

often decide to trust institutions that they consider to lack trustworthiness. Weinstock encourages us to see institutions as collective agents that have characters and maxims that are accessible to the public through constitutions, legislation, institutional rules and regulations as well as monitoring devices, which he argues can increase the capacity of citizens to confer trust wisely. O'Neill concurs with much of Weinstock's analysis, again insisting that in order to identify effective remedies to the problem of misplaced trust (and distrust) 'we need to think more capaciously about the ethics of communication' (p. 241).

This is an excellent collection of essays celebrating a generous and gifted philosopher. The volume is likely to have broad appeal, being of interest to those working in Kant scholarship as well as those working in normative and applied ethics more broadly. The contributors aptly demonstrate that O'Neill has made substantial contributions to the philosophical landscape and will be read for many years to come.

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Carla Bagnoli (ed.), *Constructivism in Ethics*
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This is, overall, a very good and useful collection of original essays on moral constructivism. Because these are essays on the contributors' specialized topics of interest, the book does not provide a systematic or comprehensive guide to all the main issues. So it is of most obvious interest to philosophers already working on moral constructivism. Nevertheless, it also provides an intriguing introduction to the general area, allowing philosophers interested in ethics, especially metaethics, to jump in with both feet to some recent debates. Although the book is not meant to be a handbook or encyclopedia, the excellent introduction by the editor, Carla Bagnoli, does provide a comprehensive overview of moral constructivism, and situates the topics of the book's chapters within that area.

Three of the book's ten chapters mainly focus on close examination of some of the 'usual suspects' in recent discussions of moral constructivism:

John Rawls, T. M. Scanlon and Christine Korsgaard. Two other chapters examine Kant's moral theory. The other five chapters focus on more thematic issues rather than close examination of particular authors' views. I will briefly describe each chapter, with some critical commentary on selected chapters.

The two chapters on Kant, one by Oliver Sensen and the other by Robert Stern, examine the question of whether Kant should be regarded as a moral realist or as a constructivist.

Sensen's chapter has a much broader focus than Stern's. Sensen argues that the dichotomy between moral realism and constructivism does not capture Kant's position. He distinguishes different aspects of Kant's moral theory: the content of the moral law; the bindingness or normative force of the moral law; an account of value; and the more detailed moral implications of the general moral law. Regarding the most fundamental issue, the content of moral law, Sensen argues that Kant is neither a realist nor a moral constructivist, but a 'transcendental constitutivist'. By this, Sensen means that the moral law is not part of an independent moral reality, as a realist would claim, nor is it the result of any conscious or hypothetical process of human deliberation, as a constructivist would claim. Instead, it is 'a necessary principle that guides the function of human reason' (p. 65). This necessity also explains the binding force of moral law, so Kant is also a constitutivist about the moral law's normativity. Kant clearly is not a realist about value, Sensen argues, but instead thinks that value follows from applying the moral law to one's particular choices and maxims, so Kant's account of value can be seen as a kind of constructivism, derived from his more fundamental constitutivism. Similarly, the moral status of a specific action is constructed from the standpoint of reason regulated by moral law. So Kant's ethics may have constructivist aspects, but is most fundamentally a transcendental constitutivist view. Sensen deftly draws passages from a diverse array of Kant's texts to support his reading, and weaves them into a clear and persuasive account. There is certainly room to question some details of Sensen's position, but he does an outstanding job of articulating a basic view with which many (though of course not all) commentators on Kant's ethics will sympathize.

The focus of Robert Stern's chapter is much narrower. He limits his topic to the paragraphs in *Groundwork for the Metaphysics of Morals* in which Kant most directly discusses, and appears to argue for, the humanity formulation of the Categorical Imperative. Stern argues that a close reading of these passages supports taking Kant to be a moral realist about the value of humanity or rational nature, rather than a constructivist about the requirement of treating humanity as an end in itself. This runs contrary to the constructivist reading of the passages defended by Christine Korsgaard and others, and so tends to support viewing Kant as a moral realist overall. Stern's argument crucially depends on rejecting what he takes to be a misguided

idea, that one of Kant's concerns in these passages is responding to moral scepticism. Once we see that Kant is not concerned with scepticism here, we can see that his argument by elimination in *Groundwork*, 4: 428, establishes to his satisfaction that rational beings must be the only ends in themselves, and that no new constructivist argument is offered in the next paragraph, in *Groundwork*, 4: 428–9, the paragraph in which Kant formally articulates the humanity formulation. Stern's reading of the passages is plausible enough taken in its own right. But the strength of his argument is vitiated by his strategy of focusing exclusively on these isolated paragraphs. As other commentators (including Sensen in this volume) have noted, there is considerable evidence in Kant's texts overall that Kant is not a realist about value, and it seems relevant to take that into consideration when arguing that in *Groundwork*, 4: 428–9, Kant is basing the humanity formulation on a realist account of the value of rational nature.

Two of the chapters, one by William FitzPatrick and one co-authored by Nadeem Hussain and Nishi Shah, directly criticize Christine Korsgaard's version of constructivism. Both chapters are of high quality, although a contribution from Korsgaard herself in place of one of the chapters might have provided more balance in the volume (as the editor no doubt thought of herself).

FitzPatrick questions Korsgaard's position that our very identity as agents requires us to act on the Categorical Imperative (CI). FitzPatrick does not begin by directly examining Korsgaard's position on CI, but by analysing Korsgaard's discussion of the basic instrumental principle of reasoning (IP), which (roughly) tells us that we must take the means to our ends. He carefully distinguishes three claims that Korsgaard may be making about IP. FitzPatrick denies that any of the three claims shows that, in any given case, our identity as agents who are willing an end literally requires us to take the means to that end. He then applies these findings to Korsgaard's discussion of moral principles, particularly CI, and again argues that none of the three corresponding claims about acting on CI shows that, in a given case, the preservation of our identity or integrity as agents requires us to act on CI. He emphasizes that at most, even granting many controversial points to Korsgaard, all that Korsgaard shows is that an agent must act on some sort of universalizable principles or reasons in order to preserve her own agency. But this universalizable principle need not resemble CI, since someone could satisfy the minimal universalizability requirement by claiming that everyone should make false promises when it profits them, or by identifying with a principle of universal egoism. FitzPatrick offers another, equally compelling criticism of one of the three claims that he thinks Korsgaard might be making about the necessity of following CI. This is a neo-Platonist claim that acting immorally brings with it a kind of disintegration of one's own agency, making one into a mere pile of impulses. FitzPatrick's simple, potent

criticism of this claim is that, in order to avoid such disintegration, it is only necessary to act on moral requirements sometimes, not in every case. A slip here and there, or even often, will not destroy a person's agency. Although FitzPatrick's discussion of Korsgaard's position on CI is presented somewhat less clearly than his preliminary discussion of her position on IP, his chapter succeeds in providing a powerful challenge to Korsgaard's position.

Nadeem Hussain and Nishi Shah also provide a substantial challenge to Korsgaard's constructivism. They dispute Korsgaard's claim that her position shows that the contemporary distinction between normative ethics and metaethics is either misleading or 'boring'. They argue that Korsgaard's constructivism actually does not have any distinctive meta-ethical implications, and that it instead is just a position within normative ethics. Korsgaard's view that one must act according to certain principles in order to preserve one's own agency is, in Hussain and Shah's view, compatible with a non-cognitivist position in metaethics. The paper in this volume is a companion piece to an earlier paper in which the authors argued that Korsgaard's constructivism is compatible with moral realism. Taken together, the two papers provide significant support for their overall point that Korsgaard's constructivism does not replace metaethics, but rather suggests that metaethics is a necessary supplement.

David Copp's essay stands out, even in this very good volume, as an example of clarity and forceful argumentation. Copp argues that the distinction between constructivism and realism as positions in metaethics is not substantial or useful. Copp argues that the important distinctions in metaethics are not between constructivist and realist positions, but between different explanations of normativity and different accounts of the truth-conditions of moral judgements. Both constructivist and non-constructivist theories can give robust accounts of normativity, and constructivist theories share the most important details regarding the truth-conditions of moral judgements with some non-constructivist, realist theories. So there is not an important distinction in metaethics between constructivist and non-constructivist theories. Constructivism is, instead, best seen as one variety of realist, naturalistic moral theory, which gives a mind-dependent account of truth-conditions.

Two of the chapters deal, in different ways, with 'practical knowledge'. Stephen Engstrom proposes that constructivism provides an insight into a long-standing debate in moral philosophy about whether moral judgement is founded on reason or sentiment. This debate, including recent incarnations such as the conflict between cognitivism and non-cognitivism, is based on the misconception that all knowledge must be theoretical knowledge of an external reality. But moral constructivism takes moral knowledge to be practical knowledge, a kind of self-knowledge, or 'an understanding of itself

as efficacious in respect of the action it represents' (p. 145). Engstrom's presentation is fairly clear regarding the historical background of the debate between reason and sentiment, but relatively opaque regarding the details of his own position on practical knowledge, which makes it difficult to assess his proposal.

Carl Bagnoli emphasizes different aspects of practical knowledge, in order to show that the metaethical importance of constructivism lies not in its ontological commitments, but in its potential to 'establish a constitutive relationship between oneself as a practical subject and knowledge about what one ought to do' (p. 154). Bagnoli argues that the feeling of respect for morality is an important emotional component of practical knowledge, or knowledge of one's own agency. This moral feeling of respect makes one aware of one's own power to act on the commands of reason.

Mark LeBar argues that the same considerations that motivate moral constructivism ought to push moral constructivists towards particularism. Constructivists emphasize the importance of regarding ourselves as deliberators who must accept some requirements on our practical reasoning. But these requirements do not only involve a theoretical acknowledgement of general principles, but also judgement in applying the principles to particular cases. This kind of circumstance-sensitive judgement should be placed 'at the core of constructivist theory, rather than having judgement be the acknowledged but subordinated stepchild of theories of general principles' (p. 199).

Henry Richardson examines a question about a specific kind of construction of new moral norms, namely the 'authorized revision' of moral norms in societies. He wonders what theory of truth, if any, will sit well with the practice of authorized revision of norms. Richardson turns to pragmatist theories, such as Peirce's and Hilary Putnam's, to examine the issue.

Thomas Baldwin argues that moral constructivism, at least as exemplified in two of the most prominent constructivist theories, does not accomplish its aim of deriving substantial moral rules from purely procedural approaches. Instead, theories like Rawls's and Scanlon's build substantial moral presuppositions into their procedures. Baldwin suggests that constructivism fails to capture the foundations of moral rules in society, but that it may capture the way to resolve complaints about existing practices and to reform them. Baldwin's point that Rawls and Scanlon incorporate some moral presuppositions in their theories, and that their theories are therefore not distinctive metaethical theories, is accurate, but peculiar if meant as a criticism, since both have openly granted this point.

This brings up one apparent lacuna in the book. The book offers many views on the metaethical status of constructivism, and this emphasis on metaethics admittedly does accurately reflect the main focus of recent discussions of moral constructivism. But authors such as Rawls, Scanlon and

Thomas Hill, Jr. have also proposed that, apart from metaethics, constructivism is a valuable tool in normative ethics. More discussion of the plausibility and details of that type of claim would have been a welcome addition to the volume. Nevertheless, it contains many good essays, and an excellent introduction, and is well worth reading.

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Carol Hay, *Kantianism, Liberalism, and Feminism: Resisting Oppression*

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Is Kantian feminism an oxymoron? Carol Hay's *Kantianism, Liberalism, and Feminism: Resisting Oppression* shows that it does not have to be. Hay persuasively argues that feminism and Kantianism can influence each other dialectically and formulate an imperfect duty, out of self-respect, to resist sexual harassment in particular and sexist oppression in general. While I am very sympathetic to this project and wholeheartedly agree that there are unexhausted resources in Kant that may be useful for analysing and combating sexist as well as other forms of oppression, I have reservations regarding a number of Hay's theoretical moves: (1) Hay excludes Kant's works on anthropology on the ground that they are useless for feminists; however, these works contain important resources both for an application of Kantian ethics in general and for a diagnosis of the philosophical justifications of systemic oppression in particular. (2) Hay argues that if feminists do not incorporate a Kantian notion of self-respect then they cannot articulate an obligation to resist sexist oppression; this is a bold claim that is neither warranted nor necessary for the overall argument of the book. (3) Hay focuses on the *Grundlegung* and *Tugendlehre* at the expense of the *Rechtslehre*; this move forecloses the possibility of articulating an additional duty of right to resist oppression. In what follows I will offer a brief sketch of each chapter and make a few remarks regarding these three reservations.

Chapter 1 ('Liberalism and Oppression') provides a compelling defence of liberalism. Additionally, drawing on Marilyn Frye's well-known work 'Oppression', Hay formulates an original list of the necessary and sufficient