



TWO NATURAL HIERARCHIES: ADULT/CHILD and WILL/INCLINATION

**Tamar Schapiro, Dept. of Philosophy, Stanford University
For Yale Legal Theory Workshop, Dec. 15, 2011**

Note: This is an early draft, so please do not cite or circulate without my permission. My aim here is both personal and philosophical. I want to bring out the common thread in work I have done over the years, and I think that by doing so I can highlight some philosophically interesting relationships. This paper thus has a self-indulgent quality, for which I apologize. For those who have not read my previous articles, some passages may seem far too condensed. In order to bring out the contours of the big picture, I have had to refer to some arguments I have made elsewhere without exactly making them here. I hope the question period will give us a chance to fill in the gaps.

1.

We are all familiar with conflicts between reason and passion. Reason tells you to grade those papers right now, because they have to be handed back shortly. Passion tells you to read just one more article on your favorite sports team before getting down to work. We spend much of our energy trying to stay on track with respect to reason while passion clamors for attention.

Now while the terms “reason” and “passion” are familiar and to some extent helpful for eliciting intuitions, in this paper I am going to use “will” and “inclination” instead. Your will tells you to grade the papers, in the sense that you have made a commitment to grade them, or you have committed to a role that carries with it the obligation to grade them. Your inclination operates independently of your commitments, and can conflict with them. What you have decided to do, promised to do, determined yourself to do, may conflict with what you happen to feel like doing. In shifting to the language of “will” and “inclination,” I am trying to remain neutral with respect to vexed philosophical questions about the nature of reason and the relation between reason and will. What I am presupposing is that, at least from the deliberative point of view, we understand ourselves in terms of a distinction

between higher and lower motivational sources, and that we take it to be the job of the higher to govern us even in the face of conflict with the lower.¹

The will's governing function has two aspects, one executive and one legislative. The executive function comes to the fore when we are faced with temptation to violate our commitments. In these situations, the will functions like a police officer. It has the authority to forcibly restrain us from acting on inclinations that would lead us astray. By contrast inclination, conceived as the motivational source of our inclinations, does not have reciprocal authority to restrain us from acting on our commitments.²

The legislative function of the will is operative prior to these situations of conflict. Suppose you have an inclination to take a walk, and that as far as you can see, doing so would not amount to violation of any of your prior commitments. Insofar as you are aware of yourself feeling like taking a walk, it is as if you are faced with a proposal. The proposal is that you should determine yourself – make it your will, choose, commit – to take a walk. In this respect, you are aware of your inclination as something like a claim, made on the basis of some kind of authority. But you are at the same time aware of it as a kind of provisional claim, made on the basis of authority that is not final. As such, you take yourself to be put in a position of legislative authority over whatever authority is the source of those claims. You see yourself as faced with the task of either accepting or rejecting the proposal, with the understanding that by doing so, you will authoritatively determine yourself.

¹ To this extent I am allying myself at the outset with Plato, Aristotle, and Kant, each of whom posited a version of this distinction. I am also setting myself against Hobbes and Hume, as well as certain rationalists, who explicitly rejected it. Since I have argued for the distinction elsewhere, I will not try to defend it here. See my "The Nature of Inclination."

² Cases of reverse akrasia can give rise to the worry, "But what if inclination is right? Is it then true that we ought to obey the will?" In order to reply to this, I would have to address deeper questions about the relation between reason and will, questions I am trying to bracket here for the purpose of argument. (see Arpaly)

The question I am interested in here is a question about the will/inclination relation insofar as will is in this legislative role. The question is this: why and in what sense is inclination's authority provisional in relation to the will? What is inclination, such that it both has authority to make a claim on the will and lacks the authority to determine us to act? There is an in-betweenness to inclination's normative status, a half-empty, half-full character, that needs to be explained. In this respect the normative status of inclination bears analogy to that of children. While children certainly make strong normative claims on us as living creatures to be cared for, the claims they make on us as fellow persons, fellow self-governors, have a half-empty, half-full quality. As I have argued in previous work, children occupy an awkward position within the moral community.³ They are neither non-persons nor full persons. Their consent counts for something, but it does not have the full weight of adult consent. And while they are accountable in the sense that they are proper objects of discipline and reform, they are not fully accountable, and so are not objects of resentment and punishment.

Analogously, I have argued elsewhere that our inclinations are related to us neither as mere happenings that we observe, nor as our own doings.⁴ Unlike external events, they do not figure into deliberation as features of our circumstances. They figure in as proposals about what to do in the face of our circumstances, and in this sense have a kind of "voice" in determining our motivation. But unlike our determinations of will – our commitments and decisions about what to do – this voice is not dispositive. Similarly we are accountable for our inclinations only in an attenuated sense. Our inclinations can reflect on our character in a way that say, eye color cannot. But we are not accountable for them in the same, direct way that we are

³ "What is a Child?" *Ethics* 109 (1999): 715-738 and "Childhood and Personhood," *Arizona Law Review* 45 (2003): 575-594.

⁴ "The Nature of Inclination," *Ethics* 119 (2009): 229-256.

accountable for our actions. Our determinations of will are fully representative of us in a way that our inclinations are not.⁵

Those who theorize about the lower motivational capacity, whether under the heading of “inclination” or “appetite” or “passion” or “desire,” tend either to gloss over or to take for granted its provisionality. One place this occurs is in the context of recent theorizing about the nature of “desire.” Reacting against what they take to be a neo-Humean position that desires are simply brute impulses with no cognitive content, theorists like Dennis Stampe, Warren Quinn, T.M. Scanlon, Talbot Brewer, R. Jay Wallace, and Sergio Tenenbaum have argued that desires are actually perspectives on the world, perspectives that represent the world in evaluative or normative terms.⁶ The claim is that when you have a desire, say, to take a walk, you are not simply experiencing a brute “feel” of some kind. Rather, you are ‘seeing’ taking a walk as good, or you are ‘taking’ certain features of walk-taking (e.g. that it will provide refreshment, exercise, pleasure) as reasons to do it. Now, it is also true that when you *decide* to take a walk, you are seeing taking a walk as good, or you are taking certain features of walk-taking as reasons to do it. So there is a question, often unacknowledged in these theories, about how desiring to take a walk differs from having decided to take a walk. The reason this question often goes unacknowledged is that these theorists usually use “desire” in the way that has become standard in contemporary philosophy. Desire in this standard sense is simply a generic conative state that contrasts with belief, the generic cognitive state.⁷ This leaves it ambiguous whether these theorists are presupposing a distinction between higher and lower motivational capacities. What is notable for

⁵ This claim tends to invite misunderstanding. I am not denying that often we can get to know a person’s character best by finding out what inclinations he has instead of observing his overt conduct. I am claiming simply that we are not entitled to hold such a person accountable simply for having the inclinations he has, at least not in the same, direct way that we are entitled to hold him accountable for his actions. The same goes for ourselves.

⁶ Stampe, “The Authority of Desire”; Quinn, “Putting Rationality in its Place”; Scanlon, “What We Owe to Each Other”; Brewer, “Three Dogmas of Desire”; Wallace, “xxx”; Tenenbaum, “Appearances of the Good”.

⁷ See Schueler, *Desire: Its Role in Practical Reason and the Explanation of Action*.

my purposes here is this: at points where they do seem to be theorizing explicitly about desire in the narrow sense, desire as the lower motivational capacity, they tend to describe the state of having a desire as one in which we apprehend not just the good but the “apparent good,” or not just reasons but “seeming reasons.”⁸ I take this to be an acknowledgement of the provisionality of inclination’s authority. To conceive of something as “apparently” such-and-such, or as “seeming” to be such-and-such, is implicitly to acknowledge that the representation does not yet have full authority to determine us (whether as cognizers or as agents). But if this is right, then these theorists owe us an explanation of that provisionality. What is it about our desires that makes it the case that when we have them, we apprehend what we take to be only provisionally authoritative goods and reasons, while when we’ve made decisions we apprehend what we take to be conclusively authoritative goods and reasons?

In order to account for inclination’s provisionality, it is necessary to develop a more detailed theory of inclination than these theorists have offered. In what follows I will try to provide such a theory, building on my previous work. My strategy is to draw on an extended analogy between the adult/child relation and the (legislative) will/inclination relation. I will ask whether the hierarchy in each case is grounded in convention or in nature. And I will claim that in order to account for basic features of our thought and talk about these relations, we have to see the distinction as grounded in something about the nature of the relata. More specifically, I claim that children and inclination are both incomplete entities, in a sense that is at least vaguely Aristotle’s.⁹ An incomplete entity is an entity whose definition or completion lies in something outside of itself. Children, I have previously argued, are incomplete in that they are persons who are not yet themselves. Our inclinations, I will argue, are incomplete in that they are self-determinations that are not yet

⁸ Stampe; Tenenbaum. Scanlon at one point claims we “see” reasons without necessarily “judging” that they exist.

⁹ On Aristotle’s use of the notion of incompleteness in his discussion of natural slavery, I have learned a lot from Eugene Garver’s “Aristotle’s Natural Slaves: Incomplete *Praxeis* and Incomplete Human Beings,” *Journal of the History of Philosophy*, 1994.

determinations of ourselves. While this idea may not completely explain why each has provisional authority, I hope it is a step in the direction of such an explanation.

2.

I have already identified one place in the literature where philosophers have tended to acknowledge, without explaining, the provisionality of inclination's authority. Let me now mention another. Christine Korsgaard has argued that both Plato and Kant endorse what she calls the "constitution model" of the soul.¹⁰ On the constitution model, the relation between our motivational capacities is analogous to the relation between functional roles in a legislative process. Just as citizens make proposals to their legislators, so appetite makes proposals to reason. Once reason ratifies such proposals, spirit (will in its executive function) sees to it that they are carried out. Korsgaard's point is that the person herself is not identified with any one of these motivational parts. Rather, the person is identified with the procedure by which the parts interact so as to issue in action. When each motivational source does its own job and not that of any other, the resulting action is constitutional, and that means it is attributable to the person as a whole, rather than to an impulse within her. Moreover, on Korsgaard's view there is a sense in which the person as a whole only exists to the extent that there are actions attributable to her. By upholding her constitution, she constitutes herself as a unified agent.

This is a deep and complex view, and here I am only going to address one narrow aspect of it. Korsgaard holds that appetite's job is to make proposals to reason. But she does not offer an account of the nature of appetite that explains why this is the case.¹¹ What is the basis of reason's authority over appetite? And why does appetite have any authority at all, even if only provisional? As I've already suggested, it can

¹⁰ Korsgaard's earliest paper on this subject is "Self-Constitution in the Ethics of Plato and Kant." (cite) She develops a much more detailed version of this material in her *Self-Constitution: Agency, Identity, and Integrity*.

¹¹ This is true especially of the early paper. The more developed account contains a more detailed account of the "parts of the soul" but does not take on the question I am asking directly.

be helpful to use the adult/child distinction as a guide in thinking about how to pose questions in this area. We can think of the moral community as a practice in which the participants who count as adults have asymmetric authority with regard to the participants who count as children. But there are two very different ways of filling this out. One way is to think of the hierarchy as part of a conventionally established division of labor. On this view, the adult/child relation has the same structure as, say, the relation between sergeant and private, or between coach and player. As Stephen Darwall, drawing on Fichte, has very helpfully pointed out, these relations of conventional hierarchy presuppose a more fundamental relation of natural equality.¹² Fundamentally the relation between sergeant and private (at least insofar as the sergeant's orders to the private take the form of "second-personal address") is a relation between a person-who-happens-to-be-in-the-role-of-sergeant and a person-who-happens-to-be-in-the-role-of-private. As persons, sergeant and private are natural equals, with reciprocal authority to make claims on one another and to hold one another accountable. As participants in military practice, the sergeant has nonreciprocal authority over the private in certain limited respects. If we think of the adult/children on this division of labor model, then adults and children are natural equals who happen to occupy different roles within a conventionally established practice.

The other way to think about the relation is suggested by my previous work on children.¹³ In bare outline, I claim that the basic features of our practices regarding adults and children presuppose that children are as yet ill-constituted persons. Their nature is such that they are not yet in a position to make claims on others or to hold themselves and others accountable, at least not in the sense that an adult is. This implies that children are as yet unfit for full participation in the moral community. Instead of being full participants who happen to occupy a subordinate role, they are on their way to being full participants and are on their way to

¹² Darwall, *The Second Person Standpoint: Morality, Respect, and Accountability*.

¹³ See "What is a Child?" and "Childhood and Personhood."

occupying roles as such. The adult/child hierarchy, seen this way, is rooted in nature rather than convention.

How would this distinction apply to the will/inclination relation, and which model is more appropriate to it? Will and inclination are not persons at all, but they are motivational sources. The question then is whether we should see inclination as a full motivational source that happens to be in the subordinate role of proposing rather than disposing, or whether we should see it as an ill-constituted motivational source that is as yet unfit to fully occupy any role in the motivational system.

Now I am aware that this question, so stated, is extremely obscure. What in the world are we imagining in each case? How in principle could there be an argument for one model over the other? And why should we care?

As to the last question, what we want to explain is why inclination has enough authority to make proposals about what to do, but not enough to determine the agent's action. We are accepting for the purpose of argument that our actions issue from the interaction of motivational sources that are at least semi-autonomous. What we want to understand in more detail is how to conceive of these motivational sources contributing to our self-determination. We are also accepting that there is something true in the thought that the role of the lower motivational capacity is to make proposals to the higher. But why is this the case? Thinking about the adult/child relation suggests that as a first step, there might be two alternative types of justification. One appeals to convention, and the other to nature. Korsgaard's constitution model, at least in its early, undeveloped form, does not distinguish between these.

3.

Let me add a little more detail to my theory of the adult/child relation and use that to clarify the question with respect to will and inclination. What sort of reasoning would lead one to conclude that the adult/child relation is a conventional hierarchy?

The most common way of filling out this position is what I call “the proficiency view.”¹⁴ According to the proficiency view, the reason adults have asymmetric authority over children is that children are likely to make bad choices about how to lead their lives, and are likely to lack capacities necessary to execute their choices effectively. Adults are entitled to intervene on behalf of children, even without children’s consent, because adults in general make better decisions for children than children could make for themselves, and they are likely to execute them better. When I say, “even without children’s consent,” what I have in mind are very basic paternalistic features of our practices. These include the idea that children have to be raised, whether they like it or not, and that children have to belong to specific adults, whether they like it or not, and that children have to be educated, whether they like it or not. Now the proficiency model assumes that children are proper objects of such paternalism because in a general way, they lack skill and experience when it comes to leading their own lives. But as I am defining it, the proficiency model denies that these deficiencies in children bear on their nature and status as persons. The idea is that children, like adults, are self-governors, but that they tend to govern themselves badly. (This view would not apply to infants, but that is simply a scope restriction that does not affect anything essential about the theory as a theory of children’s status.) So construed, adults and children are natural equals who happen to occupy different roles in a conventionally established system that assigns asymmetric authority to adults in virtue of their greater skill at making and executing decisions about how children should lead their lives.

Insofar as the proficiency view casts children as defective in a respect that is inessential to their constitution as persons, it assimilates children to others who lack such skills, for example recent immigrants or the physically disabled. But while this may explain why we have an obligation to provide special assistance to children, it does not explain why children, unlike recent immigrants and the handicapped, do not have the option of refusing our help. The deep paternalism embedded in our

¹⁴ “Childhood and Personhood.”

ordinary practice with regard to children is hard to justify on a model that assumes children are full persons who are limited in essentially the same respects that certain adults might be limited.¹⁵

The alternative to the proficiency view is what I have called “the attributability view.” Whereas the proficiency view holds that children have subordinate status because they are likely to make bad choices, the attributability view holds that children have subordinate status because they are not in a position to make choices that count as their own, whether good or bad. This view depends on the idea that children differ from adults in that they are ill-constituted persons. They are not yet in a position to govern themselves, not because they are likely to do it badly, but because they do not have the internal structure necessary to count as doing it. I will leave aside further details of this conception for now. The point for the moment is simply that this attributability view implies that the adult/child relation is a natural rather than a conventional hierarchy. Children are ill-constituted as self-governors, and hence are less than full persons in the moral community. This does not mean that they are not persons at all, nor that they can be sacrificed for the sake of full persons. But it does mean that the basis for objecting to paternalism is attenuated in the case of children. If paternalism is a violation of a kind of autonomy children simply cannot straightforwardly realize, given their nature as children, then what would count as paternalistic with respect to an adult would not necessarily have that significance with respect to a child.

Now, how might this help us understand the alternative ways of conceiving of the will/inclination relation? Obviously will and inclination are not persons, so how is the analogy supposed to work? The idea is that will and inclination are each motivational sources. The concept of motivation, as I am understanding it, is not simply that of movement. It is that of self-movement. To be motivated is to be self-moved. If will and inclination are motivational sources, then each somehow

¹⁵ I make this argument at greater length in “Childhood and Personhood.”

contributes to the agent's self-movement. Now, suppose we assimilate the will/inclination relation to the model of conventional hierarchy. That means we are assuming that will and inclination are each full motivational sources. I take that to mean that each alone is capable of authoritatively determining the agent's self-movement. Will, operating independently of inclination, is capable of determining action attributable to the agent, and inclination, operating independently of will, is capable of doing the same. A picture like this might be implicit in a view that identifies 'will' with a certain causal pathway in the brain, and 'inclination' with a different pathway (e.g., the "control system" and the "automatic system"). If the assumption is that behavior issuing from either of these pathways alone counts as the action of the agent, rather than, say, a mere reflexive response, then each is taken to be a full motivational source in the sense I am using that concept.

If it is assumed that inclination is a full motivational source, then why should its authority be merely provisional? Why should its role be restricted to offering proposals to the will? I think the most obvious way to answer this is by appeal to the proficiency view. Inclination has subordinate status because it tends to lead us astray, whereas the will is more reliable as a guide to action. The reason to assign inclination a subordinate role is thus pragmatic. It is not dictated by the nature of inclination, which is to be a full motivational source. Inclination as such is no less capable than the will of coming to determine behavior that counts as the agent's self-movement. It is simply less likely to determine action that counts as good according to some further standard.

Now this account may be incoherent, because it leaves open the question: who is deciding on this pragmatic policy? It must be someone who has a perspective on both will and inclination. But then this someone's motivation for adopting the policy of giving inclination limited authority must come from a third motivational source, and this third source must be more fundamentally identifiable with the agent than the other two. But if that is the case, then will and inclination are not full motivational sources after all. The pragmatic account of inclination's provisionality

leaves open the question of who makes the pragmatic choice, and of how we are to describe that motivation.¹⁶

There is, however, a further problem with the proficiency view, namely that it makes the will/inclination distinction look shallower than it really is. To see this, consider again what we are trying to explain. We are trying to explain the provisionality of inclination. So far I have glossed this as the idea that while inclination has the authority to make proposals to the will, it does not have independent authority to determine the action of the agent. Inclinations *require* ratification by the will. What is the source of this requirement? If the proficiency view is correct, then the source of this requirement is pragmatic, namely the fact that inclinations tend to be unreliable. Now I want to argue that if this were the right story, it would fail to account for a familiar feature of our thought and talk about will and inclination. The familiar feature is this: when you have an inclination to A, you are thereby faced with the question, “should I A?” but when you have made a decision to A, you are not thereby faced with the question, “should I A?” A determination of inclination is the beginning of practical deliberation. A determination of will is its conclusion. The proficiency view fails to account for this difference.¹⁷

There is an important proviso to the first part of the claim I just made. I said that “when you have an inclination to A, you are thereby faced with the question, ‘should I A?’” This is so only insofar as you do not recognize the inclination as conflicting with one of your standing commitments. If you do recognize it in this way, then you give it the status of a temptation. The will is then called upon, but not in its legislative role. It is called upon in its executive role, as will-power. As I said at the outset, my concern is with the relation between inclination and will in its legislative

¹⁶ Here I am just applying to this case Korsgaard’s criticism of the Combat Model of the soul, which she takes to be the rival to the Constitution Model.

¹⁷ A version of this argument appears in my paper, “Foregrounding Desire: A Defense of Kant’s Incorporation Thesis,” *The Journal of Ethics* 15 (2011): 147-167.

role. So the type of case I have in mind here is exemplified by the case I mentioned earlier. You have an inclination to take a walk, and as far as you are aware, you have no prior commitments with which this inclination would conflict. My claim is that in this case, given that you are in the condition of having the inclination, you are thereby faced with the question, “should I take a walk?” By contrast, once you are in the condition of having made the decision to take a walk, you are not thereby faced with the question, “should I take a walk?”

Back to my main claim: the proficiency view cannot account for the idea that a determination of inclination is the beginning of deliberation while a determination of will is its conclusion. The reason for this is as follows. Assume that the relation between will and inclination is as the proficiency view describes. In what sense, then, do inclinations *require* ratification by the will? Since inclination is a full motivational source, ratification is not needed in order for the determination of inclination to count as the agent’s self-movement. Ratification is not needed in order to make your inclination into something that speaks for you and carries your authority. At best, ratification is a form of double-checking. When you have an inclination, it is necessary to deliberate so as to make sure that your inclinations is determining you to act in an appropriate way, given some further standard. As such, the basis of the will’s authority over inclination is pragmatic. And the only sense in which having an inclination is the beginning of deliberation is that it provides the occasion to double-check yourself.

But if this is right, then when you are in the condition of having an inclination to take a walk, you are no more faced with the question, “should I take a walk?” than you are when you are in the condition of having decided to take a walk. You might decide as a matter of policy to raise the question routinely in the first case but not in the second. But even if you employ that policy, what you are doing when you raise the question in the first case is essentially the same as what you would be doing in the second, namely reopening a question that is already settled. And yet it is

arguably a deep feature of our self-understanding that when we have inclinations to act, the question whether we should so act is open and on the table.¹⁸

4.

The proficiency view cannot account for the depth of inclination's provisionality. That depth is evident in our everyday recognition that having an inclination is the beginning, rather than the end, of deliberation. It should be no surprise, at this point, that I think the attributability view can account for this. So let me explain how the will/inclination relation is conceived on this view.

Again, it will help to go back to the analogous point with respect to children. The claim that children are ill-constituted persons is not a claim about their biological nature as such. It is a claim about their normative relation to themselves, something that is no doubt shaped by biology but that is nevertheless not articulable straightforwardly in biological terms. The position I developed in earlier work is that an agent in the condition of childhood is faced with a predicament. She both needs and lacks a perspective from which to endorse or reject her motivational impulses. She needs this perspective because she is not simply a creature of instinct. Her motivational impulses are not automatically her will. Instead she has a degree of reflective distance from them, and so they begin to appear to her as claims that call for her endorsement.¹⁹ (Note here that it is ultimately impossible to talk about the adult/child relation without also talking about the will/inclination relation. These pairs of concepts are not insulated from each other.) And yet, because of her undeveloped nature, she has not yet carved out a clear distinction between her inclinations and her will. She has not yet established a perspective with which she can identify herself, and from which she can respond to the claim of inclination in a

¹⁸ This claim is subject to the proviso mentioned earlier.

¹⁹ In "What is a Child?" I made the mistake of characterizing this need for endorsement as arising only in the face of conflicting motivational impulses, and as calling for a judicial rather than a legislative response. As the example of the inclination to take a walk shows, the will has to play a legislative role even when there is no conflict of inclinations. It is the legislative perspective that children lack.

way that represents her own authority. In this sense, she both needs and lacks a self. She is faced with the task of self-government, but because her normative relation to herself is as yet undeveloped, she is not in a position to carry it out, at least not in the straightforward way that adults are.

This is the sense in which children are incomplete entities. The incompleteness is not purely attributive – that is, what they lack is not just something that counts as a lack according to a standard applied from an external perspective. Rather, the lack is a lack that should in principle appear to children from their own perspectives. If they are sensitive to the need to determine themselves in the face of their motivational impulses, they should also be sensitive to their need to construct a self. And I take it children are, in fact, quite sensitive to their need to construct their identities, and that at some level they do take this as their primary task. But of course because the will/inclination distinction is not fully developed in children, what we imagine when we imagine them taking this as their primary task cannot be that they make a commitment to do this, in the sense of a determination of will to be adhered to even in the face of conflicting inclination. The very structure that would make that possible is still under construction.

I believe inclination is an incomplete entity in an analogous sense. It is an incomplete motivational source, and its determinations are incomplete motives. Let me try to explain that here. I have argued elsewhere that in order to explain the sense in which we are both active and passive with respect to our inclinations, we have to posit that inclinations have their source in motivational capacity distinct from the will, a capacity that is both agential and nonrational.²⁰ I suggested further that this motivational source might be thought of as determining itself in the way that a nonhuman animal does. The idea is that at least from the deliberative point of view, we have to think our inclinations as the activity of something like an animal will inside us. When I have an inclination, say, to drink that cup of coffee, my inner

²⁰ “The Nature of Inclination.”

animal is conscious of and responsive to the coffee in a certain way, a way that does not presuppose the distinctively human capacity to demand or offer justifications for drinking it. It is as if my inclining part simply sees the coffee as “to-be-drunk” and is responsive to a kind of imperative, “drink it!” While this imperative may include reference to the features of the coffee that make it appear as “to-be-drunk,” it does not include reference to these features as *grounds* for drinking it. Creatures of instinct cannot demand grounds for their actions and so do not govern themselves in terms of them.²¹ This is the sense in which the inner animal’s mode of agency is nonrational.

I should note that this view does not imply that our inclinations only take as objects those things that could motivate a nonhuman animal (e.g. prey, predators, mates, etc). What I mean is that the mode in which a part of us is going for an object when we are inclined towards it has the same structure as the mode in which a nonhuman animal goes for things. So even though a nonhuman animal cannot go for finishing a novel, when I have an inclination to finish the novel I am reading, the inclining part of me is determining itself to finish the novel in essentially the same way that a nonhuman animal determines itself with respect to objects given to it by instinct.

I’m going to call this animal mode of self-determination “instinctual” as opposed to “reflective,” with the qualification that instinctual motivation can be modified by learning and experience and still count as instinctual. Now conceiving of instinctual motivation in any detail is challenging. This because what we are trying to describe is a form of self-movement that is in some distinctive sense automatic. The more we think of it as automatic, the more it looks like a process the animal undergoes rather than its motivation (given that motivation is self-determination). But the more we think of it as the animal’s motivation, the harder it is to see the difference between the self-determination of a creature of instinct and that of a rational animal. This is a deep and difficult problem, and although I have tried to address it elsewhere, I am

²¹ Cf. Korsgaard on animals.

sure I have not done so adequately.²² In any case, I will not be able to address it in any detail here. So let me just flag this issue and continue with points of the child/inclination analogy that are most salient.

The claim so far is that the motivational source of our inclinations can be conceived on the model of the inner animal. Now our task is to explain the provisionality of inclination. Why does the inner animal have authority to make proposals to the will? And why doesn't it have authority to determine what the agent does independently of the will? The view I have developed thus far does not obviously answer these questions. So let me use the framework we have developed here to try to move in the direction of an answer. Consider first how the proficiency view might apply. Given that we have two motivational sources, an inner animal and a will (which I have called "the reflecting part" or "the choosing part"), and given that the will has asymmetric authority with regard to the inner animal, is the basis of this hierarchy conventional/pragmatic or natural?

In the previous section I argued, independent of the details of my account, that the proficiency view is inadequate. The story cannot be that we accord the inner animal merely provisional authority because without oversight by the will, it is likely to lead us astray. The alternative is the attributability view, which would hold that the inner animal is an ill-constituted motivational source. But why would that be? So far the picture I have drawn suggests that it is a perfectly well-constituted motivational source. There is nothing internally defective about the way nonhuman animals are motivated. Moreover it seems natural to think that my inner animal could determine action that is fully attributable to me. Suppose I have an inclination to drink that cup of coffee, and that this inclination actually causes me or leads me to drink that cup of coffee. Is it not the case that I have thereby acted? If so, then my inner animal is a full motivational source. To deny this, it would seem, would be to maintain that when my inclination causes me or leads me to drink that cup of coffee, I am actually being

²² See my account of "object-based agency" in "The Nature of Inclination."

dragged around by an alien force. But that seems odd at best. Still, if these are the alternatives, then it is hard to see any non-pragmatic reason why inclination should have merely provisional authority. The only reason to think my inner animal's determinations *require* ratification by my will is that they are likely to lead me astray.

But neither of these alternatives correctly describes the situation. If I have an inclination to drink that cup of coffee, that inclination alone *cannot* lead me to drink that cup of coffee. The inclination *requires* ratification by the will. The sense of necessity I am invoking here is not pragmatic. Nor is it simply definitional. It is not simply that we have defined "action" such that only behavior that involves the will's ratification counts as action. The necessity, I claim, stems from the incompleteness of inclination as a motivational source, and from the incompleteness of the motives issuing from that source. What I mean is this. My inner animal is not a separate, whole entity inside me. It is in a deep sense a part of me. Characterizing exactly what this means is a challenge, but I think we can gain some insight by thinking of the inner animal as faced with a predicament when it comes to governing itself. As a nonrational motivational source, the inner animal can only determine itself in the mode of instinct. But the self it claims to determine is not a creature of instinct. It is the whole rational animal. The inclining part of me is determining itself to "Drink this!" But the self to whom that imperative is addressed, and in whose name that claim is being made, is my whole self. My whole self, because it is rational, cannot obey instinct simply as such. If I am to act as my instincts direct, I need a reason to do so. So there is a fundamental mismatch between the dictatorial mode in which the inner animal issues its commands, and the rationally grounded mode in which the self addressed by those commands, the whole rational animal, must find them if they are to be endorsed. The inner animal cannot govern itself in terms of reasons, but the self it claims to govern, the whole self, needs reasons if it is to act.

In this sense, the inner animal both needs and lacks a reflective capacity. It needs to be something other than what it is. Whereas outer animals –flies, snakes, antelope –

have no need to be anything other than the creatures of instinct that they are, the inner animal does. This is because the inner animal is, by its very nature, in a predicament that outer animals do not have to face. It is in the predicament of having to govern itself despite a mismatch between the mode in which it directs itself and the mode in which it takes direction.

If this is right, then the will/inclination hierarchy is natural, not conventional, and the provisionality of inclination stems from its nature as an incomplete motivational source. And it is a corollary of this view that each of our inclinations is an incomplete motive. Each inclination is like a dictate of instinct that is addressed to a creature who has been liberated from instinct. Since we cannot escape our rational nature and go back to being creatures of instinct, we have to make our inclinations fit to govern us as rational. This means every inclination needs and lacks further reflective elaboration, the kind of elaboration that would give the agent as a whole a reason to do what instinct demands. Our inclinations, by their very nature, need to be made into what Kant called “maxims.” And although I will not argue the point here, what it is to be a maxim in the full sense is to have universal form. So inclinations are in a normatively unstable position as acts of self-determination, and this instability is what makes it necessary to transform them into universalizable principles. Our inclinations are the raw normative materials out of which we make our wills. Indeed that purpose is built into their nature.

5.

What then happens to the constitution model? I think my view implies that the constitution model can give rise to a domesticated picture of the relation between higher and lower motivational capacities. It can make it look as though inclination is a well-constituted motivational source that would in principle rival reason, if we didn't impose on ourselves a constitution that assigns it a subordinate role. It can also make it look as though inclining is a different activity from willing, because it purports to describe a division of labor where proposing is a different activity from ratifying. But if my view is correct, then inclination is not really a well-constituted

motivational source, and proposing is not really a different activity from ratifying. To have an inclination is to be falling short of determining oneself as a whole rational animal. The failure is of a distinctive kind, and because its source is not the will, we are not accountable for it. But it is as a condition of inadequate self-government that having an inclination provides the starting point for deliberation.