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# Because You Promised:
## A Non-Reductive Account of Promissory Normativity

Disputation zu der an der Humboldt-Universität zu Berlin eingereichten Dissertation

1. **Only a non-reductive view of promissory normativity manages to take the phenomenon of promising at face value.**

- *Conceptual claim*: A promise is best understood as an attempt to place oneself under a directed obligation through a speech act the intention of which is to do just that.

    o  To promise is not, as is sometimes claimed, simply to express a firm intention, nor to make a joint commitment with the promisee. Their explicitly normative intent is crucial for understanding the role of promises in our linguistic practice.

- *Normative claim*: Valid promises give rise to obligations as a matter of normative (not conceptual) necessity.

    (Promissory Principle) One is under an obligation to φ (owed to S) if one has given S a valid promise to φ.

- *Explanatory intuition*: We not only believe promisors to be morally bound by the promises they give, we also take them to be bound *because they promised*. The mere fact that a valid promise was given is sufficient for explaining the obligation.

    (Non-Reductivism) One is under an obligation to φ (owed to S) if and *because* one has given S a valid promise to φ.


2. **In virtue of their very structure, reductivist accounts of promissory normativity necessarily fail to capture some intuitions about which promises bind.**

- Reductivism aims to identify a feature r that a) is shared by all wrongful breaches of promises and b) is able to independently explain their wrongness.

    (Reductivism) One is under a (promissory) obligation to φ (owed to S) if and because r.

- Reductivism faces a trilemma when trying to determine r. All genuinely available options result in a failure to account for at least some considered intuitions about promissory bindingness.

1) r = p [the fact that a valid promise was given]

  ➢ Collapses into non-reductivism.

2) r does not follow from p

  ➢ Cannot account for our intuition that all valid promises give rise to an obligation.

3) r follows from p, but is not identical to it

  ➢ Redundancy Problem: in response to any r, it will always make sense to ask whether or not a promise was given, and, potentially, to request a promise for further normative assurance.


**3. If there is an objectionable kind of mystery inherent to non-reductivism, it must be its commitment to the idea that promissory obligation is value-independent.**

- A common objection against non-reductivist accounts of promising is that, if they were true, we could "bootstrap" obligations into existence in an objectionably mysterious way.

- However, many features that may seem to give promises this air of mystery can be shown to be non-problematic in other contexts.

- The only convincing version of the worry is premised on the existence of a universal explanatory link between moral reasons and values, which we may call the Value-Reason Nexus.[1]

  (VRN) Whenever we have a moral reason to do something, this is ultimately explicable in terms of value.

- This leaves non-reductivists two options to resist the mystery/bootstrapping objection. Either (i) reject VRN and stand their ground or (ii) attempt to provide a value-based grounding story that is compatible with their account.


**4. If non-reductivists want to ground their explanation of promissory normativity in value, they must adopt a Two-Level-Account.**

- First level: answer to the question of why a given individual promisor would act wrongly if she failed to do what she has promised to do.[2]

  o This is just (Non-Reductivism).

- Second level: explanation of why we are able to undertake obligations through the giving of a valid promise.

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[1] Following Raz 2001, p. 5.
[2] Paradigmatic TLAs are defended by Raz 1977 and Owens 2012.

- o The truth of (Non-Reductivism) affords us a valuable kind of *normative control*: we can effect changes to the normative situations by the performance of promissory speech acts.

- o (Non-Reductivism) obtains because its very truth is necessary for us having this valuable kind of normative control.

- Importantly, the value of having this control does not depend on the value or desirability of any promised act and is thus independent from the content of the obligation created.

  - o TLAs ground promissory obligation not in the value of our keeping promises, but in the value of our *being bound* by them.

## 5. Two-Level-Accounts employ an explanatory structure that may smack of wishful thinking but is ultimately necessary for giving value-based explanations of other important phenomena.

- At its heart, the value-based grounding story of promissory normativity proposed by TLAs is of the form [it would be good if (Non-Reductivism), therefore (Non-Reductivism)]

  - o Reasoning of the type [it would be good if p, therefore p] is usually specious: from the fact that it would be good for us if we could fly it clearly does not follow that we can, in fact, fly.

- However, TLAs do not aim to vindicate any descriptive claim (such as the existence of a promissory convention) by this type of reasoning – it is merely applied to a purely normative claim at a high level of abstraction: (Non-Reductivism).

- Explanations of the form [it would be good if p, therefore p] are needed to give convincing value-based explanations for other important normative phenomena, especially certain rights of autonomy over our own bodies and property.

  - o The most plausible value-based grounding story for these rights (reaching back to Mill) and appeals to the value of being entitled to make one's own decisions in the pursuit of one's life.

  - o Offering a value-based grounding story for these rights of autonomy that departs from the value of their obtaining is not only possible, but furthermore required if we are to capture intuitions about important cases.

    - ➢ Cases of harmless trespass. (Ripstein 2006)

- If VRN is true, we will need to allow reasoning of the type [it would be good if p, therefore p] in the normative to adequately account for all important normative phenomena.

**6. The best candidate for the value of promissory control lies in its ability to strengthen valuable trust relationships by providing others with warrant for trust.**

- Prominent accounts of the value of normative control in the literature can be shown to be lacking both in the convincingness of the values they propose and their ability to account for the shape of our promissory practice.

  o Promissory bindingness is good because it allows promises to grant the promisee valuable authority. (Owens 2012)

  o Promissory bindingness is good because it establishes a valuable kind of relationship between promisor and promisee. (Raz 1977)

- Instead, promissory bindingness is valuable because it allows us to give others *warrant for trust*.

  o Trust is not only instrumentally valuable, but also an intrinsically valuable way in which humans can relate to one another.

- Sometimes, trust relationships are difficult to establish or have been damaged. Being under a voluntarily undertaken, directed obligation can serve as warrant for trust in such cases as well as others, making well-grounded trust easier to attain.

- Therefore, it is good for us to be able to create such voluntarily undertaken, directed obligations through the exercise of a normative power of promising.

  o The trust-based TLA explains why having the ability to create a normative relation of a specific kind is valuable – only directed, voluntarily incurred obligations can do the job. This, amongst other things, means it is particularly well-suited to explaining the shape of our promissory practice.

**Bibliography**

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