

Analytical Contents

<i>Acknowledgements</i>	xiii
<i>Primary Sources and Citation Methods</i>	xv
1. Reconstructing Moral Constructivism	1
1. Introduction	1
2. Conspectus	4
2.1. Contra contemporary moral constructivisms	4
2.2. Natural law constructivism	5
3. Chapter Overview	8
2. Objectivity, the Euthyphro Question, and Reconstructing Natural Law	15
4. Moral Objectivity, Social Contract Theory, and Natural Law	15
5. The Euthyphro Question and Moral Optionality	16
5.1. Socrates' question to Euthyphro	16
5.2. Constructivism as an express philosophical method	18
6. Artifice and Arbitrariness	19
7. Hume's Key Insight	21
8. Hobbes' Formulation of Two Basic Moral Problems	22
9. Modern Natural Law and the Social Contract	25
3. Hume's Construction of Justice	27
10. Introduction	27
11. Founding Justice in Practice	28
11.1. Hume's procedure	28
11.2. Hume's first social coordination problem	31
11.3. Justice as necessary artifice	32
11.4. The founding conventions of justice	33
11.5. Hume's second social coordination problem	34
11.6. Hume's third social coordination problem	35
11.7. Hume's fourth social coordination problem	35
11.8. Hume's fifth social coordination problem	36
11.9. Interest, prudence, and morals	37
4. Hume's Proof of the Insufficiency of Moral Sentiments	39
12. Hume's Account of the Basis of Specifically Moral Obligation	39
13. Hume's Theory of Justice <i>versus</i> Hume's Ethical Sentiments	40
13.1. Three questions for moral theory	40
13.2. Reason <i>versus</i> moral sense?	41

13.3. Two theses about sentiments and moral judgment	43
13.4. Taste and moral discriminations	45
14. A Causal Theory in Moral Epistemology?	47
15. Radical Nominalism, the Vagaries of Usage, and Optionality	49
15.1. Is morality merely nominal?	49
15.2. Can morality be a matter of taste?	51
16. Hume's Impartial Spectator to the Rescue?	52
17. Justification and Motivation	59
17.1. Reasons: 'internal' and 'external'	59
17.2. The belief-desire model of action	60
17.3. Causal theories of the mental	61
17.4. Game theory	63
17.5. Is philosophy motivationally competent?	63
17.6. Explanation, justification, and points of view	65
5. Kant's Principles of Moral Constructivism	69
18. Introduction	69
19. Kant's Critique of Moral Empiricism	70
20. The Objects of Pure Practical Reason	74
20.1. How practical is reason?	74
20.2. Law and maxims	77
21. The Structure of Kant's Practical Philosophy	79
22. Kant's Universalization Test	81
22.1. A contradiction in conception?	81
22.2. Is Kant's criterion empty?	83
22.3. Universalisability, respect for persons, and Kant's formulae of 'the' Categorical Imperative	87
22.4. Kinds of duties	88
23. Conclusion	89
6. Natural Law Constructivism and Rational Justification	91
24. Introduction	91
25. The Pyrrhonian Dilemma of the Criterion	92
26. Kant's Constructivism	95
27. Rational Judgment, Autonomy, and Spontaneity	106
27.1. 'I think' and 'I judge'	106
27.2. Autonomy and assessment	107
27.3. Autonomy and proper function	107
27.4. Autonomy and 'spontaneity'	108
28. Reason, Justification, and History	109
28.1. Rational justification and fallibilism	109
28.2. Chisholm, the problem of the criterion, and particularism	110
28.3. Fallibilism and objectivity	111

7. Constructivism, Contractarianism, and Basic Obligations	113
29. Introduction	113
30. Are all Fundamental Social Practices and Institutions Optional?	117
30.1. Contractarianism, children, and adulthood	117
30.2. Upbringing and contractarian reciprocity	118
30.3. The contractarian proviso revisited	120
31. Contractarianism and the Problem of Relevant Descriptions	121
32. Kant's Non-Contractarian Constructivism	127
33. Directions of Justification	131
34. Possible Universalisability <i>versus</i> Moral Voluntarism	135
34.1. The dilemmas of voluntarism	135
34.2. Modal <i>versus</i> voluntarist interpretations of Kant's universalization test	136
34.3. Deliberative contractualism to the rescue?	139
8. Kant's Justification of Rights to Usufruct	145
35. Introduction	145
36. Rights to Usufruct, not Property	146
37. Kant's Argument to Justify Rights to Usufruct	149
37.1. Kant's preparatory steps: <i>RL</i> §§1–5	149
37.2. Printer's errors in <i>RL</i> §6	152
38. Reconstructing Kant's Justification of Rights to Usufruct	154
38.1. Filling in Kant's 'practical anthropology'	155
38.2. Why rights to usufruct are a human necessity	157
38.3. Using Kant's Contradiction in Conception test to justify rights to usufruct	159
38.4. Rights to usufruct: conditional, yet non-optional	169
38.5. Why rights to usufruct suffice to justify a republic	171
9. Conclusion: Reintegrating Justice into Morals	175
39. The Aims and Scope of this Study	175
40. What Today is Self-Evident?	176
41. Does Ethical Theory Rest on a Mistake?	180
42. Republicanism and Independence	187
43. Justice, Economics, and Accountancy	189
Appendix	207
44. Hobbes in <i>Leviathan</i> does not Espouse Egoism	207
44.1. A fatal equivocation in Hobbes' Thesis about Ends	207
44.2. Why expect moderate rule from absolute sovereigns?	210
44.3. Human fallibility and Hobbes' Thesis about Ends	211
45. Natural Law, Self-Evidence, and Locke's Laws of Nature	214
45.1. Locke, reason, and natural law	214

xii ANALYTICAL CONTENTS

45.2. Locke's inconsistent views about punishment in the state of nature	214
46. The 2008 Financial Crisis: Negligence In/Action	217
<i>Bibliography</i>	221
<i>Name Index</i>	247
<i>Subject Index</i>	249