Normativity and the Will to Power:
Challenges for a Nietzschean Constitutivism

ABSTRACT:

In this paper, I critically consider the Nietzschean version of constitutitivism that Paul Katsafanas has recently developed. My focus, following Katsafanas's, is not on the exegetical issue of whether this constitutivism was indeed Nietzsche's own view. It is rather on the philosophical question of whether the view itself is tenable. Do actions *have* a constitutive aim, in the way that Katsafanas supposes? If so, what is that aim? From the putative fact that actions have a constitutive aim, what would follow about the grounding of normativity in general? Will this approach yield up a tenable meta-ethical theory? While Nietzschean constitutivism is an ingenious and original position, it faces some serious challenges that it will have difficulty answering in a satisfactory way.

Introduction

The past decade and a half has seen a considerable flowering of interest in Nietzsche's meta-ethics. In this time, Nietzsche has been presented with nearly as wide a range of views in meta-ethics as there are exegetical options on the table—views ranging from nihilism to subjective realism to expressivism to fictionalism to objective realism to, most recently, constructivism and constitutivism. Interpreters must square Nietzsche's apparently skeptical remarks about the objectivity of value with his seeming commitment to a certain privileged set of values, in light of which he purports to "revalue" the values of the moral tradition. Is this apparent commitment nothing more than rhetorical bluster? Or does he think that some values really have a privileged status? And if so, in virtue of what? This puzzle has elicited a number of elegant solutions and ingenious potential interpretations.

In his recent book, Paul Katsafanas adds one of—if not the—most philosophically-sophisticated options to the mix by developing a Nietzschean form of constitutivism, a view more often associated with Kant, but in its broad outlines, amenable to a Nietzschean version as well.[i] The aim of Katsafanas's book is to do more than simply resolve an exegetical puzzle in Nietzsche scholarship. He wants develop a distinctive meta-ethical theory rooted in Nietzsche's work. What he arrives at is a view of considerable ambition and interest that offers to be a way not just of making sense of Nietzsche's work, but of how we are to understand the grounding of normativity. As he notes in various places in his book, he is more concerned to establish the theory's philosophical credentials than to argue that it was indeed Nietzsche's own view. So in what follows, I'll be concerned exclusively with the philosophical, as opposed to exegetical, questions that arise with this Nietzschean view and with the constitutivist strategy that Katsafanas has taken up.

In the philosophical literature thus far, constitutivism has mainly been associated with the work of David Velleman and especially that of Christine Korsgaard.[ii] Katsafanas takes his inspiration from these views, but wants to put forward an account that improves on their weaknesses—and that promises advantages over rival non-constitutivist meta-ethical views, including Humeanism and non-reductive realism. Although I think there are good potential replies to the difficulties that Katsafanas has raised for several of these views, those matters will not be my focus of attention here. The guiding questions of my paper will be internal ones that arise for his form of constitutivism itself: Do actions *have* a constitutive aim, in the way that Katsafanas supposes? If so, what is that aim? From the putative fact that actions have a constitutive aim, what would follow about the grounding of normativity in general? Will this approach yield up a tenable meta-ethical theory? While I have great admiration for the ingenuity and originality of the view Katsafanas has put forward, ultimately I think it faces some serious challenges that it will have difficulty answering in a satisfactory way.

Constitutive Aims and the Generation of Normativity

I would like to begin by exploring a foundational idea for the constitutivist project—the notion of a constitutive aim.[iii] Games are natural way of introducing this idea. Games ordinarily have a clear goal, such as, in chess, check-mating one's opponent. In order to count as playing the game, one supposedly needs to take that goal as one's aim. This goal in turn gives rise to the standards of success, whereby one judges the moves in the game as good chess moves. Normativity in successful chess-playing thus is thought to arise out of the aims one necessarily needs to have in order to count as playing chess.[iv] The constitutivist wants to extend this lesson and make the case that not only do games involve constitutive aims, but so too do beliefs and actions in general. Their constitutive aims are thought to generate analogous standards of success, and thereby, to provide a grounding for epistemic and practical normativity in general.[v]

Defining a constitutive aim, Katsafanas writes:

[Constitutive Aims:]

Let A be a type of attitude or event. Let G be a goal. A constitutively aims at G iff:

(i) each token of A aims at G, and

(ii) aiming at G is part of what constitutes an attitude or event as a token of A.[vi]

Katsafanas follows this with what he describes as a "relatively uncontroversial" claim about how aims relate to standards of success:

Success: If A aims at G, then G is a standard of success for A.[vii]

So if playing chess aims at check-mate, then check-mate is a standard of success for playing chess. Katsafanas goes on to gloss this *Success* claim as meaning "that aims *generate* standards of success" (emphasis mine).[viii]

Now for the first point I would like to discuss. It seems to me that Katsafanas has moved from what is indeed a relatively uncontroversial claim, *Success*, to one that is considerably more controversial. Does it follow from *Success* that aims *generate* standards of success in a given activity or practice? Much depends on what is meant by "generate." For constitutivism to get going as a distinctive meta-ethical theory, this idea of generation would need to be doing ambitious work in explaining the *grounding for* normativity. Standards of success would need to be grounded in aims. A natural way of capturing this idea is the following:

> *Generation*: A's constitutively aiming at G grounds the fact that the standards of success for A-ing are given by G and grounds the fact that G has the reason-giving character that it does.

Could this be what the Nietzschean constitutivist wants? Possibly. Notice, however, that *Success* does not imply *Generation*. After all, the conditional in *Success* could be true, even if that grounding claim in *Generation* were false. It may be G's being a standard of success for A is an *independent fact*, not a function of A's inescapably aiming at G. Consider an alternative claim also compatible with *Success*—call it *Generation**.

> *Generation**: The fact of G's being a standard of success for A-ing grounds the fact that A must constitutively aim at G.

According to *Generation**, the fact that there is a goal serving as a standard of success in a given activity explains why those who are engaging in the activity must take that aim as action-guiding and reason-giving insofar as they are to be engaged in that activity. Consider the standard example of chess again. The game of chess is governed by a series of conventional rules, which specify, among other things, the conditions under which one wins, namely by check-mating one's opponent. Thereby, it provides players with a goal at which to aim. People come to be playing chess, and not playing another game, or indeed playing no

game at all, when they guide their actions by the goal of trying to achieve check-mate (and also, of course, by hewing to certain rules in doing so). The standard of success thereby generates the aim constitutive of chess playing, not the reverse. Indeed, the reverse is difficult even to fathom. What would it even take for *Generation* to be true in the case of chess? It is not as if people were just antecedently aiming at taking the opponent's king and *this aiming* grounds why the standard of success is as it is. Without recourse to a conventionally-acknowledged standard of success, participants in the game could not conceptualize their activity as one of aiming in the sense necessary. In fact, I can't see how they could even think of themselves as playing the game at all. So even in the supposedly paradigm case of constitutive aims, *Generation* is questionable. It seems to have gotten things backwards. Standards of success are more fundamental than constitutive aims. At the very least, if *Success* is true, *Generation** is a good possibility for explaining the relation that obtains between aims, goals, and standards of success, as specified in *Success*.

Yet the constitutivist's ambition, remember, is meta-normative: to explain the *grounding for* normativity through appeal to the constitutive aim of belief and action. *Generation* had ambitions of carrying this off by saying how aims themselves "generate" standards of success, with those standards of success being the rabbit pulled out of the hat that is the aim. *Generation** would no longer be doing that. Normativity would have its grounding independently of our aims, and *it* would explain what those aims need to be, if we are to be engaged in a given activity. *Generation** would thus allow that certain normative standards are basic and have their reason-giving character independently of our aims. This issue is particularly important where, unlike in chess, the standards of success seem to be a matter of more than mere convention. Presumably it was the Nietzschean constitutivist's skepticism about the realist leanings of this 'standards-first' conception of normativity in such fields that drove him to try to anchor normativity for beliefs and actions in something

seemingly more naturalistically-respectable: our inescapable aims as human agents. If *Generation** is all Nietzschean constitutivism is committed to, though, it is puzzling how it would be an alternative to realism, as it presents itself to be. The more distinctive, ambitious, and interesting thesis is one about the grounding (or, to use Korsgaard's word, the "source"[ix]) of normativity in the aims constitutive of action or belief. I think this is what the Nietzschean constitutivist is really after.[x] To get this, though, one must endorse *Generation*, or some similarly ambitious thesis in the vicinity. Yet however plausible *Generation** and *Success* may be, they do not entail *Generation*. The move from the fact that in believing and acting, we aim at certain goals and are thereby subject to certain standards of success, to the claim that *those standards themselves* are grounded in our so aiming, is, so far as I can tell, simply a *non sequitur*. One challenge for Nietzschean constitutivism is thus to render *Generation (*or some similarly ambitious thesis) plausible, without simply trading on the plausibility of other, more modest theses.

Aims, Normativity, and Deriving an "Ought" from an "Is"

Central to the Nietzschean constitutivist's position is the idea that certain kinds of states have "inescapable" aims.[xi] This idea of inescapable aims is not simply a generic descriptive claim. Nor, as I understand it, is it simply a normative claim about what the aim of actions or beliefs *should* be. It is, first and foremost, a universally-quantified descriptive claim about what their aim *is*. These inescapable aims, the constitutivist will then seek to claim, ground reasons about what we should do and thus provide a foundation for normativity. One major challenge, raised already by David Enoch, is how we move from this fact about aims to anything with serious normative implications.[xii] Enoch writes: "The move from 'You inescapably Φ' to 'You should Φ' is no better—not even the tiniest little bit better—than the move from 'You actually Φ' to 'You should Φ'."[xiii]

Although Katsafanas seeks to forestall this objection, he does not do so successfully. His response is to claim that Enoch has misstated the constitutivist strategy. The constitutivist, according to Katsafanas, is not moving from 'You inescapably Φ' to 'You should Φ'. Rather, he is moving from 'You inescapably aim at Φ-ing' to 'You should Φ.' According to Katsafanas, the aim itself is reason-providing, not the inescapability of the action in accordance with the aim.[xiv]

I see two main problems with this reply. First, although Katsafanas's clarification is helpful, the basic worry still remains. The shift to talk of "aims" doesn't defuse the fundamental problem that Enoch has raised. We are still moving from a certain descriptive fact—the fact of *having* certain aims—to a certain normative fact—the existence of non-instrumental, categorical reasons that are supposed to be grounded in the having of those aims. We continue, so far as I can tell, to move from an "is" to an "ought." Nietzschean constitutivism's promise is that we can get categorical, non-instrumental normativity from the austere structure of agency. But that ambitious strategy can't, I fear, be pulled off without deriving an "ought" from an "is." A challenge for constitutivism is to establish either that it is not moving from an "is" to an "ought," or that doing so is not the serious problem that it is often thought to be—all the while bearing in mind that the "ought" we end up with must be something more than just that of instrumental rationality.

That brings me to my second point. Even if the aim we happen to have is reason-providing in some sense, this need be of little deep normative significance, beyond simply providing us with easily-defeatable reasons. Consider what I shall call the *Argument from Aims Perversion.*

Aims-Perversion: Some misguided and extremely powerful economists, convinced that they understand the human good, spray a certain powerful brain-altering potion into the atmosphere that makes us strive after maximizing utility (understood as personal

preference satisfaction) in everything we do, at the expense (say) of striving for power. Utility-maximization is now, thanks to this potion, what we are all striving for in all our actions.[xv] We no longer attempt anything unless it is, among the choices available to us, utility-maximal in this regard.

Thanks to this intervention, utility-maximization would now, I take it, be our "inescapable" aim.[xvi] Our psychology would be altered, such that we can't strive for anything else. But would this drastic alteration in aims generate different standards of success for actions? In some thin sense, yes. Given that our aims are altered, the standards of success relative to those aims are thereby altered too. But does the constitutivist want to claim that our overriding reasons for action now stem from these altered aims? If so, constitutivism is little better than a crude form of Humeanism, over which it touts itself as an improvement. The aims that we simply find ourselves with, taken as they are, do not generate normatively-significant standards of success for action.

Now, if the constitutivist then goes on to insist that this utility-maximization is not *really* the aim of action, then we may begin to suspect that this notion of the aim of action was already normatively-laden all along—a function not simply of what actions *do* in fact aim at, but of some implicit idea of what they *should* aim at, particularly where the two come apart. But then, if that is so, normativity is not really coming from *the aims themselves* after all, when this was just what Nietzschean constitutivism was promising. The *Argument from Aims Perversion* is basically a retooled version of Enoch's basic challenge: Just because actions all aim at something, it doesn't follow that there should be any serious normative significance in their so aiming.

Constitutive Aims and Action

Now let us turn to discuss the heart of the constitutivist's case: the close connection between aims and action that is thought to generate the normative standards for assessing those actions. The constitutivist's idea here would be that actions all aim at something. Of course, actions have all kinds of different, more particular aims. So what the constitutivist will need to claim is, first, that there is nonetheless a common aim that they are all share and, second, that it is in virtue of this common aim that they are constituted as actions.[xvii]

Let us recall Katsafanas's claim that I earlier labeled *Constitutive Aims:*

Let A be a type of attitude or event. Let G be a goal. A constitutively aims at G iff:

(i) each token of A aims at G, and

(ii) aiming at G is part of what constitutes an attitude or event as a token of A.[xviii]

It would seem that two commitments of the constitutivist therefore need to be:

Commonality: All actions have at least one common aim (by i).

Constitution: It is partly in virtue of this common aim that something is an action (by ii).

I will discuss *Commonality* at greater length in the section to follow, when I discuss whether a Nietzschean theory of the aim of action (particularly the dimension focusing on power) is likely to be right. The best way to test the merits of these claims is to consider a particular Nietzschean constitutivist story about what the aim of action is. But let us put that aside for the time being and consider *Commonality* and *Constitution* at a more general level first. I shall state my main concern outright, and then frame the challenge in terms of that concern. Actions certainly have aims. The question is whether they have *an* aim. Likewise, the having of aims are part of what makes something be an action. The question is whether the having of *some particular aim* is what makes something *be* an action. As I see it, a major challenge for the constitutivist is to explain why *Commonality* and *Constitution* are more likely to be correct than a less loaded theory about what constitutes actions as such.

To that end, let me sketch a simple alternative theory. I don't have ambitions of giving a full-blown account of what separates actions from non-actions here, and there are certainly borderline cases (e.g., what to say about absentmindedly twirling a pencil, what to say about corporate agents, complex computers and so on). Let's begin with several truisms about what I take to be the key concept of action at issue: Chairs don't perform actions, even when they have a massage function. Clouds don't perform actions, even when they pour down rain. An agent who accidentally falls, or is pushed down the steps is not performing an action. Cats and dogs can perform actions, yet plants don't, even when they are drawn toward the sun. Nor, in the relevant sense of "action," do humans perform an action, when their intestines digest their lunch.

As a first stab at what makes something an action:

Action-Minimalism: Actions are purposive behaviors that aim at the achievement of some goal or other that the entity performing the action is guided by and on some level represents to itself.

This would seem to be a pretty decent account of what makes something an action (as opposed to some other type of event). The Nietzschean constitutivist will, however, need to say that this is not sufficient. More is needed to make it an action. There is a debate amongst them about what that is, but they are agreed that something more is needed (this will then underpin *Constitution*). The Nietzschean constitutivist begins by claiming there is some additional feature all actions have (*Commonality*). He then seems to be reasoning in the following fashion:

1. There is some element x (viz., a particular kind of aim) over and above what it is specified in *Action-Minimalism* that is an "inescapable" characteristic of all actions.

2. (Hidden Premise) If x is an "inescapable" characteristic of action, it is a

    constitutive feature of action.

3. Therefore, x is a constitutive feature of action.

I think this Hidden Premise, and thus the soundness of this form of argument, is more

questionable than the constitutivist realizes. Now, much hangs on how exactly this rather

wooly word "inescapable" is to be understood. What is its modal profile? In just what sense

is the proffered aim "inescapable"? Is the claim of inescapability anchored in an empirical

psychological hypothesis about how all humans (and other sophisticated animals maybe) are

constituted, such that whenever they act, they, given their constitution, strive for a certain

goal? Or is it anchored in a conceptual claim about the very nature of action—that it is

impossible for there to be something that counts as an action that does not aim at the

constitutivist's favored goal? Or something else still? I'm not sure there is a clear answer

here, nor is there likely to be agreement among various constitutivists, but this is an issue that

is worth flagging for further consideration.

    But this issue aside, even if all actions involve self-constitution, or self-understanding,

or agential activity, or power—the constitutivist's favorite candidates for inescapable aims—

this needn't be what *makes them actions*. It may be that, on some level, every action,

however small, helps constitute us as agents. It may be that, on some level, every action,

however small, yields its agent self-understanding. It may be that, on some level, every

action, however small, involves overcoming obstacles and resistances (this is Katsafanas's

preferred understanding of power, a supposed aim of all action). But we should ask: *even if

this is true*, are the actions *aiming* at these things? Might these things instead be inescapable

preconditions, bi-products, or concomitants of actions, instead of what the action is aiming at

and the aiming at which makes it *be* an action?

Compare this: It is plausible that either as the result, or the precondition, of every action, that some degree of energy is expended. I suspect there is no action (in the actual world, anyway) on the part of an agent without some energy being expended. Of course, some actions, such as eating most foods, may increase net energy, but there will be an expenditure in order to get that net increase. And even on the assumption that there are purely mental actions, some small expenditure of energy presumably is required. But is expending energy, even if it "inescapably" happens with all actions, what makes an action *be* an action? The Nietzschean constitutivist, remember, appears to be reasoning in the following way: If something is an "inescapable" feature of x, then it is constitutive feature of x. But does that follow? Can there be "inescapable" features of something that are not constitutive features of it—on one gloss of the word "inescapable": features present, and perhaps not just coincidentally, in every actual instance of it, but not responsible for *making* it the thing that it is?

Consider the properties of being a renate and being a cordate. At the level of species characteristics anyway, all renates are cordates. But what makes something *be* a renate is having kidneys—even if all renates also have hearts, and even if there is an important biological story to be told about why those two properties move in tandem. Now, constitutivists may stress that whereas this point just made, or the point about energy, is an empirical claim, he or she is making a conceptual claim. While this move to a purely conceptual claim may come more naturally to Velleman or Korsgaard, Katsafanas will have trouble making this move. He wants his theory about the inescapable aim of action to be grounded better in the empirical facts of actual human psychology. So I suspect it is not a purely conceptual point he is making, but rather a claim about the aim of actions, as revealed by empirical study of the natural world and the agents in it.[xix]

Yet suppose it is not meant as an *a posteriori* claim of this form, but instead as a purely conceptual one: All actions, insofar as they are actions, must by their nature aim at the thing specified (whether self-understanding, self-constitution, power, etc). Even when it comes to purely conceptual claims, I'm not sure it is right, in general, that all necessary features (and that is probably modally stronger than "inescapable" features) of something are constitutive features. A case could be made that the two can come apart. It is a necessary (thus "inescapable") property of any object that it is self-identical; but it is presumably not a constitutive property.[xx]Consider, by contrast, a paradigmatic constitutive property of a triangle: Being a closed, three-sided figure. It follows from this necessarily (thus also "inescapably") that it will have three, four, or five sides. But this disjunctive fact is not *what makes it be a triangle*, but simply something that follows necessarily (or "inescapably") from what does: the fact of being a closed figure with three sides.[xxi] Now one might here make the rejoinder that the relevant inescapable properties should be those had by all and only the triangles, whereas this disjunctive property is had by rectangles and pentagons too.[xxii] I think this will still not be enough to salvage the constitutivist's point. For consider the conjunctive property of being self-identical and a closed, three-sided figure. This is inescapably had by all and only the triangles. But it would not seem itself to be a constitutive feature, since the former conjunct does no constitutive work.

The general problem here is that the Nietzschean constitutivist would seem to be moving from the "inescapability" of some feature of action to that feature being constitutive of action. That move would seem to be unwarranted. If the constitutivist is *not* making this move, then it is difficult to see how y's being an inescapable feature of x could have any decisive bearing on the constitution of x.

To review the arc of this section thus far, I have granted for the sake of argument that certain features of action are "inescapable." I have then argued that it doesn't follow that they

are constitutive in making the thing be an action. It is thus not obvious that *Constitution* follows from *Commonality*. This is not simply a bit of Scholastic caviling. My interest, in raising this point, is to press on why we should be tempted beyond a minimalist theory as the right account of *Constitution*. Doesn't *Action Minimalism* give us enough for what makes something an action? A challenge for the constitutivist is to say why this flat-footed account of action is insufficient.

Now, let us grant the point that in the actual world we do, in all our actions, aim at (say) power. Does the Nietzschean constitutivist really want to claim that, in other possible worlds where, for various reasons, we aim, in our action-like behaviors, at things other than power, we aren't truly acting? Or does he want to deny the very possibility of such a scenario? Both options seem very implausible. The account of action, if it is really a claim about what constitutes actions as actions, as it purports to be, should not just be psychologically apt in the actual world, but modally robust as a claim about action constitution across other possible worlds. It may be that, given the way we are psychologically disposed, we aim, as the Nietzschean constitutivist claims, at encountering and overcoming obstacles and resistances whenever we act. But that is not *what it is* to act, as can be seen simply from imagining scenarios where we engage in purposive behaviors that aim at the achievement of some goal or other that we are guided by and represent to ourselves, but where we do not *aim* at encountering or overcoming obstacles and resistances in doing so.

As a matter of fact, though, I don't think the point, assumed for the sake of argument, about all actual actions having a certain inescapable aim is correct. In the case of all the aims constitutivists have specified, some token state can lack this aim and still be an action.[xxiii] But we get into murky territory here, because it is difficult to see what makes it the case that an action is aiming at the thing specified as opposed to at something else or at nothing at all, in

such a way that there might be fruitful debate over this question. How do we get an independent grip on what its aim is? It presumably is not an explicit, consciously occurrent aim of the acting agent, as is my aim of getting some milk at the grocery store when I go for that purpose. How then are we to adjudicate potential counterexamples?

One resultant strategy, in the face of this, is simply to treat action, as the constitutivist is using it, as a term of philosophical art and to grant the constitutive connection between actions and the favored goal that the constitutivist likes. This style of criticism has been very nicely developed by David Enoch.[xxiv] The question then gets pushed back a level: Why should we care about *acting* as opposed to "schmacting" (where that is doing something very similar, but just not aiming at self-constitution, or power, or whatever.) I'm very sympathetic to this strategy of Enoch's, and it is complementary to my own, but I think it is also worth considering, at the same time, whether the constitutivist has given an adequate characterization of the folk theoretic concept of action. *Action-Minimalism* may be all we need to understand what constitutes something as an action. A challenge for the Nietzschean constitutivist is to explain why we need more.

The Nietzschean Version of Constitutivism

In the previous sections, I explored more general questions that arise for the constitutivist project—specifically, what it would be for belief and action to have a constitutive aim in the first place. In this section I would like to explore in more detail the Nietzschean conception of what the aims of action are. On Katsafanas's account, there are two constitutive aims of action: agential activity and power. According to the first, actions aim for a certain equilibrium, whereby the agent A's, approves of her A-ing, and further information would not undermine this approval. According to the second, actions aim at power, understood as encountering and overcoming obstacles and resistances.[xxv] The second

aim, according to Katsafanas, promises to generate more substantive normative content, so, for that reason, and for reasons of space, I shall focus on it.[xxvi]

There is some debate about what sort of will-to-power thesis Nietzsche endorses and its overall importance in his thought. That is an exegetical debate that I will not get into here. I tend to be unconvinced that Nietzsche—especially if we are cautious in our use of the *Nachlaß*—should be read as aiming at a totalizing psychological hypothesis about the aim of every action. I also tend to be unconvinced that it should be understood as the anchor of his revaluation of values. Power is simply one among several values, whose importance have hitherto been wrongly denigrated in the Judeo-Christian moral tradition. But to the extent that power *is* important for Nietzsche, there is a feature of the secondary literature that is worth pausing on for a moment, because the constitutivist project builds so much on it. It is now often pointed out that power for Nietzsche is not a matter simply of brute domination. The alternative that has been developed by Bernard Reginster emphasizes the encountering and overcoming of obstacles and resistances.[xxvii] There are plausible intuitions in the background here. Real power seems to involve attaining something that is difficult to attain, thereby overcoming obstacles in the process. Let us call this conception *Power-as-Overcoming*.

> *Power-as-Overcoming*: Power amounts to encountering and overcoming obstacles
> and resistances.

Though this is a very helpful corrective to the idea of power merely as brute domination, it seems to me that there is a danger of moving from what power often involves, or what valuable instances of it involve, to what power in general *is*.[xxviii] I think if we focus on encountering and overcoming obstacles and resistances exclusively, we may obscure much of what Nietzsche is actually talking about in the places where he discusses the goal of power and our striving for it, and we may end up with a philosophically implausible account of power. Again, I'm not trying to make that full exegetical case here, but I would like to draw

attention to two other aspects of power, or ways of thinking about it, that are important for the meta-ethical and action-theoretic issues at hand. Compare these two other dimensions of power:

Power-as-Capacities: Power consists in those features that enable you to function well in bringing about goals you have (or goals that are worthwhile). In striving for power, we strive to develop and/or maintain such features of ourselves.

Power-as-Dominance- Power consists in being (at least temporarily) in a position where you feel you have succeeded in bringing about goals you have (or goals that are worthwhile) and that feeling is veridical (i.e, it is not simply an *illusion* of success that underwrites your feeling). In striving for power, we strive for such a feeling.

Both one's capacities and one's having achieved dominance are typically related to the obstacles and resistances that one actually has or can potentially overcome. So there is a close internal connection among *Power-as Overcoming*, *Power-as-Capacities* and *Power-as-Dominance*. It may even be true (though it is more contentious than it is often made out to be) that willing *Power-as-Dominance* or *Power-as-Capacities*, one must thereby will obstacles and resistance too.

I suspect this connection actually relies on the rather strained Nietzschean thesis about the interconnectedness of everything—that if we want one thing, we should want everything, etc. Absent that, the plausibility of needing to will to encounter and overcome obstacles and resistances significantly diminishes. After all, why can I not care about, and will to have, *Power-as-Capacities* and *Power-as-Dominance* without caring about, or willing to have, *Power-as-Overcoming*, particularly in certain limited domains? I might view *Power-as-Overcoming*, in many cases, as necessary (if indeed it is), but as something regrettable, on my way to achieving the other two sorts of power, and thus may not aim at it *per se*. The plane may have to go through the clouds to get from A to B, but that doesn't mean its pilot is

aiming at the clouds. Furthermore, even if it is true that we are always aiming at power, let alone maximal power, in every action, a stronger case needs to be made that we are, in *every action*, aiming at power in the sense of encountering and overcoming obstacles and resistances, and not instead aiming at power in one of the other two senses primarily. I suspect that in many spheres of human activity, we actually aim *Power-as-Dominance*, and are simply forced to put up with obstacles and resistances as an unavoidable way of getting there. In many other spheres, we care about *Power-as-Capacities*, but this is simply a concern for a dispositional feature of us that does not involve the need to encounter and overcome *actual* obstacles and resistances at all, merely to have the ability to do so, should the need arise.

The constitutivist seeks to soften somewhat his psychological claim about striving for power by noting that in many actions, we are not aiming at obstacles and resistances of any kind whatsoever, but only those specific to the activity. To this end, Katsafanas distinguishes two different claims:

(A) Whenever we act, we aim to encounter and overcome resistance of any and all kinds.

(B) Whenever we act, we aim to encounter and overcome resistances that are related to the activity we are performing.[xxix]

It seems to me that (B) is certainly more plausible than (A). But I don't think either is really psychologically apt. In many kinds of activities we perform, we do not aim at encountering and overcoming obstacles and resistances, even ones specific to those activities. Consider an ordinary day. Because I am extremely near-sighted, I must leave my glasses in the same place every night, or I will not be able to find them in the morning. When I first wake up, I want them near me. I do not aim to encounter and overcome resistances, as a child might in an easter egg hunt. Then I have coffee. I do not aim for resistance in this activity either. I don't

hope for the machine to be broken so I have challenge of fixing it, without the benefit of caffeine or my glasses. Then I read the newspaper. Compared with other things that I read, *The Guardian* is not particularly challenging. But still, there are far less taxing ways of getting the news. I think it would be a mistake, though, to characterize *my aim* in reading this paper as one of encountering and overcoming obstacles and resistances, even if that is something I must "inescapably" do in reading it. Rather, a better description is that I value the intelligent, sophisticated way the news is presented. Accordingly I will encounter relatively more obstacles and resistances in reading it as I would if I were having it read to me, or reading a tabloid paper with 4th grade prose, large, colorful pictures, and scant analysis. Perhaps after this, I will go the gym and use the rowing machine. Here I *do* want resistance. I turn a crank that, quite literally, sets "the resistance" higher. Or maybe I will play squash. In order for it to be a fun game, I don't want to play against someone I can easily beat. I want to play with someone closer to my rather modest level or better. And later in the day, there will be various intellectual endeavors where I do value encountering and overcoming obstacles and resistances in working through interpretive puzzles or philosophical arguments.

I mention these various examples, because it is important to bear in mind the diversity of mundane human action. We should not generalize from the fact that in some activities, obstacles and resistances are part of what we value about the activity to this immensely totalizing conclusion. The constitutivist theory moves from the alleged fact that in order to act, we must encounter and overcome at least some minimal level of resistance to the implausible psychological inference that we are *aiming* at such resistances in all that we do.[xxx] Insofar as I can get a grip on what it is for an action to be aiming at something, this doesn't seem to me to be a very plausible general thesis. It is true of some actions, but not of others.

I myself prefer construing Nietzsche's will to power psychology in a less totalizing way. This more modest Nietzschean account has a surprising and interesting conclusion when it comes to the posited motivational apparatus: In the case of some goals, we are willing not just the goal, but resistance to achieving that goal. That's an important observation, and it is helpful for understanding certain kinds of actions. But the thesis becomes drastically less plausible when it is generalized to actions as such. This more modest Nietzschean account that I prefer has another surprising and interesting psychological thesis to offer: A desire for power motivates far more human actions than we have hitherto thought, even those that, superficially, don't seem motivated by it. We can convincingly explain a range of puzzling and often perverse human phenomena in terms of this. But, I would say, we needn't make this a totalizing, universal claim either. After all, what about simple actions that aim, apparently, at relaxation: Sitting on a porch and sipping iced tea and enjoying the spring sunshine. This is an action. But it is not plausibly aiming at power in any sense.[xxxi] It may involve encountering and overcoming minimal obstacles and resistances (e.g., not dropping the glass, etc.). But first, it isn't plausibly aiming at this, and second and more importantly, even if it were, doing so would not be what makes it *be* an action. The constitutivist would need both claims to be true, and yet both are very doubtful.

One defensive strategy on the part of the constitutivist is to say that even if some isolated action doesn't aim at power, it is part of a larger action aiming at power.[xxxii] I need my glasses in order to see. I need coffee in order to function. I need relaxation on off days to be more powerful on other days. We might agree that these smaller-scale actions can be construed as part of larger actions that are directed toward power. But, first, are we aiming at *Power-as-Overcoming* primarily or exclusively, or are we aiming at power in one of the other senses I outlined, particularly *Power-as-Capacities*? And second, is it plausible that indirectly aiming at *Power-as-Overcoming* is what makes these smaller token actions *be* actions? That I

really don't see at all. The more attenuated the connection gets between the action and the allegedly constitutive goal, the less likely it is that aiming at the goal is what makes it be an action.[xxxiii] Now, if we are inventive enough, and provide tortuous psychological redescriptions of every action, we can get something reminiscent of the sort of account that undergraduates concoct to vindicate dogmatically the idea that really we are motivated by egoistic considerations, or the desire for pleasure all the time. Yet human psychology is more varied, interesting and complex that this. Power is a central, and often neglected aspect of that psychology. Few were as astute about this as Nietzsche was. But this striving for power (and particularly the striving for maximal power) is unlikely to the *universal* motive in or feature of human action, and it is especially unlikely if power is construed as a matter of overcoming obstacles and resistances. A challenge for the constitutivist is not just to re-describe creatively every potential counterexample using this posited motivation, but to explain why it is the most plausible and compelling way of making agents and actions intelligible across the board.

The Full Extent and Overriding Character of Normativity

I have so far discussed the Nietzschean constitutivist's contention that a constitutive aim of action is power, because this is the constitutive aim that has the potential to deliver the most substance in the normative and meta-normative account built up from it. I now would like to discuss the picture that it leaves us with. Katsafanas's constitutivism frames itself as an alternative to rival meta-ethical theories, including Humeanism and non-naturalist objective realism. It seeks to overcome problems that those theories, and others, face.[xxxiv]

But I think it is worth asking to what extent it *is* a meta-normative theory that can even claim to be a rival at all, let alone a superior one. Simply from the supposed fact that we aim at power, and that the will to power can serve as a standard for assessing other values, it

does not follow that the constitutivist is making a meta-ethical claim at all. In order to be such a theory, it would have to make general claims about the nature of normativity as such. It needs to have a view about what normativity is grounded in. Or, in the locution of reasons, it would have to explain what gives reasons their reason-giving character. At times, particularly when it frames itself as a rival to other major views, it seems to have that ambition. Recall, from earlier in the paper, the claim:

> *Generation*: A's constitutively aiming at G grounds the fact that the standards of success for A-ing are given by G and grounds the fact that G has the reason-giving character that it does.

Generation is a distinctive claim about what normativity is grounded in. But the idea that constitutivism is a rival to Humeanism or objective realism or even Kantian constitutivism is rather misleading, though. Those theories seek to offer accounts of what *in general* provides the grounding for what we have reason to do—in particular, for what we have most reason to do. Nietzschean constitutivism is not able to do this, nor does it, in the end, turn out to have ambitions of doing so. The constitutive aim of action, Katsafanas argues, simply provides *pro tanto* reasons, not overriding reasons.[xxxv] But that is tantamount to saying that there are other, more important kinds of reasons. And the normative force of those (in many cases) overriding reasons is left wholly unexplained by the Nietzschean constitutivist's story. What endows these other reasons with their normative force, one might well wonder?

This concern becomes particularly pronounced when the constitutivist seeks to explain why we do not have reasons simply to maximize power in every circumstance (or to do in the present only what will be conducive to maximal power in the long run.) Of various activities which would involve the overcoming of obstacles and resistances, why choose some over others? Why choose some paths of lesser power over paths of more power? The constitutivist wisely wants to say that we have other reasons that are stronger, and thus in

many cases, decisive in swaying us from always maximizing power.[xxxvi] For there are all kinds of activities that involve surmounting and overcoming great obstacles and resistances, but some of these are heinous, others vapid. I could carry out a series of carefully-plotted serial killings, seeking the challenge of resisting detection for as long as possible, surmounting the obstacle of having more bystanders nearby, more feisty victims, etc. But this doesn't give me reason to do it. Or, in a different and less morally repellent vein, I could try to eat as many hot chicken wings as possible in a short amount of time. (Suppose, for the sake of argument, I could also devote that same time to doing a lower-resistance, but seemingly worthwhile activity: catching up over Skype with an old friend that I care very much about.) Presumably, the sensible constitutivist will want to say that I do not have decisive reason to engage in the killing spree or (given the options) to participate in the chicken-wing-eating contest. But *why not*? It is of course because I have other reasons which outweigh or override the *pro tanto* reasons that I have to maximize power. This the constitutivist acknowledges. But what explains the force and weight of these reasons? If the constitutivist has no story about why one has more reason to do less power-conducive over more power-conducive activities in many circumstances, in what sense is it a *comprehensive* meta-normative theory? And if it isn't, can it really claim to be an important contender in the landscape of meta-ethical views?

For the sake of comparison: The Humean is claiming that all of our reasons are, in some sense, a function of our desiderative economy. The objective realist (of one stripe anyway) is claiming that all of our reasons for action are a function of facts about the mind-independent evaluative truths regarding various courses of action. Even the Korsgaardian constitutivist is seeking to account for reasons for action in general. But the Nietzschean constitutivist, in marked contrast, is claiming simply that *some* of our reasons (which are merely *pro tanto* reasons anyway) are a function of the supposedly "inescapable" structure of

human action. Whereas one can, in principle, just be a Humean or a Parfitian Realist or a Korsgaardian constructivist across the board when it comes to what we have overriding reason to do, one cannot just be a Nietzschean constitutivist. Yet if it is, at best, only part of the story about normativity, and not a story about overriding normativity at all, how can it offer itself as a serious meta-ethical rival to these theories? One challenge for the Nietzschean constitutivist is to explain why this theory should be taken as a major account of meta-normativity when it—assuming it succeeds at all—only explains a portion of the domain in question and not even the most important aspect of that domain.

Conclusion

Constitutivism is structurally very interesting because of its claim to offer us categorical reasons, reasons that are not dependent on our contingent desires. In this way, it seeks to be an improvement over the Humean theory.[xxxvii] It is supposed, further, to be generating this normativity out of the inescapable aims of human action, so in this way it doesn't need to appeal to independent and potentially spooky ideas of normative properties out in the world. In this way, it seeks to be an improvement over certain non-naturalist objective realist theories.[xxxviii] It thus has considerable promise. But I have so far given some reasons for doubt about whether it can succeed. Constitutivism doesn't, it seems to me, deliver up a satisfying account of normativity. As Katsafanas shows in the first chapter of his book, all major meta-ethical theories face serious unanswered questions and limitations. Constitutivism, though, would seem to have more challenges than most, and it is not a theory I would thus be eager to embrace myself. However, it is easier to be negative than positive, and I'm not defending some alternative theory here. At the very least, it is good to have the range of possibilities increased by having such an interesting and original theory added to the meta-ethical mix, no less one inspired by Nietzsche.[xxxix]

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[i] Paul Katsafanas, *Agency and the Foundations of Ethics: Nietzschean Constitutivism* (Oxford: Oxford University Press, 2013).

[ii] J. David Velleman, *The Possibility of Practical Reason* (Oxford: Oxford University Press, 2000); Christine Korsgaard, *Self-Constitution: Agency, Identity, Integrity* (Oxford: Oxford University Press, 2009).

[iii] In what follows, I will be primarily discussing Katsafanas's take on the constitutivist's general strategy—and that is as a meta-normative theory that seeks to generate normative standards from the inescapable aims of belief and action. There are other forms of constitutivism that may well fare better *vis a vis* some of the objections I raise in this paper, though they would face different objections of their own. They will not be my focus of attention here.

[iv] Katsafanas, *Agency and the Foundations of Ethics*, 38.

[v] Ariela Tubert, "Constitutive Arguments," *Philosophy Compass* 5 (2010): 656–66 provides a helpful overview of the constitutivist strategy.

[vi] Katsafanas, *Agency and the Foundations of Ethics*, 39. (The heading '*Constitutive Aims*' is my own, but the wording is from Katsafanas).

[vii] Katsafanas, *Agency and the Foundations of Ethics,* 39.

[viii] Katsafanas, *Agency and the Foundations of Ethics*, 39.

[ix] Christine Korsgaard, *The Sources of Normativity* (Cambridge, Cambridge University Press, 1996).

[x] Other forms of constitutivism may be less meta-ethically ambitious, in not trying to work up from aims to normativity. They may instead simply be trying to understand why we are committed to certain standards, without addressing the meta-ethical grounding of those

standards themselves. As I see it, these aren't really meta-ethical views, of the sort that could claim to be rivals to, say, objectivist realism. They are moral-psychological views that are silent on fundamental meta-ethical questions.

[xi] Katsafanas, *Agency and the Foundations of Ethics*, e.g., at 40 and Ch. 2. Exactly what "inescapable" means and what modal strength it has are not entirely clear to me. Later in the paper, I consider a few ways this term might be understood.

[xii] David Enoch, "Agency, Schmagency: Why Normativity Won't Come from What is Constitutive of Action," *Philosophical Review* 115 (2006): 169-198.

[xiii] Enoch, "Agency, Schmagency"

[xiv] Katsafanas, *Agency and the Foundations of Ethics*, 56-7

[xv] It is not relevant for the purposes of the example to say whether we are trying to maximize utility in each individual decision or over the long run.

[xvi] It might be protested that this aim is not really inescapable, because it could be altered with further intervention. But the Nietzschean constitutivist wants a basically naturalistic picture in which he establishes on empirical psychological grounds the inescapable aim of human action from a consideration of what we do in fact aim at. If the claim indeed has such a status (and is not, say, a claim about the abstract nature of action as such), it would seem to be based on an *alterable* psychological fact about us; with enough intervention, our aims presumably could be changed.

[xvii] It is important to notice that, in principle, these are separable claims: even if actions did all have a common aim or common aims, it wouldn't necessarily follow that it is in virtue of aiming at this that they are constituted as actions.

[xviii] Katsafanas, *Agency and the Foundations of Ethics*, 39.

[xix] Katsafanas, *Agency and the Foundations of Ethics*, 199.

[xx] My thanks to Ken Gemes for suggesting this example.

[xxi] My thanks to Jack Spencer for suggesting this example.

[xxii] My thanks to Mattia Riccardi for suggesting this possibility.

[xxiii] As Evan Tiffany argues, the features attributed to agency by the constitutivist that give it a chance of producing a rich normative content are precisely the features that seem they can be dispensed with without it ceasing to be a case of acting. See his "Why be an Agent?," *Australasian Journal of Philosophy* 90:2 (2012): 223-33. See also David Enoch, "Schmagency Revisited," in ed. Michael Brady, *New Waves in Metaethics* (Basingstoke: Palgrave Macmillan): 208-234.

[xxiv] Enoch, "Agency, Schmagency"

[xxv] Katsafanas, *Agency and the Foundations of Ethics*, Chs. 5 and 6.

[xxvi] Katsafanas, *Agency and the Foundations of Ethics*, 145-6.

[xxvii] Bernard Reginster, *The Affirmation of Life: Nietzsche on Overcoming Nihilism* (Cambridge, MA: Harvard University Press, 2006).

[xxviii] On such a conception, it is very difficult, for example, to account for an omnipotent being who can instantly bring anything about through his mere wish. The intuitive characterization would be that such a being gets anything it wishes for effortlessly, without needing to encounter and overcome obstacles and resistances. But if power is a matter of encountering and overcoming obstacles and resistances, then such a being would seem to be powerless, not all-powerful. (Thanks to Ken Gemes for raising this case.) Such cases suggest that power-as-capacities and power-as-dominance are also important in accounting for basic intuitions about power.

[xxix] Katsafanas, *Agency and the Foundations of Ethics*, 176.

xxx Here I am in agreement with Alex Silk. See his review of *Agency and the Foundations of Ethics: Nietzschean Constitutivism, Notre Dame Philosophical Reviews,* October 13, 2013, http://ndpr.nd.edu/news/43499-agency-and-the-foundations-of-ethics-nietzschean-constitutivism/.

xxxi Peter Poellner, "On Nietzschean Constitutivism," *European Journal of Philosophy* 23:1 (2015): 162-9, at 167.

xxxii Katsafanas, *Agency and the Foundations of Ethics*, 179.

xxxiii Cf., Silk, review of *Agency and the Foundations of Ethics*.

xxxiv Katsafanas, *Agency and the Foundations of Ethics*, Ch. 1

xxxv Katsafanas, *Agency and the Foundations of Ethics*, 197–200.

xxxvi Katsafanas, *Agency and the Foundations of Ethics*, 188–89, 198–200.

xxxvii Nonetheless, if it is true that we are always aiming at (maximal) power in all our actions, doesn't it follow that a desire for power is then central in our subjective motivational set? If so, why, when it comes to the supposedly categorical normativity we can get from it, is constitutivism an improvement over a Humean theory that shares the Nietzschean constitutivist's empirical assumption that there is a strong aspect of our desiderative economy in common?

xxxviii One might, though, think the idea of actions or beliefs all having an "aim" is no less obscure or queer.

xxxix My thanks to Ken Gemes and Errol Lord for their comments on this paper, as well as an audience at Oxford, where I presented a version of this paper. Suggestions there from Brian Leiter, Mattia Riccardi, and Paul Katsafanas were particularly helpful.