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SYMPOSIUM ARTICLE

# Exceptional Exercises of Constitutive Capacities

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**Abstract**
I offer an account of how a constitutivist metaphysics of capacities grounds a unique interpretation of propositions about the nature of our action, focusing on propositions about acting under the guise of the good and acting from practical knowledge. I then show that these interpretations can not only explain the possibility of cases often taken as counterexamples to these propositions but can also explain why those cases are odd or not paradigmatic exercises of the relevant capacity.

**Keywords:** constitutivism; guise of the good; practical knowledge; constitutive capacities; practical reason

## 1. Constitutivism and Characteristic Properties

*Constitutivism* says that anything essentially subject to a standard is so because of its nature.[1] What it is determines how it is to be. Organisms and artifacts are so subject to standards; inanimate objects are not. So pigs and chairs, say, can meet or fall short of standards for them as such by having or lacking the requisite number of legs. A rock cannot. If it is subject to a standard, it is because of its relationship to something else, not because of its nature.

This essay is about how constitutivism grounds unique interpretations of propositions which characterize human action. Here are two examples from which I will draw a general lesson:

**Guise of the Good** We act for the sake of the good.

**Practical Knowledge** We know what we are doing and why.

The common debates about these propositions assume that anything which characterizes human action is true of each human action. According to constitutivism, though, that is false. Some properties which characterize our action are normative for our actions. One with them is successful to the extent that and because it has them; one without is unsuccessful to that extent and because it lacks them. The proper interpretation of these propositions, then, is an often-unnoticed choice-point in practical philosophy. In understanding the basis of these unique interpretations, we comprehend some of the distinctive explanatory structure of constitutivism. We better understand it and what distinguishes it.

## 2. Practical Possibility

In this section, I present the standard debate about those propositions.

[1]See, among others (Eckert-Kuang, 2026; Fix, 2021; Korsgaard, 2009; Lavin, 2017).

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### 2.1.

Two characteristic 'can's often pop up in practical philosophy. The first pops up in certain conditions of agency which, although not the topic of this essay, matter for the arguments to come:

**Success Condition** S is a standard for our action only if we *can* succeed with respect to it from comprehension of it.

**Error Condition** S is a standard for our action only if we *can* err with respect to it.[2]

These conditions apply general conditions on standards to the case of those for our action. Success is impossible with respect to a standard with the form 'Do A and do not do A' as is error with respect to one with the form 'Do A or do not do A'. This impossibility applies as much to standards for digestion or respiration as to those for our action. All standards allow for success and error.

The second characteristic 'can' pops up in objections to propositions which characterize our action:

**Guise of the Good** We act for the sake of the good.

*Objection*: I *can* act for the sake of the bad or indifferently.

**Practical Knowledge** We know what we are doing and why.

*Objection*: I *can* act while ignorant of what I am doing or why.

Let me explain the debate about each proposition in turn.

### 2.2.

The proposition about the guise of the good characterizes human action:

**Guise of the Good** We act for the sake of the good.

Critics often offer counterexamples, but even absent them, this proposition might seem suspicious. Just contrast acting for the sake of the good against acting for the sake of the bad, acting indifferently, and acting on the basis of something irrelevant.

**Guise of the Good** I exercise for the sake of health.

**Guise of the Bad** I steal for the sake of transgression.

**Indifferent Action** I stomp on a frozen puddle but not for the sake of anything.

**Irrelevant Action** I eat a Colin the Caterpillar for the sake of the revolution.

Start with irrelevant actions. Without circumstances which either render them as instances of one of the other types or at least reveal you to have been mistaken about whether the action was of one of the other types, irrelevant actions are unintelligible, as the act has nothing to do with the proffered rational basis. Mistakes are possible, but this possibility does not extend to every putative set of thoughts uttered one after the other. At some point, the inference is so unintelligible that I will doubt that I know the sense and significance of the sounds coming out of your mouth or whether they have any sense and significance at all. Such unintelligibility makes for impossibility because self-conscious agents act on rational bases taken as such. The lack of an even apparent link between the act and the basis makes such actions impossible, as the lack of an even apparent link between *P* and *Q if R* makes the inference *Q because P and Q if R* impossible. Your claim to eat a Colin the Caterpillar for the sake of the revolution would baffle me as would your claim to infer that New Jersey is the best state from Charles's being the King of England and New Jersey's being the best state if it has the tastiest tomatoes.

[2]See (Lavin, 2004; Fix, 2020a; forthcoming).

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Absent explanation, the sounds coming out of your mouth in that supposed inference are as meaningless to me as are the movements of your body in that supposed action.

However, even if odd, indifferent actions and naughty ones, whether imprudent or immoral, are intelligible. Indeed, life is rife with them. From the smoker to the swindler to the scoundrel, vices and actions which express them are common. I can understand your stealing because it is wrong or your insulting me to hurt me, but not your stealing because the moon is down or your insulting me because water is $H_2O$. Naughty actions make sense whereas irrelevant actions do not. Indifferent actions also make sense. I can understand your stomping in a puddle 'just because' but not your stomping in a puddle to further the human pursuit of life among the stars or to help humanitarian efforts for the global poor.

Indifferent and naughty actions are possible. On that basis, many philosophers deny that the guise of the good characterizes our action:

**Guise of the Good** We act for the sake of the good.

*Objection*: I *can* act for the sake of the bad or indifferently.

The objection is superficially odd since, as formulated, the proposition lacks modal vocabulary incompatible with that in the objection. The objection makes sense, though, if the proposition is a universal generalization over our actions:

**Guise of The Good$_{\text{Modal}}$** Necessarily, we act for the sake of the good.

*Objection*: Possibly, I act for the sake of the bad or indifferently.

If that interpretation of the proposition is correct, the counterexamples are decisive if true.

The common response accepts that interpretation and either disputes the description of the actions in the counterexamples or weakens the proposition to accommodate them. The smoker savors the calm of the nicotine rush, the swindler the sweetness of superiority, and the scoundrel the thrill of transgression. Or they take naughtiness itself as a good-making property. Perhaps being naughty is sexy, which is good. Rebel without a cause and all that jazz. Or maybe each need only take so acting to be to some extent good. Whatever else is true of them, their calmness, sweetness, thrill, sexiness, or what have you makes these actions at least a bit good, no? Critics dispute those replies or offer other counterexamples. Defenders respond in kind. The dialectic repeats.[3]

### *2.3.*

The proposition about practical knowledge also characterizes human action:

**Practical Knowledge** We know what we are doing and why.

Counterexamples are the common currency of complaint, but the proposition might seem suspicious even absent them. Even if odd, ignorant action is intelligible. Indeed, you might better understand what I am doing than I do when I am opaque to myself. Such ignorance can reveal that I was not doing anything, but it might not. It might just reveal my incompetence, and once I realize what I was doing, I might pick up where I left off. To recommence an action, though, I must have commenced it, and so must have been acting without knowing what I was doing or why.

Given the possibility of such actions, many philosophers deny that practical knowledge characterizes our action:

**Practical Knowledge** We know what we are doing and why.

*Objection*: I *can* act without knowing what I am doing or why.

[3]For recent discussion of this proposition, see, among many others, (Blake-Turner, 2025; Boyle & Lavin, 2010; Kirwin, 2025; Setiya, 2010; Setiya & Setiya, 2016; Sussman, 2009; Tenenbaum, 2009).

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Although there is no modal terminology in the proposition, the counterexamples reveal that critics take it as a universal generalization over our actions:

> **Practical Knowledge$_{\text{Modal}}$** Necessarily, we know what we are doing and why.
>
> *Objection*: Possibly, I act without knowing what I am doing; possibly, I act without knowing why I am doing it.

If that interpretation is correct, the counterexamples are decisive if true.

The common response either disputes the description of the actions in the counterexamples or weakens the proposition to accommodate them. Maybe I know what I *am doing*, which is compatible with failure and so with ignorance of whether I am *succeeding*. So perhaps I know that I am pressing hard to sign ten copies but am ignorant of whether I am signing them. Even weaker, maybe I know that I am *trying* to do so. Regardless of weakening the propositions in those or other ways, what I know might be compatible with my not knowing the place of what I am doing in the larger action of which it is a part or phase. So perhaps I know that I am saying nasty words to you to express *some* desire or emotion even if I am unsure which. I am trying to hurt you, but I do not know why. Or I know that I am walking North on Parks Road without knowing why because, lost in thoughts about my troubles, I have forgotten my destination. Critics dispute those replies or offer other counterexamples. Defenders respond in kind. The dialectic repeats.[4]

### 2.4.

In each debate, a proposition which characterizes human action is rendered as a universal generalization over our actions. Critics introduce counterexamples to the proposition, so interpreted. Defenders challenge the counterexamples or weaken the proposition to accommodate them in order to secure the proposition, so interpreted.

These defenses strain credulity and dilute the propositions of interest. Only someone under the undue influence of a theory can deny that we can act naughtily, indifferently, and ignorantly. Yet, I maintain, the propositions are true. Goodness characterizes our action. It stands to our action in a way different from, and prior to, how badness and indifference stand to it. Knowledge characterizes our action. It stands to our action in a way different from, and prior to, how ignorance stands to it. As the appearance of a contradiction between the propositions which characterize our action and the possibility of those types of actions stems from the modal interpretations of those propositions, those interpretations should be discarded.

I shall argue that constitutivism grounds alternative interpretations. My dissent is not because these propositions lead to counterexamples, as if the constitutivist interpretation of these propositions is a last ditch effort to save them when the initially attractive modal interpretations fail. I instead think that the modal interpretations hold no appeal to constitutivists at all.

As I offer those alternative interpretations to partially elucidate the unique explanatory structure of constitutivism, I shall not further discuss the common debate about them. I will instead present the relevant aspects of constitutivism before explaining the interpretations of those propositions which follow from it. I shall then explain how constitutivist interpretations of these propositions can explain the possibility, and oddity, of the types of actions often invoked as counterexamples to the modal interpretations.

## 3. The Core of Constitutivism

In this and the next section, I present basic details of my version of constitutivism. A caveat before I begin. Throughout these sections, I shall describe the proper exercise of practical reason, which fully

[4]For recent discussion of this proposition, see, among many others, (Frey, 2019; Haase, 2018; Kelley, 2025; Makin, 2024; Paul, 2009; Schwenkler, 2015; Thompson, 2011).

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realizes the essence of the capacity. I will not describe every exercise of the capacity but instead the measure against which other exercises are understood as derivative or defective.

### *3.1.*

Three propositions are central to my version of constitutivism about our action:

| | |
|---|---|
| *Constitutivism* | For anything essentially subject to a standard, what it is determines how it should be. |
| *Capacitarianism* | The nature of a capacity of an organism sets the standard for its development and exercise. |
| *Practical Cognitivism* | Practical reason is the self-conscious will. It is a volitional capacity, not an intellectual one whose exercises can influence those of a separate volitional one. |

The first proposition is the central thesis of constitutivism, the second applies that thesis to capacities of organisms, and the third is about a specific capacity of human beings. Constitutivists can disagree about the second or third propositions. I will assume them. Their ability to ground alternative interpretations of the propositions about the guise of the good and practical knowledge helps vindicate them.

Start with the third proposition, practical cognitivism. Human beings are animals. All animals have wills.[5] Ours, practical reason, is self-conscious. Those of the other animals are not. What is a will, though, and how does practical reason differ from the wills of other animals?

A will is a capacity to act. In its successful exercise, an animal does what they think. Take me and my cat. He wakes up hungry, escapes from under my duvet in which he has cocooned himself, proceeds to the kitchen, and begins thrashing his food dish until, annoyed and fatigued, I get up and fill it even though breakfast is not for another hour. He tucks in unceremoniously. Similarly, having woken up hungry and escaped, at his provocation, from my cocoon in my duvet, I make coffee and eggs and eat with a similar lack of restraint and decorum. We take means sufficient to our ends and realize the object of our representation. We do what we think.

So a will is a capacity to actualize a representation or to think and thereby do. Its exercise includes thinking and doing. That distinguishes a will from a capacity to know the world, whether our self-conscious capacity to know the world, theoretical reason, or the non-self-conscious capacities to know the world of other animals. When I know the world, the relevant bit of the world is as it is independent of my thought about it. I represent it as such. The thought exhausts the successful exercise of my capacity; its object is not part of that exercise. When I act successfully, the relevant bit of the world is as I represent it. It is what it is in and through my so representing it. The thought does not exhaust the successful exercise of my capacity; its object is part of that exercise. Thinking about doing and doing what I think jointly constitute the successful exercise of a will.

### *3.2.*

What distinguishes our self-conscious will, practical reason, from the non-self-conscious wills of other animals? The crucial difference is that in the proper exercise of practical reason, the subject exercises it in and through an at least tacit understanding of that exercise. There are two levels to this understanding, the substantive and formal levels. I take them up in turn.

Start with a fact about human beings often ignored in practical philosophy. We mature by developing our characteristic capacities through exercise, education, indoctrination, reflection, and

[5]I develop this view across a series of essays (Fix, 2018, 2022a, 2022b, 2026). For an argument that Kant shares this view, see (Fix & Pendlebury, forthcoming)

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all the rest of it. Practical reason is a capacity which we possess from birth until death, in a nascent state in our infancy and, if we live long, in a crippled state in our dotage. When all goes well, we develop it through infancy, childhood, and adolescence until we possess it in a sufficiently mature state for moral and prudential agency in our adulthood before our elderly decline.

A central aspect of this maturity is that unlike a developing child or a declining elder, competent self-conscious subjects—those who are moral and prudential agents *and* patients rather than those who are merely moral and prudential patients—act from an understanding of our action.[6] That is why we can explain ourselves as those who are not competent self-conscious subjects cannot. In contrast, the other known animals cannot understand what they are doing because they are not self-conscious. Requests for explanation from them are at best a joke and at worst evidence that the inquirer does not understand the difference between us and them.

Consider on this point two things which might happen simultaneously. Say I butt dial you while walking down Parks Road. Despite happening simultaneously and both in some sense involving my agency, these events differ. This difference comes out if you ask why I am walking down Parks Road and why I am calling you. To the former, I reply, say, that I am walking to the Bodleian to take a picture of myself under the SCHOLA NATURALIS PHILOSOPHIAE inscription to use on my dating profiles, as I want to seem both playful and thoughtful to potential partners. To the latter, I reply that I did not know that I was calling you; it was my butt, not me.

My answer to the former question reveals that my walking south down Parks Road is a human action. I act from a thought about action. My answer to the latter question reveals that my calling you is not a human action. I have no such thought and cannot act from it. Indeed, I cannot answer that question in the relevant way even if I know that I am calling you because I hear my phone dialing and see your number on the screen as I remove it from my pocket.

With respect to this event, a question about why I am doing it is inapt because I am not doing it. This condition is unique to human action. After all, the other animals cannot answer such a question about their actions, and yet they act. The difference is that we are self-conscious, they are not, and self-conscious human action does not merely add something on top of an independently intelligible form of animal action. The human will is a type of animal will, not an animal will with something else added to it. That explains why the inaptness of the question with respect to an event involving me entails that it is not an action of mine whereas the inaptness of it with respect to an event involving one of the other animals does not. In their case, there is a relationship between what they are doing and why they are doing it, but they cannot understand it and so their doing it in no way depends on this understanding. In my case, there is no such relationship, as I do not understand there to be one.

In cases of ignorant action, although I do not have the type of thought about action which makes my action successful, I also do not lack a thought about action as I do when I am not acting, such as when I butt dial you. I might have a thought about action which is wrong–I think that I am walking South when I am in fact walking North, or I think that I am acting for your sake when I am in fact acting for mine. Or I might wonder why I am doing what I am doing, as I do when I am opaque to myself. Both are different than lacking such a thought as when I butt dial you.

Back to the main thread. Not only does whether I am acting depend on my having a thought about action, but the details of my action depend on it. Whether I am walking in the correct direction depends in part on what I am doing, which depends on my thought. Walking South down Parks Road is the way to get to the Bodleian but not the way to get to Keble College. Although my steps may be the same in two walks, whether I am making a mistake depends on what I am doing, which depends on my thought. I can understand the relationship between what I am doing and why I am doing it. This understanding partially constitutes the event as what it is—both as an intentional action and as the particular action it is, which determines whether it is going well or badly.

[6]For more on the link between this capacity and moral and prudential agency, see Fix (2025).

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Again, a contrast with the other animals helps. My cat has a thought about food and how to get it, and he acts on this thought. He has no ability to understand the relationships between these thoughts and between them and his acting, though, and so is not properly subject to evaluations of rationality, questions about feasibility, and the like. I have the ability to understand, and this ability is manifest in the very thought and deed which jointly constitute a proper exercise of practical reason rather than being manifest in an exercise of an independent capacity which runs alongside that exercise. That is why what is necessary for success for us is not for them, it is why some of the types of errors possible for us are not for them, and it is why properties which make an event a non-action for us do not make an event a non-action for them.

### *3.3.*

That is the substantive level of the understanding characteristic of our self-conscious action The formal level reflects the relationships between the elements at the substantive level. Consider the formal concepts MEANS and ENDS. We can formulate them through reflection on our action. A means is what someone does to achieve an end; an end is that for the sake of which someone takes means. These interdependent concepts are marks of finite agency. After all, the divine need take no means and so has no ends. Whatever divine activity might be, it lacks the essential features of our action because we act in a world independent of us and depend on the world for the possibilities open to us. Whatever divine possession of the concepts MEANS and ENDS might be, it is not self-knowledge of its divine form of agency as ours is self-knowledge of ours.

When I exercise my capacity to act, I need not explicitly predicate the concepts MEANS and END. I usually think about specific means and ends, about, say, riding my bike down Botley Road to go to the cinema. Yet I can think in these terms, as when I think about how else I might pull off my end, or whether I need to give it up, when the road is closed. The ability to reflect, formulate these concepts, and think explicitly in these terms is the same ability as I exercise when I think about means and ends themselves, just as the ability to think explicitly with the concepts PREMISES and CONCLUSIONS is the same ability I exercise when I infer. In each case, the use of these concepts explicates or articulates something implicit or tacit in other exercises.[7]

This ability to explicate or articulate something implicit or tacit also expresses the difference between practical reason and the non-self-conscious wills of the other animals. It is a kind of self-knowledge or understanding of the nature of our capacity to act which they lack, which expresses the self-consciousness of that capacity. That is why we can formulate those concepts through reflection. Yet it is not merely idle knowledge, as the ability to use the concepts MEANS and END in thought and action is the ability to use this knowledge in the exercise of the capacity of which it is knowledge.

Practical reason thus differs from the non-self-conscious wills of the other animals because it is a capacity to act from thought about action.[8] This understanding, in the proper exercise of the capacity, includes both an understanding of the specific action—the specific means taken to the specific end—and an understanding of the nature of the capacity, and so the nature of human action, in general—including what it is for something to be a means and an end. That is part of what it is for practical reason to be the self-conscious will and part of what it is to exercise that capacity properly.

[7]For more on the connection between self-consciousness and the ability to make explicit something implicit, see (Boyle, 2024; Moran, 2002).

[8]I use the phrase act from thought about action in a way analogous to how Kantians use the phrase act from duty in contrast with acting merely in accordance with duty. In both cases, the preposition picks out a relationship in which the relevant thought about the action is manifest in the action through the comprehension of the subject themselves in a way in which one of the other animals cannot so act. I do not here offer an account of that relationship which distinguishes us from the other animals.

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## 4. Standards for our action as such

In this section, I address an issue about the possibility of standards for our action as a way of presenting further aspects of the constitutivist metaphysics.

### *4.1.*

How can a standard apply to our action as such? Here is a way into the puzzle. No one can *act as such* just as no one can speak *language as such*. I must act in some way or other as I must speak some language or other. Why not think that there are standards for different types of action but none for our action as such, as there are no grammatical rules independent of specific languages? Why not think that swindling has its standards as does dealing justly with others, without any standard applying to both types of action? They are just different ways of acting, as speaking English and speaking German are just different ways of speaking a language. Neither is better nor worse as a human action, as neither English nor German is better or worse as a language.

This question is not about the content of the standards for our action as such. Prior to questions about their content are those about their form. For constitutivism, this challenge poses a threat to the objectivity of the standards and so a threat to the explanatory project of grounding the standards for our action as such in the nature of our action. It is thus a challenge to the possibility of moral, prudential, and rational standards for human action as such.

If the nature of our capacity to act sets the standard for its development and exercise, properties which characterize our action are part of the internal standard for its development and exercise. The capacity develops to the extent that and because I come to be more able to act so as to meet those standards; it deteriorates to the extent that and because I become less able to act so as to meet them. An exercise is a good human action to the extent that and because it has them, bad to the extent that and because it lacks them. So there must be standards for our action as such or else constitutivism is moribund. How can that be so?

### *4.2.*

Constitutivism links the nature of a capacity with the standards for its development and exercise. This link again happens at two levels, the formal and the substantive. At the formal level, I understand, at least tacitly, the generic properties of human actions and so the generic standard which applies to any exercise of our capacity to act, at least if I have properly developed my capacity to act. At the substantive level, I understand, at least tacitly, the specific determinations of those generic properties of human actions and so the specific determines of those generic standards which apply to the specific exercise of that capacity, at least if I am exercising my capacity well. Let me explain.

Try it this way. Consider *the instrumental rule*, a rule of rationality which says to take sufficient means to ends.[9] It characterizes our action as such, specifying our action as a form of finite action. We must take means to ends to realize practical representations. We must do what we think to realize the object of practical thought.

Every human action is subject to this rule in its formal guise and in a substantive version given the action in question. When I walk to the store to buy groceries to make my Christmas Trifle, I understand, at least tacitly, that I must satisfy that rule, both in the formal sense that to not take sufficient means to an end is to fail in an action generally and in the substantive sense that to not act in certain ways given the specific end is to fail in this action in particular. I need to walk East, not West, to make it to Waitrose, to do so now and not later to arrive before closing, and to buy these items, not those, given the recipe. That is to exercise practical reason from an at least tacit

[9]In Fix (2020b), I defend this interpretation of the instrumental rule as about *taking actually sufficient* means to ends against the standard one in terms of *intending believed necessary* means to ends.

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understanding of its nature and the standards for its exercise, in their formal and substantive applications to this exercise.

How to explain the ubiquitous applicability of the instrumental rule? There are two possibilities, the *common* explanation and the *constitutive* one. (Guess which one I will defend.) The common explanation says that this fact about our action as such is a generalization of prior facts about types of human actions. Since for each type of human action, we must take sufficient means to our end, we can generalize to the claim about human action as such. The constitutive explanation reverses the order of explanation. The fact about what characterizes our action as such restricts possible types of human actions.

The common explanation has three related problems. First, were the instrumental rule based in commonalities among types of human actions, it would be an empirical truth like the fact that all our actions take place within the stellar neighborhood of Earth. Perhaps we will go extinct before any of us act elsewhere, but if so, it will be an accident. A similar basis for the instrumental rule would leave open the possibility of a type of human action which does not involve taking means to an end. Maybe we will go extinct before any of us get up to it, but if so, it will be an accident.

Second, were the instrumental rule based in commonalities among types of human actions and even if we never stumble upon a type of action in which we do not take means to ends, this rule would not characterize human action any more than does the fact that we always act after the demise of the dinosaurs. Not every universally true judgment about human action characterizes our action. Only those which concern its essence do. Yet taking means to ends would only be an accidental, whether necessary or contingent, property of our action, not an essential property of it, were it based in commonalities among types of human actions.

Third and most fundamentally, were the instrumental rule based in commonalities among types of human actions, it could not play the explanatory role of rules of rationality. A rule of rationality partially specifies the nature of human action. With respect to types of actions, one is a well-formed type of human action only if it meets the instrumental rule. That is why squaring the circle using only pencil and straightedge and flying without mechanical aid are not types of human actions. With respect to particular actions of well-formed types of human actions, an exercise of our capacity to act is successful only if it meets the instrumental rule; it is unsuccessful if it does not. That is why you successfully exercise your capacity to walk to the store only if you make it there by foot. Were the instrumental rule based in commonalities among types of human actions, though, it could not restrict the types of actions open to us and be a partial measure of the success of particular actions. After all, a type of action which did not meet it might be possible, and an action not meeting it then might falsify the generalization.

### 4.3.

So the common explanation of the instrumental rule is false. What, though, is the constitutivist explanation? To present it, I need to explain the constitutivist metaphysics of capacities more fully.

A capacity is a potentiality to do whose states of development and exercises divide into the good and bad, the successful and unsuccessful, the perfect and imperfect, the complete and incomplete. My capacity to write English is more developed than that of my students. My exercises of it are more often successful than theirs. Yet we have the same capacity because capacities allow for a manifold of bearers who can possess them in a variety of states of development and can exercise them indefinitely many times. A few billion human beings have the same capacity to act, with no upper bound. It is not like the stock will run dry and some must go without. Though resources are finite and can only support so many of us, the capacity itself does not limit the number of its bearers as the number of seats in Senate limits the number of senators. Likewise, we can exercise the same capacity indefinitely many times. I exercise my capacity to act many times each day, with no in principle upper bound. I cannot exhaust the stock of exercises and end up running on empty as I can exhaust the number of attempts to enter my password and end up locked out of my account. Although we

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can only do so much in a day, in a life, the capacity itself does not limit the number of its exercises, which manifest the varying states of development of that capacity in its bearers.

Capacities are potentialities to do something. They differ from each other given the differences in what they are potentialities to do. Our capacity to walk differs from our capacity to talk given the differences in walking and talking for us. As the nature of the capacities differ, so do the standards to which their development and exercise are subject. That is why losing your tongue blocks development of your capacity to talk but not of your capacity to walk whereas losing your leg blocks development of your capacity to walk but not of your capacity to talk. It is why burping is a per se imperfection in talking but neither a perfection nor an imperfection in walking whereas tripping is a per se imperfection in walking but neither a perfection nor an imperfection in the talking. This is the way in which capacities allow for the possibilities of success and error with respect to their development and exercise.

Our capacities to walk and talk, though, are each determinations of our capacity to act. Walking and talking are ways of acting. To understand this determinable/determination relationship, think about my capacity to speak. I am born with it. I develop it by learning to speak at least one language, and I exercise it by speaking a language. The only way to develop and exercise the determinable capacity is to develop and exercise at least one of its determinations.

A way to represent this determinable/determination relationship is to treat 'German', 'English', and the others as adverbial modifications of 'speak' in 'my capacity to speak'. In the same way, 'slowly' and 'quickly' can modify 'walk' in 'my capacity to walk'. My capacity to speak, walk, jump, and others are likewise determinations of my capacity to act. After all, I can only develop and exercise my capacity to act by developing and exercising capacities to act in various ways. No one can 'simply act'; we must act in some way or other. As with my capacity to speak, one way to represent this determinable/determination relationship is to treat 'walking', 'jumping', 'speaking', and the like as adverbial modifications of 'act', as in 'my capacity to act by walking'.

Treating the relationship between my capacity to act *as such* and my capacity to act *in some way* as a determinable/determination relationship is not scholastic. The determinable restricts its determinations. Take my capacity to walk forward, itself a determination of my capacity to walk, itself a determination of my capacity to act. If to walk forward is in part the potentiality to change location by putting one foot in front of the other at a moderate pace while maintaining balance, any determination of it must include this aspect. The nature of the determination must include the properties of the determinable alongside whatever differentiates it from other determinations. The nature of a determination can go beyond the nature of the determinable in various ways—walking cautiously is a different determination than walking confidently. But it must stay true to the determinable. This is why strutting, slinking, and sauntering are ways of walking and my capacity to strut, slink, and saunter are determinations of my capacity to walk, but walking while remaining still or walking forward backward are not ways of walking and we have no capacities to do them.

One way to represent this relationship is to treat the descriptions of the determinate activities as adverbial modifications of the determinable activity. Only certain adverbs attach to the infinitive *to walk* to yield a semantically well-formed verb phrase. 'Slowly', 'quickly', 'forward', 'backward', 'quickly forward', 'quickly backward', 'slowly forward', and 'slowly backward' do. 'Quickly slowly', 'forward backward', 'while remaining still', and 'in a zero gravity environment without mechanical aid' do not. These phrases try to describe a human activity that is internally contradictory in one way or another and hence is not a real human activity. We cannot have a capacity to act in these ways. To set off to so act is to automatically fail just as to set off to square the circle using only compass and straightedge is to automatically fail. Just try to make a go of it. I would then be exercising my determinable capacity to act in a way doomed to failure because I in principle lack the determinate capacity to act in that way, as it violates the success condition. Given the nature of a capacity, then, only certain determinations of it are possible.

Our capacity to act as such likewise restricts its determinations. Its nature is also part of the nature of all its determinations. If, for the sake of argument, its nature establishes moral, prudential,

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and rational standards for its exercises, the nature of all its determinations likewise establishes such standards for their exercises since they must stay true to it. A capacity to act immorally, imprudently, or irrationally would be as impossible for us as a capacity to walk forward backward. The phrases 'act immorally', 'act imprudently', and 'act irrationally' would try to describe human activities that are internally contradictory in one way or another and hence are not real human activities. We cannot have a capacity to act in these ways. To set off to so act is to automatically fail in the way that to set off to sail to the edge of the earth is to automatically fail. Again, it is not that I am not exercising my determinable capacity to act. It is instead that I am exercising it in such a way that success is impossible because I in principle lack the determinate capacity to act in this way given the nature of human action as such. Just as I can be on the boat sailing while not possibly succeeding in sailing off the edge of the earth, so I can be disregarding means and undermining my good and yours as well while not possibly succeeding in acting irrationally, imprudently, or immorally.

Indeed, a capacity to sail to the end of the earth or a capacity to square the circle using only compass and straightedge are not possible capacities of ours because taking means to such ends is impossible for us. They are not possible capacities for us because they violate the instrumental rule. Since our capacity to act is in part a potentiality to take means to ends, no such type of human action is possible, and pursuit of such a type of action is doomed to failure.

That is the constitutivist explanation of the possibility of standards for our action as such which thereby apply, in determinate form, to every exercise of every determination of our capacity to act. Even though we cannot act as such but must act in some way or other, rules like the instrumental rule characterize our action as such and so every determination of it. So, also, might moral and prudential rules.

### *4.4.*

One final bit before I move onto discussing the propositions which characterize our action. There are two ways in which a specific determination of a capacity might deviate from its determinable capacity. On the one hand, it might be a defective determination, as are the capacities to sail to the end of the world or to square the circle using only compass and straightedge. These determinations are malformed. Exercises of them are doomed to failure. On the other hand, a determination which deviates from its determinable capacity might be a derivative but not defective determination. Let me explain.

Here are a few examples to fix the idea. Assume, for the sake of argument, that the capacity to speak is in part a potentiality to communicate with others through sound. There are defective exercises of this capacity, as when I speak to you in a language you cannot understand or as when I try to speak to you but I have lost my voice. There are also derivative but not defective exercises of it, as when I speak to myself. No communication and yet I am not in error. Similarly, assume the capacity to walk is in part a capacity to change location by putting one foot in front of the other at a moderate pace while maintaining balance. There are defective exercises of this capacity, as when I trip and fall. There are also derivative but not defective exercises of it, as when I walk on a treadmill. Going nowhere and yet I am not in error.

Both derivative determinations and exercises of a capacity and defective determinations and exercises of it are explanatory posterior to the nature of the capacity and its proper exercise in the sense that we understand them in part by reference to it. The difference between the derivative and the defective is that whereas the defective contradicts and undermines the point and purpose of the capacity, the derivate does not. It instead involves exercising a capacity in a way which has a different purpose but which is intelligible only as an explanatorily derivative use of a capacity whose purpose is otherwise constituted.

To put the point in a somewhat grand register, were we to give a catalogue of the capacities of a human being in order understand human life, we would need to include our capacity to walk as a mode of locomotion but not our derivative capacity to walk on a treadmill, as we would not need to include the defective capacities to walk forward backward. Yet walking on a treadmill stands to our

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capacity to walk differently than does walking forwards backwards because it involves no error just as talking to yourself stands to our capacity to communicate differently than does talking to a frond instead of a friend. After all, consider how we often explain the point of derivative exercises. Walking on the treadmill is a way of getting exercise or rehabilitating an injury, say; talking to myself is a way of working through a puzzle or trying to understand how my prose will sound to an audience, say. In these exercises, we commandeer a capacity for another legitimate purpose as we might use a fork to scratch our back even though it is made for eating, not itching.

### *4.5.*

So human action is one type of animal action. We differ from the other known animals because we are self-conscious. Whereas they have non-self-conscious wills, we have practical reason. Our action is thus metaphysically unique. It is also normatively unique, as only we among the known animals are subject to moral, prudential, and rational standards in it. Since the nature of our capacity to act sets those standards, the metaphysical uniqueness of that capacity explains its normative uniqueness.

An essential aspect of that metaphysical uniqueness is our self-consciousness. A correlative essential aspect of that normative uniqueness is our guiding ourselves in the proper exercise of practical reason by an at least tacit understanding of the standards to which that exercise is subject in its formal and substantive application to that exercise. That explains the possibility of standards for our action as such, independent of any claims about their content, in virtue of the self-consciousness which distinguishes our action from that of the other animals. So while I shall not here argue that the our capacity to act as such in fact establishes moral, prudential, or rational standards on its exercise, this metaphysics of capacities explains the possibility of such standards for our action as such.

## 5. The constitutivist interpretation

In this section, I present the constitutivist interpretation of the propositions which characterize our action.

### *5.1.*

Let me continue with the instrumental rule for a bit. This rule characterizes our action. It serves as a measure for act-types. Those which conform to it are thereby to that extent well-formed; those which do not are thereby to that extent ill-formed. It also serves as a measure for particular action. An action which meets it is thereby to that extent successful; one which does not is thereby to that extent failed.

So although the instrumental rule characterizes our action, the appropriate interpretation of it is not a modal interpretation but instead a constitutive interpretation:

| | |
|---|---|
| **Instrumental Rule$_{\text{Modal}}$** | Necessarily, we take sufficient means to ends. |
| **Instrumental Rule$_{\text{Const.}}$** | Our capacity to act is, in part, a potentiality to take sufficient means to ends. Exercises in which we take such means to an end are thereby to that extent successful. |

This interpretation captures the explanatory role of a rule of rationality, rendering it as an internal standard for our actions grounded in the nature of our action as such. It is a formal rule which applies to every human action in a substantive guise given the action in question.

There are similar interpretations of the propositions which characterize our action:

| | |
|---|---|
| **Guise of The Good$_{\text{Modal}}$** | Necessarily, we act for the sake of the good. |
| **Guise of The Good$_{\text{Const.}}$** | Our capacity to act is, in part, a potentiality to act for the sake of the good. Exercises in which we act for the sake of the good are thereby to that extent successful. |

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| | |
|---|---|
| **Practical Knowledge$_{\text{Modal}}$** | Necessarily, we know what they are doing and why. |
| **Practical Knowledge$_{\text{Const.}}$** | Our capacity to act is, in part, a potentiality to know what we are doing and why. Exercises in which we know what we are doing and why are thereby to that extent successful. |

The constitutivist interpretations of these propositions fit with the constitutivist metaphysics of capacities because that metaphysics differently construes what it is for something to characterize our action. In the material mode, what characterizes our action is part of the nature of our capacity to act and is thereby normative for our development and exercise of that capacity. In the formal mode, what characterizes our action partially describes the nature of our capacity to act and is thereby part of the content of the standard for the development and exercise of that capacity.

### 5.2.

Let me discuss the constitutivist interpretation of each proposition in turn. Start with the guise of the good. One way into this interpretation is to note that human beings develop our capacities over time. We start acting long before we achieve competent self-conscious subjectivity. We develop into such subjects in part through interaction and instruction with other human beings.

One aspect of this development is that we gradually learn what is good and why, at least if our development goes well. Think of how we instruct a child and how our instruction and interaction with them changes as they develop. Habituation does not merely involve taking an infant who by nature acts for the sake of the good, as a formal object, and helping them construct a substantive conception of what is good any more than it merely involves taking an infant who by nature seeks to eat only food, as a formal object, and helping them construct substantive conception of what is food. Children put all sorts of stuff into their mouths as they act in all sorts of ways.

Indeed, in habituating someone, we not only do not assume that human beings necessarily act for the sake of the good as a matter fact. We instead assume that, at the start, they often do not act for the sake of anything. Infants and toddlers act without much of a sense of what they are doing or why. We try to get them onto proper ways of acting first before we try to get them onto proper grounds to act. Perhaps we start by telling them *what* not to do—do not bite your brother! We move on to also telling them why not to do it—you will hurt him. Eventually we tell them the proper principles which explain those grounds to act—people have bodily autonomy that you must not violate because morality is fundamentally about giving each other equal discretion over whether and how we interact. To not do so is unjust. Only consent can make biting permissible.

As a human being moves through childhood and adolescence into maturity, we move from an expectation that they do not act on rational bases to one that they do. This change in expectation is a move from expecting their actions to often be indifferent—to be actions not for the sake of anything—to actions for the sake of the good, both in that we expect them to have a sense of why their action is good and in that we expect this sense to be correct. This expectation is both descriptive and normative, and indeed descriptive because normative. That is, we gradually begin to hold them to a standard because their capacity develops such that they can now meet that standard. As they continue to develop, we expect them to more reliably meet it through their embodiment of the relevant virtues that mark certain significant stages of development in that very capacity. Yet its role as a standard allows for the possibility of error as much as it allows for the possibility of success.[10]

[10]I do not think this account of the development of the in practice possibility of success and error for an individual human being requires any particular account of praise or blame for those successes or errors. The incompetence of children is different than the incompetence of adults with developmental disorders and the declining elderly, and all are different from the incompetence often on display by mature adults. Our responses to success and error track not only where individuals are along their developmental path but where they ought to be as well given the reality of their situation. We praise children for successes

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Acting for the sake of the good, then, is a mark of the mature state of development of practical reason, not of just any state of development of it. If the nature of a capacity sets the standard for its state of development, then acting for the sake of the good is part of the nature of the capacity and thereby normative, not descriptive, for its state of development. Similarly, it is normative, not descriptive, for exercises of that capacity. It is the mark of the proper exercise that I act for the sake of the good, realizing a particular substantive conception of the good in action through correctly acting on an appropriate rational basis. After all, not all upbringing goes well, and the possible imperfections and perversions are legion.

A virtue of this interpretation is that it can explain the oddity in indifferent action and the error in naughty action, at least when adults act indifferently and naughtily, simply in terms of the account of human action. If you accept the modal interpretation and accept the possibility of these types of actions, then naughty and indifferent actions are on a par with actions for the sake of the good from the standpoint of the account of human action. You must then explain their oddity by claiming that another difference between them, external to and independent of the nature of human action, explains their oddity.

While that explanation is possible and while I shall not here argue against it, the constitutivist can go another way. Granting the possibility of these actions need not amount to admitting that they are on a par with action for the sake of the good and, for that matter, with each other. On the constitutivist interpretation, derivative and defective exercises of a capacity are explanatory posterior to the nature of the capacity and so to its proper exercise. This explanatory structure allows for different accounts of indifferent and naughty actions as, respectively, derivative and defective exercises of our capacity to act.

Indifferent action is possible but derivative. The constitutivist interpretation of the propositions about the guise of the good explains why. What the constitutivist denies, though, is that such actions fully realize the capacity of which they are exercises, as walking on a treadmill does not fully express the capacity of which it is an exercise. That is correct—after all, indifferent actions are odd. In human life, we understand these actions as exceptions to the general rule against the background of which we understand them. They are permissible uses of a capacity for a legitimate ulterior purpose, as using a shoe to smash a spider is a permissible use of an artifact for a legitimate ulterior purpose. So the constitutivist can explain the possibility of these actions while also explaining why they are not exemplars of human action.

Naughty action is also possible but defective. The constitutivist interpretation of the proposition about the guise of the good explains why. The error might come at the substantive level, in which the subject acts for the sake of what is in fact bad but which they mistakenly take as good, but it can also come at the formal level, in which the subject acts for the sake of the bad as such. Vice can take many forms, and the most perverse evil might be one in which the subject embraces the bad as such. Such is compatible with the constitutivist interpretation of this proposition. What the constitutivist denies, though, is that such actions fully realize the capacity of which they are exercises. That is correct—after all, naughty actions are odd. To understand them as possible expressions of a certain form of extreme vice is to understand them as deviant developments and exercises of the capacity whose proper development and exercise go the other way.

### *5.3.*

Turn to the proposition about practical knowledge. Note again that human beings develop over time, starting long before we achieve competent self-conscious subjectivity through, in part, interaction and instruction with other human beings. Another aspect of this development is

for which praise of an adult would be condescending, and we blame adults for errors for which blame of children, cognitively impaired adults, and demented elders would be inhumane.

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that we come to know what we are doing and why, at least if our development goes well. After all, as young children largely act indifferently, so they largely act ignorantly. Part of habituating them into maturity is teaching them to know what they are doing and why through asking them about what they are doing and why, even when we know that they are still at a stage when they largely act indifferently, and explaining what is an answer and what is not. For example, my mother quite often told me that "'because' is not an answer" when I was young, as I had not quite grasped that it was what came after the "because" which mattered, not simply the word itself. Eventually, I understood after what she was asking and could answer.

It is not that I could answer this question as could an observer, as if the answer were always present but had been previously obscure to me. I instead came to be able to act from my understanding of my own action in a way that I could then articulate to her. My action matured in and through the maturation of my understanding of it. My exercises went from being largely indifferent actions to actions for the sake of the good in and through the development of my capacity to act. Of course, this understanding develops gradually. As an adolescent, I might be able to successfully do it sometimes but not others, as when I might lose myself in the moment of anger or excitement and not know what I am doing or why. I am better now, though there is still room for improvement.

The ability to know what I am doing and why, then, is a mark of the mature state of development of practical reason, not a mark of just any state of development of it. If the nature of a capacity sets the standard for its state of development, then being able to know what I am doing and why is part of the nature of the capacity and thereby normative, not descriptive, for its state of development. Similarly, it is normative, not descriptive, for exercises of that capacity. It is the mark of the proper exercise that I know what I am doing and why, realizing a particular practical representation by doing what I think I am to do because I so think.

A virtue of this interpretation is that it can explain the oddity of ignorant action, at least when adults act ignorantly, simply in terms of the account of human action. If you accept the modal interpretation and accept the possibility of ignorant action, then it is on a par with action of which I have practical knowledge. You must then explain the oddity of ignorant action by claiming that some other difference between it and action of which I have practical knowledge, external to and independent of the nature of human action, explains their oddity. It is as if action is one thing, knowledge of it another, with knowledge running alongside the action like a commentator describing a simulcast of a race in which they are a participant. That is an alienated relationship to my action.

While that explanation is possible and while I shall not here argue against it, the constitutivist can go another way. Granting the possibility of ignorant action need not amount to admitting that it is on a par with action of which I have practical knowledge. Ignorance can be a per se imperfection in human action. It can come, broadly, from two sources. I might be ignorant because of an internal imperfection in my exercise of my capacity to act. Maybe I am opaque to myself, forget what I am doing, or I do not know how to do whatever it is I mean to do. In these cases, the source of the error is internal to me, and the error is attributable to me. In other cases, I might be ignorant because of an external impediment to my action. I am finite, and I depend on the world for the success of my action. Much of the world is outside of my ken and control, and the success of my action might depend on some of it. They might keep from me something I need to know or control something on which I depend for the success of my action. In each type of error, something interferes or does not cooperate with my exercise of my capacity to act. I am liable to error because I am finite. In these cases, I run into something which exposes that liability.

What the constitutivist denies is that ignorant action fully realizes the nature of our capacity to act. That is correct. After all, ignorant action is an exception for adult human beings, not the rule, where I intend these notions in an explanatory sense. Ignorant action calls for explanation in terms of something which intervenes, disrupts, or otherwise compromises our exercise of our capacity to act. Action with practical knowledge does not. So the constitutivist maintains.

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### 5.4.

To sum up, the constitutivist interpretation of these propositions renders them as about the nature of our capacity to act. They pick out properties of that capacity, and those properties are thereby normative, not descriptive, for exercises of that capacity. Cases which function as counterexamples to the standard modal interpretation of these propositions in fact serve to support this alternative constitutivist interpretation, as this interpretation not only explains the possibility of these cases but also explains their oddness, either in terms of a derivative or defective exercise of that capacity.

## 6. On its own terms

So with respect to these propositions which characterize our action, constitutivists have principled grounds to endorse an alternative to the modal interpretations which structure the common debates about those propositions. Rather than rendering them as universal generalizations over exercises of our capacity to act whose truth depends on every action possessing the relevant property, constitutivists render them as claims about the nature of our capacity to act which are thereby normative for its development and exercise. This interpretation is not, from the perspective of the constitutivist, a weakening of the proposition in order to avoid counterexamples. It is the interpretation that fits naturally with the explanatory structure of the view. Moreover, it accommodates the cases often taken as counterexamples to these propositions, as constitutivists can explain them as derivative or deviant exercises of our capacity to act, again in terms which fit with the explanatory structure of the view.

My aim in this essay is not to say that this constitutivist interpretation is correct. Although I think that it is right, I think the more important point is to recognize that in these issues as in most of practical philosophy, different theories often have very little common ground because they disagree about foundational issues that frame the debate. One way to adjudicate this disagreement is to try to draft an agreed-upon set of propositions, interpreted identically by all parties, and then argue that this set privileges one theory over another. I doubt the prospects of that approach. Another way to proceed is for adherents of different theories to develop the explanatory structure, promise, and power of those theories on their own terms. I do not think that this way is fool-proof or will, at the end of inquiry, result in a view which commands acceptance or seppuku from all good-faith inquirers. But I think it allows for a clearer and fairer understanding of the views on offer. In this essay, I set out part of the explanatory structure of constitutivism to show what it says, uniquely, about a certain set of issues in practical philosophy and to demonstrate the possibility and feasibility of this approach.

Moreover, even with respect to these propositions, I do not in this essay offer a substantive interpretation. I instead offer an account of the form of the proposition, and I do not address certain crucial questions about their content. For example, I do not defend a view about the kind of knowledge of action possessed when we exercise practical reason well. It cannot be ordinary theoretical knowledge, as the object of theoretical knowledge is in principle independent of my theoretical knowledge of it. What, though, is practical knowledge such that it can be knowledge of material reality of my action in the world? Nor do I defend a view about in what way our sense of the goodness of an action features in the explanation of our so acting in cases when we exercise practical reason well. What is the relationship between my knowledge of the goodness of my action and my practical knowledge of my action? I suspect that in the end, they must come to the same thing, and that an investigation into the one is thus the same as an investigation into the other. However, nothing I say in this essay entails that account or any other.

A fuller constitutivist account of our agency and its place in the world must answer these and other questions about propositions that characterize our agency. Still, to answer those questions, we first must understand the form of the propositions on offer if we are not to needlessly modify them in response to deviant and derivative exercises that are counterexamples to the modal

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interpretations of those propositions but are not to the constitutivist interpretation. Hence the ground-clearing work of this essay.

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