Functional Constitutivism's Misunderstood Resources:
A Limited Defense of Smith's Constitutivism*

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Michael Smith has recently developed an account of categorical normative reasons for action. Smith argues that particular desires are constitutive of ideal agency and draws on his past work on the nature of reasons to establish the normative significance of these desires for all agents. According to a sustained critique by Michael Bukowski, not only is Smith unable to defend several key premises needed to show these desires are constitutive of ideal agency, he is also unable to rely on his previous work to establish the normative significance of such constitutive desires. On the contrary, I argue not only that Smith has these resources, but also that the form of Smith's constitutivist explanation has unappreciated explanatory strengths.

I. INTRODUCTION

In a series of recent papers,[i] Michael Smith claims to "derive a substantive account of normative reasons for action from abstract premises about the nature of action and agency."[ii] According to Smith, it is constitutive of being an agent to have the function of being a desire-realizer equipped with the following pair of rational capacities: "to know the world in which they live and [to] realize their final desires in it."[iii] Ideal agents, then, are those who maximally satisfy the norms "to which an agent conforms when he fully and robustly exercises this pair of capacities."[iv] Smith argues that ideally exercising these capacities requires the intrinsic desires to "not interfere with anyone's current or future exercise of their rational capacities, and [to do] what she currently can to see to it that anyone who lacks such capacities acquires and maintains them."[v] Because of this, Smith concludes that having these desires is "partially constitutive of what it is to have an ideal psychology."[vi]

There are, of course, well-known objections to Constitutivists' claims that being constitutive of agency is of normative significance. Among constitutivists, Smith's explanation of the normative

significance of the desires he argues are constitutive of ideal agency is distinctive for its explicit reliance on an independently defended account of normative reasons. According to Smith's recent arguments, the desires to help and not hinder are constitutive of ideal agents, and so our idealized counterparts would all have these desires. Because Smith has previously defended an account on which our normative reasons are a function of the desires of our idealized counterparts,[vii] he takes these recent arguments to establish that all agents have reason to help and not hinder, regardless of their actual contingent desires.[viii] Moreover, given the "striking similarity" between actions motivated by these desires and those we take to be morally required, he concludes that all agents have reason to do what is morally required.[ix]

Michael Bukowski has developed a pressing set of objections to Smith's constitutivist account.[x] In his Normativity Objection, Bukowski objects that Smith cannot rely on his dispositional account of reasons to establish the normative authority of the desires he has argued are constitutive of ideal agency.[xi] In his Circularity Objection, Bukowski also argues that Smith relies on two undefended assumptions in arguing that the impartial, atemporal desires to help and not hinder are constitutive of ideal agency: the "robustness thesis" and the "symmetry thesis."[xii] According to the former, an ideal agent "has what it takes to remain ideal insofar as this is under her control."[xiii] According to the latter, an "agent's relationship to other people is not relevantly different from her relationship to her future self."[xiv] Bukowski objects that Smith is unable to defend these theses without *ad hoc* commitments to the nature of agency or question-begging assumptions about moral impartiality. In either case, Smith's claim to derive a substantive account of normative reasons from abstract premises about the nature of agency would fail.

Though I am not convinced Smith's project ultimately succeeds, these objections do not appreciate the explanatory resources of the structure of Smith's account. In Section II, I respond to the Normativity Objection on Smith's behalf. I argue that it overlooks a straightforward way for

Smith to rely on his dispositional account of reasons to establish the normative significance of any desire he shows to be constitutive of ideal agency. I argue, in Section III, that functional accounts, like Smith's, have non-*ad hoc* resources to explain the robustness thesis. In Section IV, I develop Smith's argument for the impartiality of desires constitutive of ideal agency, showing that it does not rely on the symmetry thesis, as Bukowski has claimed.

In my view, whether Smith's constitutivist account ultimately succeeds depends on his ability to defend his particular functional account of agency and his dispositional account of reasons. In the meantime, I hope to show that the *form* of Smith's constitutivist account promises under-appreciated explanatory benefits.

II. THE NORMATIVE SIGNIFICANCE OF CONSTITUTIVE FEATURES

In his Normativity Objection, Bukowski argues that Smith cannot account for the normative significance of being a desire constitutive of ideal agency by drawing on his arguments about the rational significance of the desires of our ideal counterparts. According to Bukowski, this strategy involves an essential equivocation on "ideal agency."[xv] Smith has recently argued that some desires are constitutive of the psychology of ideal agents, what Bukowski calls "kind-ideal agents," which are "excellent agent[s] according to the constitutive standards of agency."[xvi] Smith's dispositional account of reasons, however, demonstrates the normative significance of the desires of our fully rational counterparts, which Bukowski calls "rational-ideal agents."[xvii] Given this difference in the two arguments, showing that a desire is constitutive of kind-ideal agency does not establish its connection to our reasons, given that our reasons are a function of the desires of our rational-ideal counterparts.

Bukowski considers and rejects two strategies that Smith could use to establish the normative significance of desires constitutive of kind-ideal agents. First, Bukowski claims Smith cannot

establish that kind-ideal and rational-ideal agency are extensionally equivalent.[xviii] Second, Bukowski argues that Smith cannot apply the argument he uses to establish the normative significance of the desire sets of rational-ideal agents *mutatis mutandis* to kind-ideal agents.[xix] Bukowski concludes that Smith cannot vindicate his explanatory strategy for establishing the normative significance of desires constitutive of kind-ideal agents.[xx]

Bukowski's conclusion, however, is too quick. At most he has shown that Smith cannot establish the normative significance of desires constitutive of kind-ideal agents by demonstrating the normative significance of their *desire sets*. But kind-ideal agents can have many desires which are not constitutive of their status as kind-ideal, and Smith only needs to establish the normative significance of their constitutive desires.[xxi] Bukowski does not consider whether Smith might demonstrate the normative significance of desires constitutive of kind-ideal agency without establishing the normative significance of the rest. Because of this, he does not consider whether Smith could show that rational-ideal counterparts are guaranteed to have any desire constitutive of kind-ideal agency, merely in virtue of their rational-ideal status.[xxii] Let's call this "the simple connection."[xxiii] Establishing the simple connection would vindicate Smith's explanatory strategy of explaining the normative significance of desires constitutive of kind-ideal agency by appeal to his dispositional account of reasons.

Desires constitutive of kind-ideal agency are those required by the internal standards of agency—those that make an agent better *qua* agent in virtue of satisfying them. In his recent constitutivist arguments, Smith explains that we should "think of an agent as a functional kind, defined by the possession and exercise, to some degree or other, of the capacities to know the world in which he lives and realize his desires in it, and hence think of the norms governing the idealization as those to which an agent conforms when he fully and robustly possesses and exercises this pair of capacities."[xxiv] So, if a desire is required by the internal standards of agency, kind-ideal

agents are guaranteed to have that desire because it is needed to ensure they are able to ideally possess and exercise their rational capacities.[xxv] Constitutive desires of kind-ideal agency are thus those that are required to ensure that the capacities with which we deliberate and realize our desires are ideally able to serve that function. If the simple connection holds, all rational-ideal counterparts will be guaranteed to have any such desires.

As Bukowski notes, Smith originally introduces what Bukowski terms "rational-ideal agents" as counterparts who are ideally situated to make good decisions about what is desirable, enabling their desires to constitute our reasons.[xxvi] So, for example, Smith explains that rational-ideal agents must have all relevant true beliefs because they ideally situate an agent to make good decisions about what is desirable. Ignorant or misinformed counterparts who manage to desire what is desirable are lucky. Changes that remove this reliance on luck are rational improvements, because they make a counterpart more likely to desire what they have reason to desire, and so counterparts who are relevantly fully informed are more rational than those who are not.[xxvii] So, being fully relevantly informed is a *cognitive* condition on being a rational-ideal agent.

Given Smith's functional understanding of agency, we can similarly see that having desires constitutive of kind-ideal agency is a *conative* condition on being ideally situated to make good decisions about what is desirable. After all, a counterpart who lacked a desire constitutive of agency would thereby not be fully equipped to ensure they ideally co-exercise their rational capacities—those capacities essentially used to deliberate about and realize what is desirable. In particular, without such coherence-inducing desires an agent could find herself in a situation where her desires are best realized at the cost of the ideal exercise of her deliberative capacities. Without assurance against such self-sabotaging exercises, an agent might undermine her ability to form true beliefs, including beliefs about what is desirable.[xxviii] Counterparts without these desires who end up with accurate beliefs about what is desirable are lucky, and this form of luck is disqualifying for rational-

ideal agents on the same grounds as before. Changes that remove reliance on luck in forming accurate beliefs about what is desirable are rational improvements, and are required in our rational-ideal counterparts, whose desires constitute facts about what is desirable for us. So, having coherence-inducing desires is a *conative* condition on being a rational-ideal agent for the same reason that being relevantly fully informed is a *cognitive* condition: both are rational improvements needed to ensure true beliefs about what is desirable is not due to luck.

This then vindicates the simple connection. Discovering that a desire for something is constitutive of being a kind-ideal agent is a way to discover that your rational-ideal counterpart desires it, in the same way that discovering there is a relevant truth is a way to discover that they believe it. So, if Smith is able to establish that some desires are constitutive of kind-ideal agency, he can rely on his explanatory strategy and appeal to his dispositional account of reasons to explain their normative significance.

III. THE DEMANDINGNESS OF ATELIC FUNCTIONS

Of course, this vindication of the normative significance of being a desire constitutive of kind-ideal agency might be a hollow victory, because Bukowski also argues that Smith fails to establish that any desires are constitutive of kind-ideal agency in the first place. Bukowski notes that in his recent arguments Smith assumes that an ideal agent "has what it takes to remain ideal insofar as this is under her control," what Bukowski calls "the robustness thesis."[xxix] However, as Bukowski notes, it is not generally true that functional kinds and capacities ought to be self-maintaining. For example "a good missile is not one that above all else maintains itself indefinitely into the future, but instead one that destroys itself… as a means to accomplish some aim."[xxx] Bukowski objects that without a principled explanation of this difference between agents and missiles, the robustness

thesis amounts to adopting "without sufficient justification, the characterization of agency that seems better suited for deriving moral requirements."[xxxi]

Bukowski correctly notes that many functional capacities need not be indefinitely self-maintaining, what we can call "unrestrictedly robust." However, he has overlooked a central feature of functional constitutivist accounts of agency that can explain why *agentive* capacities must be unrestrictedly robust: namely, that the function of agency is *atelic* in character. All functional capacities, I'll argue, have some minimal robustness demands, but the atelic nature of the function of agency can be used to explain why the robustness demands on agents are unrestricted. If this is correct, then the robustness thesis is true.

Though ideal functional capacities need not have what it takes to maintain themselves indefinitely, they must all have what it takes to maintain themselves until they've completed their contribution to the performance of their function. So, what I'll call the "restricted robustness thesis" is true of all ideal functional capacities. Consider, for instance, the missile whose infrared heat-seeking capacity guides the missile to its target, contributing to its own destruction. Bukowski is certainly right that a good infrared heat-seeking capacity need not maintain itself indefinitely into the future. But it should maintain itself long enough to play its role in directing the missile to the target. It must be restrictedly, though not unrestrictedly, robust. So, if we can show that agentive capacities make ongoing contributions to a function that is never completed, we can explain the truth of the robustness thesis as a special case of this restricted robustness result.

Smith provides resources for an explanation of unrestricted robustness in his understanding of the temporal duration of agents. He writes "…given that they may well exist over time, ideal agents must also be in the present such that they can possess and exercise their epistemic and desiderative capacities in the future."[xxxii] This explanation of the temporally extended nature of agency can explain how the agentive capacities play an ongoing role in the performance of the

function of agency.[xxxiii] But in order to understand how the function of agency is never completed we need to understand its atelic character.

Kieran Setiya nicely explains the difference between telic and atelic activity in terms of completion.[xxxiv] On his account, telic activity types are those that "one can finish doing, or complete," because it is part of the activity that it "aim[s] at a point of termination or exhaustion: a final state in which they have been achieved and there is no more to do."[xxxv] Atelic activities, in contrast, are types of activities that, as far as the structure of the activity is concerned, could go on forever. Telling a joke is a telic activity; it aims at a punch line (say). After the punch line, your only joke-telling option is to tell *another*, because the first one is over. In contrast, spending time with friends is atelic; it doesn't aim at some state that, once you've reached it, you have to start hanging out with friends again, because the first hang out is over. As Setiya points out, when you engage in atelic activities, "you can stop doing these things, and eventually you will, but you cannot finish or complete them in the relevant sense. […] There is no outcome whose achievement exhausts them. They are not in that way limited."[xxxvi]

Any functional capacity that plays an ongoing and essential contribution to an atelic activity will thus have unrestricted robustness demands because it can never complete its functional contribution. Above I claimed that desire-realization is an atelic activity, but of course, heard in one way, realizing a desire is the ultimate telic activity. If I have the desire to eat a peach, the telos is eating the peach. Eating the peach not only realizes my desire, it also thereby satisfies my desire, i.e., it causes me to no longer have the desire. What could be more telic?[xxxvii]

But according to Smith, the function of agency is not to *satisfy* the agent's intrinsic desires, but "to realize [the agent's] intrinsic desires, no matter what their content."[xxxviii] Successfully realizing my intrinsic desires need not satisfy them. After all, our intrinsic desires are for those things that we find fundamentally desirable: caring for our family and friends, being a good

neighbor, acquiring knowledge, maintaining our health.[xxxix] We do not engage in realizing our intrinsic desires in order to *complete* realizing our desires; in realizing our intrinsic desires, we do not aim at exhausting them—crossing them off a list, as it were. Because of this, the realization of intrinsic desires is not something that comes closer and closer to completion the more we realize those desires. Even when I one day stop realizing my intrinsic desires, there will be no sense in asking how close I was to completing the task, in the way we might sensibly ask how close the missile was from the target when it veered off course. From this we can conclude that the function of agency is atelic; there is nothing that counts as the capacities constitutive of agency *completing* their functional role.

This provides the resources Smith needs to explain why the unrestricted robustness thesis is true of agentive capacities. Any capacity that contributes to the performance of a function has restricted robustness demands that require it to maintain itself until its contribution to the function is completed. Because agentive capacities make ongoing contributions to an atelic function, there will be no point after which they need not maintain their ability to contribute.[xl] So, the unrestricted robustness thesis is true of agentive capacities.

IV. INTERDEPENDENCY'S ROLE IN EXPLAINING IMPARTIALITY

Bukowski has also accused Smith of illicitly relying on moral intuitions to establish the *impartiality* of the constitutive desires to help and not hinder.[xli] Bukowski claims that Smith's impartiality result relies on what Bukowski calls "the symmetry thesis," that an "agent's relationship to other people is not relevantly different from her relationship to her future self."[xlii] There are clearly some dissimilarities in the two relationships, most obviously that one of them is a relationship of identity (or at least psychological continuity) while the other is not. Because of this, to establish the symmetry thesis, Smith would need to explain why these differences are not *relevant.* Bukowski

9

identifies one paragraph where he takes Smith to endorse and defend the symmetry thesis, but objects that it is insufficient to the task.[xliii] Without an explanation of what makes a difference *relevant*, Bukowski claims that Smith's reliance on "the symmetry thesis appears either unmotivated or question-begging."[xliv]

Despite this, the primary argument for Smith's impartiality result, developed throughout his recent work, does not rely on the symmetry thesis, with its general denial of relevant difference. Instead, as I'll show, it appeals to two *particular* "remarkable symmetries" that hold between an agent, her future self, and others.[xlv] Given this, Smith doesn't need to show that the acknowledged dissimilarities are irrelevant in order to provide an account of the impartiality of the desires constitutive of ideal agency.[xlvi]

The first symmetry has to do with *control*: an agent can only directly exercise her current rational capacities, but she can *affect* both her future desires and beliefs and others'. The second symmetry is one of *dependence*: agents rely on others and their past selves for both the resources with which they exercise their capacities and their non-interference in exercising them.[xlvii] According to Smith, it follows from these two symmetries that there are *two* ways that an agent could affect the future exercise of their capacities: *directly,* by failing to help or hindering her future ability to exercise her capacities, and *indirectly,* by failing to help or hindering the capacities of *another agent*, on which she will later be dependent.[xlviii] Because of this, only agents who have the *impersonal* intrinsic desires to help and not hinder are *guaranteed* to not (intentionally or inadvertently) indirectly frustrate their future functioning in this second way. Smith concludes that "if [agents] are robustly to have and fully exercise their own capacities to believe for reasons, [they] must desire not to interfere with other rational agents' exercises of their capacities."[xlix]

We might worry that this conclusion is stronger than warranted. After all, this presupposes that the ideal agent is *absolutely certain* not to hinder their future self. For every agent, there are

clearly many people on whom she is *overwhelmingly unlikely* to depend in the future, and the desire to help and not hinder those people might be very demanding. But the robustness thesis *is* that demanding. According to it, ideal agents are not guaranteed to be *highly* or *overwhelmingly likely* to have what they need to ensure they remain ideal in the future, they are guaranteed to have what it takes to remain ideal insofar as it is within their control. Having what it takes to remain ideal is a modal notion; it requires having not only what you end up having needed in the actual world to remain ideal, but anything you might possibly have needed to remain ideal, no matter how implausible it was that you would have needed it. Given that there is no in-principle constraint on whom an agent might depend in the future, there is no possible constraint on whose capacities an ideal agent will desire to help and not hinder. The modal strength of the demands on ideality and the *potential* dependence of all on all is sufficient for the strong impartiality result.[1]

We might *still* fear this is too quick. Why wouldn't the more restricted intrinsic desire to have her capacities helped and not hindered be sufficient for the psychology of the ideal agent? After all, if an ideal agent knew that a particular instance of helping or not hindering the capacity of another agent would realize this desire, she would form the extrinsic desire to help or not hinder that specific capacity in this instance. The most straightforward reason is that ideal agents, even were they to have full information, would not know facts about the future. Because of this, they could not be assured to know when they are in a position to indirectly help or hinder the future exercise of their capacities. The agent with the impartial desire to help and not hinder rational capacities is thus better equipped to remain ideal, and is thus more ideal.[li]

Despite Bukowski's focus on the symmetry thesis, Smith need not rely on it to establish the impartiality of the desires constitutive of ideal agency. Instead, I've argued that Smith appeals to the interdependence of agentive capacities and the robustness thesis together to explain why such desires must be impersonal, namely, such desires are needed to guarantee that inter-dependent

agents have what it takes to remain ideal insofar as it is within their control. We should thus not be concerned that establishing the impartiality of the desires of ideal agents requires implicit appeal to moral assumptions.

V. CONCLUSION

I've thus defended Smith's constitutivist account from three objections. In Section II, I showed that Smith's recent reliance on his dispositional account of reasons does not involve an essential equivocation on "ideal agent." In Section III, I developed a strategy that will enable functional constitutivists, like Smith, to explain why capacities constitutive of agency are better when they are indefinitely self-maintaining. In Section IV, I explained Smith's reliance on symmetry claims in his arguments for the impartiality of the constitutive desires to help and not hinder and showed how they involve no moral impartiality assumptions.

I am not suggesting that this decisively settles things in Smith's favor. I've provided no argument for Smith's claim that agents have the function of being desire-realizers or that they constitutively have the capacities of knowing the world. I've also given no reason to think that Smith's earlier dispositional account of reasons is compelling. I haven't even fully responded to Bukowski's criticisms.[lii] Importantly, however, none of the defenses I make here turn on the successful defense of any of these commitments of Smith's.

The features of Smith's account that have proven fruitful in this defense provide a blueprint for a particularly strong constitutivist account. First, Smith explicitly relies on an independently-defended account of the nature of reasons to demonstrate the normative significance of the constitutive resources he develops.[liii] This offers a promising strategy to explain the normative authority of constitutive resources without relying on substantial normative commitments that the constitutivist is committed to explaining within their account.[liv] Second, Smith explains agency as

a functionally-understood kind with constitutive capacities assessable according to their ability to contribute to performing the function of agency.[lv] Any account on which agency has an atelic function will be able to provide a similar explanation for why agents ought to self-maintain. Finally, Smith understands agents as essentially interdependent, because the exercise of an agent's capacities depends both on their exercise in the past and on the exercise of the capacities of others. Any constitutivist who can explain how agents are dependent on each other in performing their constitutive function will have resources useful in explaining impartial normative conclusions.[lvi]

In defending these features of Smith's account, I hope to have demonstrated their power more generally. Insofar as philosophy makes progress, it is often by identifying innovative features in the views of others and assessing their explanatory strengths, thus recognizing their value independently of the success of the theory in which they first appear. This is the methodology at the heart of this limited defense.

i Michael Smith, "A Constitutivist Theory of Reasons: Its Promise and Parts," *Law, Ethics and Philosophy* 1 (2013): 1–30; "Deontological Moral Obligations and Non-Welfarist Agent-Relative Values," *Ratio* 24 (2011): 351–63; "Agents and Patients, or: What We Learn about Reasons for Action by Reflecting on Our Choices in Process-of-Thought Cases," *Proceedings of the Aristotelian Society* 112 (2012): 309–31; and "The Magic of Constitutivism," *American Philosophical Quarterly* 52 (2015): 187–200.

ii Smith, "The Magic of Constitutivism," 199.

iii Smith, "A Constitutivist Theory of Reasons," 10.

iv Smith, "Agents and Patients," 309.

v Smith, "The Magic of Constitutivism," 192.

vi Smith, "Agents and Patients," 313.

vii Michael Smith, *The Moral Problem* (Malden, MA: Blackwell, 1994), esp. Ch 5; "In Defense of The Moral Problem: A Reply to Brink, Copp, and Sayre-McCord," *Ethics* 108 (1997): 84–119.

viii Smith, "Agents and Patients," 314.

ix Smith, "A Constitutivist Theory of Reasons," 20; Smith, "Deontological Moral Obligations," 360. Note, though he holds that all agents have reason to do what is morally required, see Smith, "Agents and Patients," 319, 328, for a discussion of what sorts of conflicts the ideal agent can have and how they are to be resolved.

x Michael Bukowski, "A Critique of Smith's Constitutivism," *Ethics* 127 (2016): 116-146.

xi In this sense, it tracks worries raised in Kieran Setiya, "Explaining Action," *Philosophical Review* 112 (2003): 339-93; and Evan Tiffany, "Why Be an Agent?" *Australasian Journal of Philosophy* 90 (2012): 223-33.

xii Bukowski also raises a third objection, the Content Objection, denying Smith's claim that actions motivated by desires to help and not hinder are "strikingly similar" to those we take to be morally required. I won't address this objection.

xiii Bukowski, "A Critique of Smith's Constitutivism," 120. "Has what it takes" is not entirely perspicuous, but it is hard to rephrase the robustness thesis without it. The point, I think, is that the capacities of ideal agents would not be the cause of their own inability to be ideally exercised in the future, if it can be helped.

xiv Ibid., 134.

xv Importantly, the Normativity Objection is an objection to Smith's ability to show that being constitutive of ideal agency is normatively significant. In raising it, Bukowski *grants* Smith both his dispositional account of reasons and his recent arguments that some desires are constitutive of ideal agency. Ibid., 123ff.

xvi Ibid., 123.

xvii Ibid., 123-4. In the remainder of this section, I follow Bukowski's use of these terms.

xviii Ibid., 123.

xix Bukowski rejects this possibility because Smith's earlier argument defending the normative significance of the desires of our rational-ideal counterparts relied on their immunity from rational criticism, a feature not shared by kind-ideal agents. Ibid., 128.

xx It is thus reminiscent of the Shmagency Objection, in its demand that constitutivist explanations provide a normative vindication of the conception of agency. David Enoch, "Agency, Shmagency: Why Normativity Won't Come from What Is Constitutive of Agency," *Philosophical Review* 115 (2006): 169-98. In a recent manuscript, "Constitutivism: On Rabbits, Hats, and Holy Grails," (unpublished), Enoch more explicitly addresses Smith's constitutivist account, and presses that Smith is unable answer "the question why we should care about the function of agency?"(11) However, Smith need not vindicate the function of agency by demonstrating that we must *care* about it, he only need show that it explains a set of universal reasons. It's this ability that is at the heart of the Normativity Objection.

xxi It is precisely because Smith thinks ideal agents can have idiosyncratic desires that the possibility of incoherence arises. See e.g., Smith, "Constitutivist Promise and Parts," 16.

xxii Bukowski also argues that Smith cannot directly establish that the desires to help and not hinder must be had by rational-ideal counterparts ("A Critique of Smith's Constitutivism," 128n30). Such a demonstration would not address the Normativity Objection, however, because it would not establish that the status of *being constitutive of ideal agency* was normatively significant.

xxiii Bukowski comes closest to addressing the simple connection at 128n26, where he acknowledges that discovering your kind-ideal counterpart desires something might provide "some evidence" of the desires of your rational-ideal counterpart. But here, as elsewhere, Bukowski's focus is on whether this could show that the *desire set* of your kind-ideal counterpart could be normatively significant. Ibid.

xxiv Smith, "Agents & Patients," 310.

xxv They are needed to not only *fully* but *ideally* exercise their capacities. Fully and robustly exercising capacities is not a merely quantitative matter, but is a qualitative matter, determined by the function that the capacities are capacities *for*.

xxvi Smith, "In Defense of *The Moral Problem*," 91.

xxvii Smith, *The Moral Problem*, 156-7.

xxviii Smith addresses the way in which the common desire to have pleasurable experiences could lead to an agent without coherence-inducing desires to undermine her deliberative capacities in "Deontological Moral Obligations," 355.

xxix Bukowski, "A Critique of Smith's Constitutivism," 120.

xxx Ibid.,133.

xxxi Ibid.

xxxii Smith, "The Magic of Constitutivism," 191; see also Smith, "Agents and Patients," 315.

xxxiii Bukowski considers a similar argument for Smith's atemporal conclusion relying on the temporal extended nature of deliberation, which he attributes to an anonymous reviewer, in 130-1n32. Bukowski correctly notes that the temporally extended nature of deliberation only ensures a *temporally extended* robustness requirement, rather than an *atemporal* requirement. The argument I develop in this section accounts for the atemporal, rather than merely temporally extended, nature of the normative requirements governing agents. Bukowski, "A Critique of Smith's Constitutivism."

xxxiv See Kieran Setiya, "The Midlife Crisis," *The Philosopher's Imprint* 14:31 (2014). The distinction between telic and atelic action is often attributed to Aristotle, *Metaphysics θ*.

xxxv Setiya, "The Midlife Crisis," 12.

xxxvi Ibid., 12-3.

xxxvii Special thanks are due to Eric Wiland for both this example and pressing the need to address this objection.

xxxviii Smith, "The Magic of Constitutivism," 190.

xxxix Smith, "Deontological Moral Obligations," 358.

xl It doesn't follow that agentive capacities can't cause their own destruction, because ceasing to exist isn't a way of becoming worse. See Kathryn Lindeman, "Constitutivism without Normative Thresholds." *Journal of Ethics and Social Philosophy* 12 (2017): 231-258.

xli Bukowski, "A Critique of Smith's Constitutivism," 134-7.

xlii Ibid., 134.

xliii Bukoswki and I have different readings of this paragraph, found in "Constitutivist Promise and Parts," 18. Rather than defend or rely on the symmetry thesis, I take Smith to be relying on an argument from Parfit against incompletely relative theories found in §55 of *Reasons and Persons* to establish his impartiality result. Smith similarly relies on this argument from Parfit in "Agents & Patients," 321. The argument I develop in this section does not draw on this paragraph or rely on Parfit's argument against incomplete relativity, and so we can thankfully avoid adjudicating the interpretative disagreement over this paragraph. Derek Parfit *Reasons and Persons* (Oxford, Clarendon Press: 1984), 140.

xliv Bukowski, "A Critique of Smith's Constitutivism," 135.

xlv Smith, "Agents & Patients," 191.

xlvi We might say that what makes the dissimilarities in question irrelevant is that they are not relevant to the argument Smith develops.

xlvii Of course, in helping or not hindering the exercise of some other agent's capacities, I might (inadvertently) aid their future hindering of the exercise of my capacities. Smith must explain why this does not constitute my undermining my future ideal exercise while my failure to indirectly help my future exercise does. Perhaps this is meant to be covered by the "insofar as possible" clause. See also Smith's discussion of the conditional form of these desires in "Deontological Moral Obligations," 358.

xlviii Smith draws the *very* strong conclusion that "the possession and exercise of every agent's desiderative and epistemic capacities is thus thoroughly dependent on the possession and exercise of every other agent's desiderative and epistemic capacities, just as thoroughly dependent as any particular agent's future self's possession and exercise of his desiderative and epistemic capacities is on that of his current self" ("Agents & Patients," 191). My development of Smith's argument does not rely on this strong claim.

xlix Smith, "Deontological Moral Obligations," 357.

1 Of course, the agent's own capacities will be among those she impartially desires to help and not hinder. So, given that "dominant desires constitutive of being ideal cannot always be co-satisfied," agents are not in-principle prevented from focusing on themselves and those near them, even at the expense of others far away (Smith, "Agents and Patients," 319). I don't know of a place where Smith discusses interpersonal trade-offs, but he does discuss similar conflicts in the intrapersonal case and nothing he says commits him to extreme or implausible trade-offs as the result of these impartial desires. Ibid. Thanks to an Associate Editor for drawing my attention to the need to further address this concern and those in this section.

li Additionally, Smith argues that desires must be about *what the agent is to do* rather than *what is to be done.* So insofar as the desire is *that my capacities be helped and not hindered* rather than *that I help and not hinder my rational capacities*, it is of the wrong form according to Smith. See Ibid., 320.

lii Bukowski also criticizes the resulting moral theory as implausibly revisionary. See, "A Critique of Smith's Constitutivism,"137-46.

liii For a defense of this general strategy of appealing to the nature of reasons to explain the normative significance of constitutively-explained features, see Matthew Silverstein "Teleology and Normativity" in *Oxford Studies in Metaethics* 11 (2016): 214-240 and Hille Paakkunainen "Doing Away With the 'Shmagency' Objection to Constitutivism," *Manuscrito* 41 (2018): 431-480.

liv Enoch objects that this type of strategy involves a linguistic solution to a substantial problem: "To the extent that you feel the pull of the question—why should we care about the function of agency—you should not be happy with the answer 'because this is what "reason" *means*'" ("Constitutivism: On Rabbits, Hats, and Holy Grails," 11). I don't see how this amounts to a linguistic solution, though perhaps this objection is more promising in response to e.g. Korsgaard's discussion of the functional role of reason-talk in *The Sources of Normativity*, (Cambridge, Cambridge University Press: 1996), esp Chapter 3.

lv Constitutivist accounts classified as "Neo-Aristotelian" most commonly embrace this structure. For a discussion of such accounts, see Douglas Lavin, "Forms of Rational Agency," *Royal Institute of Philosophy Supplement.* 80 (2017): 171-193.

lvi For constitutivists accounts amenable to this point, see Kenneth Walden, "Laws of Nature, Laws of Freedom, and the Social Construction of Normativity," in *Oxford Studies in Metaethics* 7 (2012): 37-79, and Kate Manne, "Internalism about Reasons: Sad but True?" *Philosophical Studies* 167 (2014): 189-117.