but its domain is modally limited—is more independently plausible than the Humean picture—in which the domain of morality extends widely, but with different content associated with different species-wide concerns. First, why should we believe that the mere fact of the possible existence of “multiple moralities” makes Humeanism problematic in the way that rationalism isn’t? Most importantly, the mere fact that KC declares that certain individuals are outside the domain of morality does nothing to alleviate the problem of efficacious criticism. Indeed, criticism of anyone’s actions that simply fall out of the bounds of morality is no more efficacious than criticism of a person’s actions that fall under the domain of *another* morality.

However, a Kantian might respond by further parsing the problem of efficacious criticism. When George Taylor, for instance, criticized those who had destroyed Earth, the problem was that they *had a moral reason to destroy Earth* (assume), not that they *lacked a*

moral reason not to destroy Earth. The problem of efficacious criticism is really no problem if we are morally addressing creatures or entities, such as rocks or wild bears, that have no moral reason to do anything. The problem of efficacious criticism is only a problem if we are morally addressing creatures that actually have contrary moral reasons. In other words, because it is simply less problematic to fail to criticize creatures with no moral reasons whatsoever, and given that any failure of efficacious criticism that KC entails applies to creatures with no moral reasons whatsoever (because these creatures lack sufficient rational agency capacity), KC's modal relativism is less problematic independently than HC's modal relativism.

This response is plausible but it seems to me insufficient. We would all agree that a failure to criticize rocks or wild bears seems not to cause any particular difficulty. Luckily, neither Kant nor Hume requires efficacious moral criticism of rocks or wild bears. But this seems to me not to entail the more general claim that, independent of our commitment to any moral theory, we should find the inability to criticize creatures that have no moral reasons whatsoever less problematic. It is only less problematic if we think that those creatures who lack moral reasons are those creatures it is more plausible to declare are out of bounds when it comes to efficacious criticism. And given that *both* theories will declare that certain creatures are out of bounds when it comes to efficacious criticism, which theory gets the story correct is going to depend on which theory we regard, overall, as more plausible. To put this in other words, the extent to which we believe that a failure of efficacious criticism is a problem for any moral theory is certainly not independent of the particular *creatures* we believe it is plausible to criticize; and an accounting of these creatures will only count *against* HC if we already accept the general outlines of a Kantian morality, as argued above.

To sum up: it seems to me that there is good reason to believe that a quasi-perfectionist HC is plausible and can reject relativism in fact. Further, I cannot see how the rejection of a Humean constructivism on the basis of the concern for modal relativism does not simply pound

the table for a wholesale rationalism. After all, rationalism limits the scope of efficacious criticism, not along sentimental lines, but along the lines of rational agency capacity. But we will believe that this division is more only if we believe that rationality should form the crucial engine of authoritative moral endorsement, which we will believe only if we are inclined to reject the Humean emphasis on contingent, though deep, human concern. We should therefore reject modal relativism as an independent reason for rejecting HC.

5. *Conclusion*

HC is an attractive account of morality. It implies that moral principles are binding as a result of the content of our basic concerns. In my favored interpretation, it implies that moral principles are ratified not by particular concerns of individual agents, but rather by concerns that are widely shared across the species. To avoid relativism in fact, we needn't look farther than a version of HC that is itself independently plausible and accurately reflects Hume's own interest in an appeal to human nature. Though HC entails that moral principles are contingent, its contingency is no more *independently* problematic than the contingency entailed by Kantian constructivism. KC itself delivers the verdict that creatures in other possible worlds, who lack rationality, cannot be effectively criticized, just as HC entails that creatures in other possible worlds, who lack the sentimental structure of humanity, cannot be effectively criticized. KC only defeats HC when it comes to the problem of relativism if we are already convinced that the proper morally authoritative stance ought to be that of rationality rather than human concern. In my favored interpretation of HC, we have found a Humean response to the problem of relativism.