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BY TRAVIS N. RIEDER

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Travis N. Rieder

A COMPLETE MORAL THEORY MUST PROVIDE an account of what is often called “moral motivation,” the job of which is to explain “what reason one has to be moral.” This much tends to be agreed upon. Less clear, however, are the details concerning what is being demanded. The term “moral motivation” seems to imply that what is sought is primarily a psychological account, concerning, perhaps, *what does or could* motivate an agent to moral action. The language of “the reason to be moral,” on the other hand, has a normative ring to it: The explanation being sought here concerns *what reasons there are*. Thus while there is largely an agreement on the need to provide some kind of account concerning the link between morality and motivation, the details are unclear in the abstract, and anyone hoping to answer the call must do some clarificatory work at the beginning.

T. M. Scanlon, in making a case for his unique brand of contractualism, does just this. In his words, a satisfactory moral theory must “explain the reason-giving and motivating force of judgments of right and wrong” (1998: 147) – a challenge that clearly has both motivating and normative components. Rather than explaining “why one ought to be moral,” or “why one has reason to be moral,” Scanlon interprets the moral motivational question as asking “how the fact that an act is wrong provides a reason not to do it” (1998: 147-49). And this question can be read in two different ways. On the one hand, we want to know the answer to an empirical question, namely: What do we care about when we care about right and wrong? And on the other hand, we are asking a normative question: Why is right and wrong something we must care about (1998: 148)? *The* question of moral motivation, then, is actually two questions. For this reason, Scanlon suggests that a better name for the challenge of “moral motivation” is “the motivational basis of morality,” as this name wears its dual character more clearly on its face.¹

In *What We Owe to Each Other*, Scanlon outlines the central problem facing any account of the motivational basis of morality, providing his own, contractualist solution. The problem, Scanlon thinks, is to navigate “Prichard's Dilemma” (PD), which arises from the demand that explanations of the reason to act morally be both (a) helpfully explanatory and (b) relevant to morality. According to PD, all moral theories must explain the reason to be moral by reference either to a moral consideration or a nonmoral consideration. Explanations by reference to moral considerations, however, are trivial and unhelpful (thereby violating (a)), while explanations by reference to

¹ He does, however, continue to use the exceedingly handy phrase “moral motivation,” and so I will do the same.

nonmoral considerations offer implausibly external incentives to be moral (thereby violating (b)). Scanlon's solution to this dilemma is to explain the reason to be moral by reference to a moral-but-still-helpful value – namely, the value of living with others on terms that all can accept.

In this paper, I will accept many of Scanlon's philosophical commitments. Despite this theoretical friendliness, however, I will suggest that Scanlon's own solution fails to navigate PD. I then attempt to derive an alternative solution from his framework, but argue that it, too, fails. In the end, I take the failure of these promising views to indicate that PD is unlikely to be solved by a traditional account of moral motivation, and so suggest a change of strategy.

1. Prichard's Dilemma

According to Scanlon, any attempt to provide an account of the motivational basis of morality faces a difficult challenge, which he calls "Prichard's Dilemma," after H. A. Prichard's description of a similar dilemma (1912). The challenge here is that the question – "Why be moral?" – seems to require, on the one hand, a moral answer. One has reason not to act immorally because the fact of an action's being wrong is a reason not to do it. But this, of course, is not much of an answer at all; it takes the reason-giving force of morality for granted, when the reason-giving force of morality is precisely what we want explained. The same is true of other, closely related answers to the moral-motivational question. In a particularly Kantian moment, one might be tempted to say that one has reason to be moral "because it is one's duty,"² but this answer fares no better. It simply assumes that duties have reason-giving force, which is to say that morality has reason-giving force. On this horn of the dilemma, the answers are what Scanlon calls "trivial," or what I call "unhelpful," as the explanations take for granted precisely the phenomenon that we are trying to explain.

On the other hand, one might attempt to provide a clearly nontrivial, obviously helpful explanation of the reason to be moral by reference to a nonmoral consideration. For example, one might think that the most satisfying way to account for the reason to be moral would be to show that being moral would make one happy, or would otherwise be in one's interest.³ But on this horn, we face a different challenge, as such an answer seems to provide one with the wrong kind of reason to be moral. If I ask why I have reason to donate to famine relief, there seems to be something inappropriate

² Whether this was in fact believed by Kant, it is a popular interpretation of claims he makes in *Groundwork* (1996: 37-109) and elsewhere. Scanlon, himself, seems to think that Kant holds such a view (1998: 148-49).

³ The popularity of this move can be seen as far back (at least) as Plato's *Republic* (2004), in which Socrates accepts Glaucon's challenge to demonstrate how the just person is better off than the unjust, regardless of how the world might conspire against the just person. Socrates then spends the entirety of the *Republic* attempting to discharge this burden.

about citing how good it will make me feel in response. To do so, Scanlon says, would be to offer an “implausibly external incentive” for acting rightly. And the whole Kantian tradition seems to recognize this danger, as it tells us that such an act would lack true moral worth; what one *ought* to do is act rightly out of respect for the moral law. While considerations of one’s happiness might in fact motivate some people to perform some right actions, such considerations are not what we would expect the paradigmatically moral person to cite as her reason for acting. According to this set of intuitions, then, an account of the motivational basis of morality must also be relevant to morality.

PD, then, demands of any account of moral motivation that it be both helpfully explanatory and relevant to morality. While Scanlon makes this challenge fairly quickly, I take it that his intuitions are widely shared. Accounts that explain our reason to be moral in terms of our happiness or interests do, in fact, seem to have a problem explaining the special value of acting out of duty, while those that explain our reasons by reference to very closely related concepts like “duty” are unsatisfying.

Although Scanlon’s analysis of the two, competing desiderata for a theory of moral motivation is compelling, the challenge is not a true dilemma. Instead, candidate moral motivational accounts seem to be able to succeed more or less with regard to the criteria of relevance and helpfulness. This can be seen even in the two “trivial” candidates, as the Kantian view that one has a reason to act rightly because it is one’s duty is slightly less trivial (and therefore more explanatorily helpful) than the view that one has a reason not to act wrongly because the fact of an action’s being wrong just is a reason. Similarly, although many bristle at the idea that one has a reason to act rightly because it would make her happy, it is plausible that this is a more morally relevant answer than “one has a reason to act rightly because it would result in more facial muscles being used” (supposing that were true). And so it in fact looks like PD is not a genuine dilemma, but a challenge of meeting two, seemingly contrasting desiderata, solutions to which satisfy these criteria to more or less a degree. Scanlon says, similarly:

Answers [to PD] can thus be arrayed along one dimension according to their evident moral content, ranging from those that appeal to what seem most obviously to be moral considerations (thus running the risk of triviality) to those having the least connection with moral notions (thus running the risk of seeming to offer implausibly external incentives for being moral)” (1998: 150).

Scanlon’s setup of the moral motivational problem does, however, help us to see why PD – although not a true dilemma – is so challenging. The moral motivational question, remember, has two parts: A successful theory must explain both “what we care about when we care about right and

wrong,” as well as “why this is something we must care about” (1998 148).⁴ Or, more positively, a successful view will ground the reason to be moral in “a substantive value which seems at the same time to be clearly connected to morality and, when looked at from outside morality, to be something which is of obvious importance and value, capable of explaining the great importance that morality claims for itself” (1998: 151). Although Scanlon uses slightly different language in different places to characterize the second half of this burden, the general idea throughout is that a solution to PD requires identifying a reason to be moral that both seems to be of the right kind (and so morally relevant), and that is *appealing in itself*, even when viewed apart from morality. When we focus on the latter half of the challenge, we are pushed in the direction of looking for incentives: What kind of reason can we come up with that seems obviously compelling, in itself, apart from any relationship to morality? Such nonmoral incentives, however, remind us of the former half of the challenge, and we find ourselves dissatisfied with a view that has paradigmatically moral actors acting for nonmoral reasons. Thus, we simultaneously want the answer to have moral content, to satisfy the former half of the challenge, while being devoid of moral content in order to satisfy the latter. A satisfying solution to PD must somehow convince us either that a moral explanation can be helpful and nontrivial, or that a nonmoral explanation can still be morally relevant.⁵ On my understanding of Scanlon’s account, he opts for the former strategy, to which I now turn.

2. Scanlon’s Account: The Good of Mutual Recognition

According to Scanlon’s well-known criterion of wrongness, an act is wrong just in case it would be disallowed by any set of principles that others, similarly motivated, could not reasonably reject (1998: 4, 153).⁶ Or, in Scanlon’s own shorthand: An act is wrong if it could not be *justified* to others on terms

⁴ The language of “why this is something we must care about” should not mislead us about Scanlon’s intention. His goal in answering PD is *not* to respond to “the amoralist” – that is, to come up with a reason to be moral that will convince any individual that she has a reason to be moral (see 148 for his rejection of this project). Rather, as I try to explicate in the paragraph as it continues, Scanlon is arguing that one requirement of a theory of moral motivation is to make the value, desirability or appeal of acting morally clear, without presupposing the appeal of morality. And consistent with his views on value and reasons, if something is valuable, desirable, etc., then there is reason to care about it. Scanlon is not trying to *convince* the inconvincible, then; he is explaining how it is that each of us can understand the value of acting rightly without appeal to the *moral* value of acting rightly. My thanks to multiple anonymous reviewers for pushing me to make this point more clear here and throughout the paper.

⁵ Or, it must reject the implicit assumption that there is a single reason to be moral. This is the route that I will take in the final sections of this paper.

⁶ To be more precise, this is actually Scanlon’s account of *interpersonal* morality, or *what we owe to each other*. In what follows, I will simply follow Scanlon’s lead – referring only to this more restricted domain, but continuing to use the language of “morality” and “wrongness” to refer to it.

they could accept. The challenge of accounting for the motivational basis of morality, then, is to explain why the fact that some act is unjustifiable provides a reason not to do it; the additional challenge of PD demands that Scanlon's explanation be both helpful and morally relevant. Scanlon believes he has such an explanation in the value of mutual recognition.

"Mutual recognition" is Scanlon's name for a particular relationship in which people are capable of standing – in particular, of the relationship that one has with others when both she and they are living on terms that no one could reasonably reject. While Scanlon admits that standing in mutual recognition with others is much less personal than relationships like friendship (1998: 162), the description of this way of living with others as a relationship seems to him to be phenomenologically accurate. What happens when I realize that an action of mine is unjustifiable, Scanlon thinks, is that I sense a shift in the way I am relating to others; I am no longer living with those around me on terms that they could reasonably accept (whether they do, in fact, accept them or not). This feeling of estrangement one gets from impermissible action, as well as the positive "pull" one feels from moral action, stem from the "positive value of living with others on terms that they could not reasonably reject" (1998: 162).

So how, exactly, does the relationship of mutual recognition constitute the kind of explanation sought here? Although Scanlon says much about the issue, he never addresses the question in a direct way, and so providing an answer on his behalf requires some interpretation. What he does tell us is that standing in the relation of mutual recognition to others is "appealing in itself," and "worth seeking for its own sake" (1998: 162). But standing in such a relationship, the very content of which is living with others on terms they could accept, requires *actually acting* according to terms that they could accept. This is a constitutive requirement, as the relation of mutual recognition is simply constituted by living with others according to the contractualist's criterion of permissibility. Scanlon gets close to saying this, claiming that, for the moral person, moral requirements "are not just formal imperatives; they are aspects of the positive value of a way of living with others" (1998: 162).

The relation of mutual recognition thus provides a particularly tight explanation of why an act's wrongness provides a reason not to do a thing. I call this form of explanation *constitutive*, as the relation between the act's wrongness and the reason not to do it is that the former partially constitutes the latter. One ought not, for instance, cause gratuitous harm, because others could reasonably object to our so acting. And why is that a reason not to do it? Because acting justifiably *constitutes* "an aspect of the positive value of a way of living with others" – because living with others on *permissible* grounds is appealing in itself.

3. Promise and Peril of Scanlon's Account

A key virtue of the above moral motivational account is, Scanlon thinks, that it offers a satisfying solution to PD. This is because the account explains the reason to be moral by reference to an "ideal of relations with others which is clearly connected with the content of morality and, at the same time, has strong appeal when viewed apart from moral requirements" (1998: 155). Given Scanlon's criterion of permissibility, the relation of mutual recognition just is living with others *permissibly*, or perhaps living with others on *permissible grounds*. The moral motivational account thus has clear moral relevance. However, Scanlon thinks that it is not thereby trivial or unhelpful because such a relationship is also "appealing" or "worth seeking for its own sake." That some act is wrong provides one with a reason not to do it because acting wrongly would do violence to the relation of mutual recognition. The good of standing in such relations accounts for the normative pull we feel when confronted with moral decisions, as acting in a way that removes us from, or does damage to, such relationships would constitute a loss.

There is much to like about this account. While I will, in short order, question whether it really does navigate between the Scylla of unhelpfulness and the Charybdis of relevance, it at least provides a model of how one could do so by utilizing a form of relationship as the way to explain the reason-giving force of morality. As a contractualist, Scanlon holds that the content of interpersonal morality concerns what people could reasonably agree to. Thus, moral life essentially involves getting along with others in some way, and the very attractiveness of contractualism (for those of us who find such views attractive) is due to this relational feature. So the idea that what explains the normative "pull" of moral considerations must have to do with our relation to others is a natural one, befitting a contractualist theory.

Pamela Hieronymi makes a similar point, in the context of explaining why it is a mistake to think that Scanlon's contractualism is redundant, circular or merely a "spare wheel."⁷ On her view, the motivational account is one of the best reasons to believe Scanlon's theory, as it links the explanation of one's reason to act to the content of morality in an intuitively plausible way. As Hieronymi powerfully summarizes, the contractualist model holds that:

by acting wrongly, you have acted in a way that not only neglects the *interests* of those you have wronged, but that also denies their *standing* to (partly) determine the

⁷ Given the attention it has received already, I will not discuss the objection here. For a small sample of this form of objection, see Blackburn (1999), McGinn (1999) and Pettit (1999). The language of contractualism being a "spare wheel" comes from Hooker's discussion of the issue (2003), and Ridge (2001) provides a thoughtful discussion of the various objections from circularity, but claims that Scanlon can be "saved" from them. Although I do not have space here to discuss it further, I agree with Hieronymi that there is no problem with circularity or redundancy in Scanlon's contractualism, and that the contractualist's ability to link moral motivation with human relationships is among the best features of the view.

terms on which we each shall live. You have, thereby, acted in a way that fails to accord them a certain form of respect. ... You have, as Scanlon sometimes puts it, violated the terms of a relationship of mutual regard, the terms on which a kind of mutual recognition is possible, and so you have put yourself in a very different relation to your fellows (2011: 108; emphasis hers).

My suggestion, then, is that Scanlon's major success concerning his account of the motivational basis of morality is in pointing to human relationships as the proper explanation of why moral considerations provide reasons for action. If we add to this success Scanlon's suggestion that there is a real phenomenological plausibility here, then the case gets stronger. If, finally then, it were the case that the particular relationship Scanlon singles out as the relevant explanation *did, in fact*, seem to solve PD, then Scanlon's position here would look like an unmitigated success. However, I want to suggest that his position is rather a *mitigated* success.

The promise of Scanlon's attempted solution to PD is in the idea of explanation by reference to relationships. Moral action is not, itself, a relationship, and so the *explanans* here adds something genuinely new. And what is added to the explanation here is of the right kind: Since contractualism takes the morality of an act to depend on whether the actor could get along with others in a particular way, explanation of morality's force by reference to relationships is a promising way to go. However, the particular relationship of mutual recognition is characterized by living with others according to the contractualist criterion of permissibility, and so we might in fact call this the "moral relationship." And the presence and role of such a moral relationship in Scanlon's theory is unsurprising given his Kantian leanings.⁸ Standing in the relation of mutual recognition to all others is reminiscent of living in the kingdom of ends. As Scanlon explains in his chapter on value, the proper way to value persons is not to promote them, but rather to see them as beings to whom justification is owed; this is, according to Scanlon, how one "respects another's rational nature" (1998: 106). Living with others on terms they can accept, then, is valuable in a way that is similar to the way in which living in the kingdom of ends would be valuable: To do so would be to live with others in such a way that all are treated as their value requires.

Drawing out the Kantian sympathy here reveals, I think, the danger in Scanlon's account: There is too much moral content in Scanlon's explanation for it to successfully navigate PD. His solution, although more satisfying than the most radical positions on the unhelpful horn of the dilemma, defines moral action as justifiable action, and then explains the reason to act morally

⁸ Although Scanlon resists the association with Kantianism at times (see his "How I'm Not a Kantian" in Derek Parfit's *On What Matters* (2011)), he also acknowledges his roots. For instance, in the introduction of *What We Owe to Each Other*, Scanlon admits the similarities between his view and those that inspired and were inspired by Kant, such as Rousseau (1988) and Rawls (1971). This helps to distinguish him from other contract theorists, such as Hobbes (1968), and from those today who take their lineage more from Hobbes than from Kant, such as Gauthier (1986).

by reference to the value of living with others on justifiable terms. But this leaves it unclear how mutual recognition is clearly appealing when viewed *apart* from morality; while such a relationship *does* seem valuable and worth pursuing or caring about, this value and worth seems parasitic on the moral content. I find mutual recognition appealing largely because I find *acting rightly* appealing. Thus, while Scanlon's solution clearly succeeds in showing why those who care about morality have reason to act morally, it is less successful in helping us understand why acting rightly is something we must care about; while avoiding the horn of moral irrelevance, it thereby runs the risk of being unhelpful.

This is not to say that Scanlon has made no progress. I stated at the outset that I think Scanlon has provided a model of the right way to answer Prichard's challenge. By introducing the idea that the best solution will involve human relationships, Scanlon has moved the conversation forward a small step. While I have charged that Scanlon's view is "too close" to the trivial end of PD, it does not fail as egregiously as, say, a more radical Kantian view. It is, however, still the *same kind* of unsatisfying as the Kantian solution; it is just unsatisfying to a lesser extent.

What this mitigated success sets up is the idea that there may be multiple solutions to PD that succeed to varying degrees at being relevant to morality while still being helpful. And indeed, this is precisely what I think is the case. Further, it appears that one such alternative solution can be derived from Scanlon's own views.

4. Friendship and Justifiability

Scanlon holds that a full explanation of the motivational basis of morality must be able to account for the importance we place on others responding to moral reasons, as well as the priority that such reasons seem to have in our moral deliberation (1998, 158-68). It is in his discussion of this second requirement – that of solving the problem of priority – that Scanlon makes the argument on which the current section will focus.

Explaining the priority of morality's reasons over other, nonmoral reasons is a special challenge, Scanlon thinks, because it threatens to prove too much; put briefly, it threatens to show that persons must hold all other values loosely, since any project- or value-based reason could be overridden by moral considerations. Scanlon's proposed solution to this problem is to show that central cases of seemingly nonmoral projects do not challenge the priority of moral reasons. His test case in this argument concerns the good of friendship. According to Scanlon, then, the good of friendship is not threatened by morality's priority because "[f]riendship ... involves recognizing the friend as a separate person with moral standing – as someone to whom justification is owed in his or her own right, not merely in virtue of being a friend" (1998: 164). Friendship thus presupposes, or depends on, moral

recognition. There is no conflict between morality and the good of friendship, because friendship *requires* that we recognize a friend's moral standing.

In order to motivate this strong claim, Scanlon gives the example of a "friend" who one day confides in you that he would steal a kidney on your behalf, should the need arise. Having such a friend would be "unnerving," Scanlon says, "because of what it implies about the "friend's" view of your right to your own body parts: He would not steal them, but that is only because he happens to like you" (1998, 164-65). The power of this example, I take it, is due to the discomfort at the thought of letting someone so unprincipled close to us. Absolutely, we want friends to act for special-to-us "friend-reasons" – because they like us – but we also want assurance that not all of the ways in which they treat us are due to these idiosyncratic, warm feelings. In order to have a genuine friendship with someone, Scanlon suggests, both the potential friend and I must be committed to a general relation of mutual recognition with others. Only when both parties are given this kind of moral assurance does it become possible to relate to one another as friends.

Scanlon has, with this argument, proven much more than the compatibility of friendship with morality, however. He has actually proven that friendship *depends* on the moral relationship. It is thus not simply the case that friendship will not pose a challenge to morality; friendship will not pose a challenge to morality *because friendship requires morality*. This is a very strong claim, and there are reasons to be skeptical of it. Scanlon admits, for instance, that there is no reason that one cannot have a variety of relationships with others of a kind that we often call friendship even if one or both parties are uninterested in living with others on terms they can accept. However, Scanlon holds that there is some particular, intimate and valuable relationship (that may not map on perfectly to the way we use the word "friendship") that works as he suggests,⁹ that presupposes moral concern on the part of both parties and that is a relationship worth seeking for its own sake (1998: 165). And, strong claim or not, something like this does not seem radically implausible. Indeed, such a position has quite the pedigree, going back at least to Aristotle, who held that only the truly virtuous are capable of the highest level of friendship (1999, books VIII-IX).

However, it is not yet my goal to argue for plausibility. Instead, my goal for now is to demonstrate that, given Scanlon's commitments expressed in this discussion of friendship, he has available another explanation of the motivational basis of morality.

⁹ Scanlon raises Achilles and Patroclus as candidates for having a friendship that does not have the character he has described – a kind of friendship that does, in fact, challenge the priority of morality. Yet, he says quickly that "the claim that [morality] would clash with the demands of this ideal of friendship is a much less forceful objection to morality as I describe it than the charges, to which I have responded, that it is incompatible with friendship as we understand it, or with the conceptions of friendship that we have most reason to value" (1998: 165).

5. The Friendship-Based Account of Moral Motivation

Scanlon's account of the motivational basis of morality is that the good of mutual recognition explains one's reason to act justifiably. This explanation provides us with a model for how alternative accounts may be generated: We are to look for candidate goods, the having of which requires that one act justifiably. My current suggestion is that Scanlon's own argument concerning the relationship between friendship and a requirement of justifiability provides such an account.

The kidney-thief example from above is supposed to make plausible the claim that having a particular kind of friendship requires acting justifiably. This is because we are "unnerved" by becoming close to someone who is uncommitted to justifiability, and so we shut such people out of our more intimate relationships. More carefully: The example suggests that the having of such friendships requires relating to others as "mutual recognizers," and relating to others as a mutual recognizer requires, according to Scanlon, acting justifiably.

This argument concerning the role of friendship thus makes possible a further explanation of one's reason to be moral. We all have reason not to steal a kidney (even for a friend), because kidney thieves cannot live with one another on terms that all can accept. However, I suggested at the end of section 3 that this explanation may have too much moral content to be genuinely helpful as an explanation. We might reformulate this complaint as a demand for a *further* explanation – that is, *why* does the fact that kidney thieves cannot live with one another in mutual recognition give one a reason not to be a kidney thief? And now we have an answer: Because failing to be a mutual recognizer blocks one from the ability to have a certain, valuable form of friendship. Thus, leaving out the middle term in the explanatory story,¹⁰ we can summarize as follows: According to Scanlon's set of arguments here investigated, one has reason to act justifiably because failing to do so blocks one from the good of friendship.

6. Intimacy and Vulnerability

In the brief explanatory story above, I have tried, despite adding very little to what he explicitly states, to do something new and different with Scanlon's arguments. However, this has left some matters vague. The goal of the following two sections is to step back from my agnosticism concerning

¹⁰ That the middle term is part of the story will, however, be an important part of my final solution. I drop it for now only because the demand for an explanation of one's reason to be moral, like all demands for explanation, seems to me to be asking for the *ultimate* explanation, and so the summary seems warranted.

Scanlon's argument and do my best to turn the considerations above into something closer to a well-worked-out position.

Scanlon claims that having access to the goods of friendship requires relating to others as a mutual recognizer, but he leaves it unclear why this is the case. Our intuitions about the kidney-thief case are supposed to convince us that it is true, but we are offered no explanation of the property or properties of friendship that are responsible for this connection with morality. We thus do not know whether friendship is unique in its moral requirement, or whether there will be a principled way of determining a set of relationships that requires a foundation of mutual recognition. My suggestion is that the latter is the case, and that the property responsible for friendship's connection to morality is *intimacy*; on this hypothesis, the more accurate conclusion to draw from Scanlon's insight is that *intimate relationships* require a foundation of mutual recognition.

My reasoning for this move is as follows: Scanlon emphasizes that it would be "unnerving" to be friends with someone who would steal a kidney. However, I want to know what it is about having such a friend that is unnerving, to which Scanlon replies that such a friend sees no deep, principled reason not to take *your* kidney – his aversion to this is based merely on his contingent, warm feelings. But this does not seem to be a complete explanation either. So what is it about acting only on one's warm feelings that should make us uncomfortable? My interpretation of Scanlon's insight is that we want a particular kind of assurance of goodwill from those we choose to let close to us. The unease that comes from having a friend who is a kidney thief is due to his physical and emotional proximity, plus the knowledge that he does not see anything wrong with taking another's organs (so long as the target is not someone he likes). But this aspect of friendship – the vulnerability of allowing another to be close to one – is not unique to friendship; rather, it looks to be a general property of any intimate relationship. By becoming intimate with another, we allow that person physical and emotional access to us, and this entails vulnerability; those with whom we are intimate are uniquely well positioned to hurt us. Not only do we grant intimates physical proximity, but we also tell them secrets, share our feelings and do a multitude of other things that open us up to being harmed. Scanlon's insight thus makes good sense: We all have excellent reason – to which we reliably respond, he seems to believe – to form and maintain intimate relationships only with those who are mutual recognizers. This makes it the case that being a mutual recognizer is required in order to access the good of intimacy. And so we can explain the value of mutual recognition further in terms of the value of intimate relationships.

7. Explaining Reasons

While I think the story told above has a lot going for it, details have been smoothed over. In particular, we might wonder whether it is really plausible that one is required to be a mutual recognizer in order to have intimate relationships – or put another way, whether it could really be true that it is impossible to have intimate relationships if one is not a mutual recognizer. Scanlon's answer to the compatibility challenge suggests that he thinks so, but this is an implausibly strong claim. Fortunately, we do not need to rely on it, as necessity is not the only relation that transfers normativity. Allow me to explain.

We all believe (I claim) that the necessity of performing some act, for the sake of realizing some good, transfers normativity. Here, I want to suggest that the *reliability* of some act in promoting some good also transfers normativity – just less perfectly than necessity. Since reliability comes in degrees, the normative transfer also comes in degrees. Further, then, when normativity is transferred from some good to an act, either by necessity or reliability, the fact of the act's normative status can be explained by reference to the good. Clearly this thesis needs unpacking, so let us consider some examples.

Suppose that I have a reason to drink water. Suppose further that the only way for me to drink water given the relevant facts of the matter is for me to walk down the hall to the water cooler. It then seems clear that I also have a reason to walk down the hall to the watercooler. The necessity of my so walking “transfers” the normativity from the reason that I have to drink water to the act of walking down the hall. Further, then, this transfer allows me to explain my reason to walk down the hall. I have a reason to walk down the hall because I am thirsty. Thus, necessity seems to transfer normativity in a way that enables explanation. It was this sort of natural reasoning that I appealed to in interpreting Scanlon's claim of explanation: The fact that an act would be unjustifiable explains why we have reason not to do it, on Scanlon's view, because acting justifiably is necessary for being in the relation of mutual recognition.

These observations concerning necessity are intended more as diagnosis than as argument: I take it that this is what we in fact believe about normativity. My claim, then, is that the relation of *reliably promoting* some good also serves to transfer normativity. When some act X would reliably promote some good Y, then one has reason to X.¹¹ Further, then, the reason one has

¹¹ Further, one's reason to X is stronger or weaker depending on *how* reliably doing X promotes Y. There are interesting details to mull over here, such as whether “completely reliable” transfers normativity at the same, full force that “necessity” does; similarly, if the relation begins to seem so weak that it is inappropriate to call it “*reliably*” promoting, then we may start to wonder at what point “very little reason” turns into “no reason.” However, these details need not concern me here. For now, I am simply concerned to point out that the “reliably promoting” relation transfers normativity in a way similar to necessity.

to X is explainable in terms of Y. Returning to our watercooler example, then: Suppose that walking down the hall is not necessary in order to hydrate, but doing so would reliably promote the state of my drinking. In this second case, it still seems plausible that I have a reason to walk down the hall, and that this reason is explained by the reason I have to drink water. Just as the necessity of performing some action for the sake of realizing a good transfers normativity, so too does the fact that an act reliably promotes some good.

With this thesis in hand, we can see that Scanlon's view does not require that being a mutual recognizer is necessary for achieving intimacy; even if being a mutual recognizer merely *reliably promotes* the good of intimacy, then this too allows us to explain one's reason to be a mutual recognizer in terms of the good of intimacy. Going back to Scanlon's kidney-thief example, then, I think that this is precisely what is plausible. That we would find such a friend "unnerving" does not show that mutual recognition is required for friendship; however, it does show that we tend, with good reason, to distance ourselves from those uninterested in standing in mutual recognition. Thus, refusing to stand in relations of mutual recognition reliably tends to block one's access to intimate relationships, and so becoming a mutual recognizer reliably promotes intimacy in a particular way – namely, it *removes a block* to intimacy. One's reason to stand in mutual recognition with others, then, is explainable in terms of that relationship's ability to promote access to intimate relationships.

8. Erring According to Relevance

If the arguments above are on track, then I have shown that, whether they would be embraced by Scanlon as helpful or not, some additional, interesting conclusions can be derived from his framework and, as a result, we have two options for explaining the motivational basis of a contractualist account of morality. I claimed above that Scanlon's preferred explanation is weak because it errs on the unhelpful, or trivial, horn of PD. In order to provide a helpful explanation, we must explain the reason to be moral by reference to a good that is both sufficiently detached from morality to provide a genuinely helpful explanation, and by reference to something that is plausibly "appealing in itself" or "worth pursuing for its own sake."

The good of intimacy satisfies both of these requirements: It is a non-moral good, and so is not parasitic on the value of morality, and yet it is obviously and recognizably appealing in its own right. Thus, by explaining the reason to be moral ultimately in terms of the good of intimacy, I have clearly discharged Scanlon's second burden, as it is clear in this case *why* one must care about the reason to act morally – because that reason is grounded in intimacy, which is clearly appealing in itself.

The worry at this point, however, is obvious. PD predicts that, having satisfactorily explained why acting rightly is appealing when viewed apart from morality, I must have erred on the side of offering implausibly external

incentives for being moral. And indeed, this seems likely. On my suggested account, one has reason to be moral because doing so promotes having intimate relationships. And this may, in fact, seem a bit too much like saying that one has reason to be moral because doing so promotes one's own happiness. Surely, acting rightly because doing so promotes intimate relationships is the wrong kind of reason for moral action.

I might defend the intimacy-based account by saying, "Sure, my view is on the 'less morally relevant' end of the spectrum, but I have not erred to the same extent as the most egregious offenders. After all, I have explained the reason to be moral by reference to valuable relationships, and surely this is more morally relevant than one's happiness." And in fact, I think this response is accurate. However, we have seen that Scanlon also does not err as egregiously as the most trivial views, as Scanlon's explanation included reference to a relationship, and so was not *simply* explaining the reason to be moral by reference to morality. So if it is true that my proffered solution has done no more than move slightly toward the center from one horn of PD, then this does not militate in favor of my solution over Scanlon's.

Further, the intimacy-based account has a problem that Scanlon's original position does not: Namely, that it has trouble guaranteeing the *universality* of the reason to be moral. Since one has a reason to act rightly, on this account, because doing so promotes the having of intimacy, it looks as though the existence of the reason to be moral is contingent on the ability of acting rightly to actually promote intimacy. But we might worry that there are cases in which this general relationship would not hold – perhaps if one is a member of an intensely hated group,¹² or even if one is just generally insufferable. In these cases (and likely others), it is unclear that being a mutual recognizer would, in fact, promote intimacy, as there are other factors that rule it out. And in such a case, the relevant individuals would be left without the reason to be moral.¹³

9. (Really) Solving Prichard's Dilemma

At this point, I have shown both: (1) that the space between the horns of PD really is a spectrum, as it makes sense to say that positions succeed or fail to account for the competing desiderata more or less; and (2) that Scanlon's

¹² My thanks to an anonymous referee, both for this particular example and for pushing this general worry.

¹³ I do not know whether this worry is insurmountable. One might think, for instance, that we would need to think seriously about the "promotion" relation in question in order to be sure. Perhaps "removing one block" to intimacy by becoming a mutual recognizer counts as promoting intimacy even if there are other, potentially insurmountable blocks. After all, such a change did *something* to one's prospects for intimacy; namely, it removed exactly one obstacle. However, since it is not necessary for my own argument, I will not pursue this defense here.

contractualism leaves us with at least two options for explaining the motivational basis of morality, although both have some problems. And this is interesting by itself, as it gives one options for choosing which side of the spectrum seems more plausible. However, I do not think I must conclude quite this modestly. What I want to suggest here at the end is that the above investigation serves to support the difficulty of PD, as it shows that moral motivational accounts specifically designed to solve PD still struggle with fully discharging its burdens. This, I think, lends support to the strategy that I want to pursue, which is to require that the moral motivational story be *complex*, meaning that it provides multiple explanations of one's reason to act justifiably.

The first thing I want to do is offer the candidate moral motivational views thus far surveyed as evidence of the genuine difficulty of perfectly solving PD. The challenge is introduced by reference to actual views that make up the most radically opposing answers. On the one hand, most of us (I think) at least sometimes feel the pull of the Kantian intuition that one has reason to act rightly simply because doing so is her duty. Although we do not always respond to this reason when doing the right thing, it seems that paradigmatically moral actors are often moved by consideration of their duty. And on the other hand, Socrates' interlocutors in the *Republic* are easy to sympathize with when they demand to know how it is always in one's interest to be just, as a moral motivational story based on one's interest or happiness seems like perhaps it would be the most satisfying kind of answer. In trying to find a solution that was less radical than either of these initial positions, we have succeeded, as both of the views explored here fare better than the radical positions that I started with. However, both still seem unsatisfactory, for the same reasons as the radical positions – just to lesser degrees.

We should be unsurprised at this result. Scanlon said in an earlier quote that “[a]nswers [to PD] can thus be arrayed along one dimension according to their evident moral content, ranging from those that appeal to what seem most obviously to be moral considerations ... to those having the least connection with moral notions” (1998: 150). When demanding from a view that it be both morally relevant and not too tightly connected with morality, then, we should be unsurprised if answers that employ moral concepts seem to fail according to one standard (to some degree) while those that employ only nonmoral concepts seem to fail according to the other (to some degree). It thus looks like we may be stuck arguing the merits of falling on one side of the spectrum vs. the other, as all explanations will either employ moral concepts or employ none. That is to say: It may look as though Scanlon has raised a problem so difficult and so compelling that neither he, nor anyone else, can solve it.

There is another option, however, and it is the one that I want to sketch here. Since PD challenges any account of moral motivation to satisfy competing desiderata, one could give up trying to satisfy both at once and instead offer a complex solution with two component parts – one for each desidera-

tum. Now, certainly, if the only way to accomplish this were ad hoc, that would be a (likely decisive) strike against the view. But that is not the case. In fact, the view that I offered based on Scanlon's arguments – the intimacy-based account – is precisely such a view, when understood correctly.

The intimacy-based view is promising, but *not* because it is better to err on one side of the spectrum than the other. Rather, the main reason for preferring the intimacy-based view is that it *includes* Scanlon's view. Recall that I did not merely claim that one has reason to act rightly because one has reason to be in intimate relationships, although I did summarize the view this way. There is a middle term in the explanatory story, and it is Scanlon's own term. One has reason to act rightly because one has reason to be a mutual recognizer, and one has reason to be a mutual recognizer because one has reason to be in intimate relationships. Thus, the intimacy-based view entails that a complete moral motivational account is complex, and involves both a clearly moral component *and* a nonmoral good. If Scanlon is right that a full moral motivational story must explain both why those who are gripped by morality act rightly, and why acting rightly is appealing even outside of the moral context, then we are faced with a challenge that can be fully answered only with a complex explanation, and here we have one.

Now, one might respond that the middle term in the explanatory story is excised in the summary for good reason, which is that it does not get to do any heavy lifting. The *ultimate* reason for acting rightly is what matters, and so my view does not get the benefit of utilizing both reasons. I do not, however, think this is right. Nothing in the intimacy-based view described above requires that one has reason to be a mutual recognizer *only* because one has reason to be in intimate relationships. Appealing to the reason to be in intimate relationships is *one* explanation of the reason to be a mutual recognizer, but recall that the view is still supposed to be one that utilizes Scanlon's basic framework, and the Scanlonian view is one on which we have reason to be mutual recognizers because living with others in such a way is worth seeking for its own sake. The reason to be a mutual recognizer, then, has *multiple grounds*, as it is both the end of one explanatory story and the middle of another. On the view I am sketching, then, we will appeal to different explanatory stories for different purposes. And further, if we are concerned that the intimacy-based reason, by itself, would be too contingent, we can take some comfort in the fact that the appeal of being in relationships of mutual recognition grounds a completely noncontingent reason to act rightly. So the "middle term" in the story serves multiple purposes.

Consider PD's challenge again, and how the view under investigation attempts to resolve it. It *does* seem that we want an agent's reason for acting morally to be morally relevant. If we ask a woman why she refrained from murdering in cold blood, we might be disheartened to hear her respond, "Well, because murdering someone is likely to affect my relationships with my partner and friends." But our intuitions here do not tell us that we cannot explain the reason to be moral by reference to something that stands in a ra-

ther distant relationship to morality; rather, they tell us that we do not want those distant reasons to be the ones we appeal to when we act. The fact that one's reason to be a mutual recognizer is explainable in terms of another good does not undermine the fact that being a mutual recognizer is also a good in itself. The intuitions in the present case, then, tell us that we want one explanatory story to be the one appealed to in explaining moral action. And this is exactly what PD predicted: We want an account of moral motivation that can explain the consideration that paradigmatically moral actors take to be a reason.

So what is the other half of the story doing? Well, answering the other half of PD – explaining how it is that acting rightly is appealing even viewed apart from morality. We do not want or expect moral actors to appeal to the reason to be in intimate relationships in explaining their actions; but we can see this explanatory story as discharging one burden of a theory of moral motivation. Because one's reason to be a mutual recognizer is explainable in terms of the reason to be in intimate relationships, this latter reason can be used to explain, without reference to moral content, why acting rightly is worth pursuing. The reason to be a mutual recognizer, then, is a joint explanation – an end that provides the reason that paradigmatically moral actors act on, and a means to a different end that provides a nonmoral explanation of why acting rightly is clearly appealing.

On my view, then, PD only seemed like a dilemma because we accepted a requirement to come up with “the reason” to be moral. Scanlon himself, we noted, saw that a challenge of any plausible moral motivational story is that it must be complex, featuring both motivating and normative components, but he did not see that the solution to the challenge might also be complex, yielding different parts of the theory to shoulder those respective burdens. That one ought to be motivated (at least sometimes) by morally relevant considerations does not entail that those same considerations must be the only explanation of the reason to be moral. And just because we want an account that makes sense of why acting rightly should seem valuable regardless of the value of morality, this does not mean that such a consideration ought to be what actually moves one to action.¹⁴ Scanlon's keen diagnosis of

¹⁴ One might recognize this strategy as similar, in form, to the one proposed by Peter Railton (1988) in defense of what he calls “indirect consequentialism.” On Railton's view, a consequentialist view should be “indirect” because directly pursuing the objective moral good would lead to morally disastrous outcomes. Thus, one ought to be a *sophisticated consequentialist*, which is to say that she ought to adopt a decision procedure that allows her to best promote the relevant moral goods. A similar story could be told in generating an “indirect contractualism” that has the same general form as the complex view I have articulated here. However, that view would have more in common with those of Hobbesians such as David Gauthier (1986) and Steve Kuhn (1996) than with a Kantian like Scanlon. A view that stays true to Scanlon's commitments will acknowledge that one has a reason to be a mutual recognizer simply because doing so is valuable *in addition to* the fact that doing so promotes the having of intimate relationships. And indeed, the value of living with others on terms they

the challenge facing accounts of moral motivation wears on its face a suggestion for how to meet that challenge: There are two desiderata, and they are best met by employing two different aspects of a story, and so the motivational basis of morality should be *complex*.

10. Conclusion

In this paper, I have tried to motivate Scanlon's challenge to theories of moral motivation – what he calls Prichard's Dilemma – and to investigate various ways to solve it. I argued that both Scanlon's solution, and a solution that I offer on his behalf, fail for similar reasons. I then offered my own *complex* view of contractualist moral motivation, which holds that one can explain the reason to act justifiably in terms of the reason to be a mutual recognizer, and that this reason can be explained in terms of the reason to have intimate relationships. Although I hope that I have made this view initially compelling, the more important goal of this paper was to offer *an instance* of a complex account, as an example of a new strategy for solving PD.

While one may continue to insist on a requirement that moral motivation explain *the* reason to be moral, in doing so one takes on the burden of successfully navigating PD. But if the worries raised in this paper are compelling, then we should expect such investigations to be fruitless. The intuitions generating PD are so compelling that the problem is not merely unsolved by Scanlon; it is *unsolvable* by any account of *the* reason to be moral. Perhaps, then, it is time to change the way we think about moral motivation.¹⁵

Travis N. Rieder
Johns Hopkins University
Berman Institute of Bioethics
trieder@jhu.edu

can accept is what allows the complex view to discharge the burden of explaining how one's reason to be moral is "morally relevant," and so to fully satisfy PD.

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References

- Aristotle (1999) *Nicomachean Ethics: With Introduction, Notes, and Glossary*, 2nd ed., T. H. Irwin, trans., Indianapolis, IN: Hackett Publishing Co.
- Blackburn, S. (1999) "Am I Right? A Harvard Philosopher Explains his Formula for the Moral Life," *The New York Times*, February 21.
- Gauthier, D. (1986) *Morals by Agreement*, Oxford: Oxford University Press.
- Hieronymi, P. (2011) "Of Metaethics and Motivation: The Appeal of Contractualism," in R. Wallace, R. Kumar and S. Freeman, eds., *Reasons and Recognition: Essays on the Philosophy of T. M. Scanlon*, Oxford: Oxford University Press, pp. 101-28.
- Hobbes, T. (1668/1651) *Leviathan*, C. B. Macpherson, ed., Harmondsworth: Penguin.
- Hooker, B. (2003) "Contractualism, Spare Wheel, Aggregation," in M. Matravers, ed., *Scanlon and Contractualism*, London: Frank Cass, pp. 53-76.
- Kant, I. (1996) *Practical Philosophy*, M. Gregor, ed., Cambridge: Cambridge University Press.
- Kuhn, S. T. (1996) "Agreement-Keeping and Indirect Moral Theory," *Journal of Philosophy* 93(3): 105-28.
- McGinn, C. (1999) "Reasons and Unreasons," *The New Republic*, May 24: 34-38.
- Parfit, D. (2011) *On What Matters*, Oxford: Oxford University Press.
- Pettit, P. (1999) "Doing Unto Others," *Times Literary Supplement*, June 25.
- Plato (2004) *The Republic*, C. D. C. Reeve, trans., Indianapolis, IN: Hackett Publishing.
- Prichard, H. A. (1912) "Does Moral Philosophy Rest on a Mistake?" *Mind* 21: 21-37.
- Railton, P. (1988) "Alienation, Consequentialism and the Demands of Morality," in S. Scheffler, ed., *Consequentialism and Its Critics*, Oxford: Oxford University Press, pp. 93-134.
- Rawls, J. (1971) *A Theory of Justice*, Cambridge, Mass.: Harvard University Press.
- Ridge, M. (2001) "Saving Scanlon: Contractualism and Agent-Relativity," *Journal of Political Philosophy* 9: 472-81.
- Rousseau, J. (1988) *On the Social Contract*, Indianapolis, IN: Hackett.
- Scanlon, T. M. (1998) *What We Owe to Each Other*, Cambridge, Mass.: Harvard University Press.