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# Who believes in robust normative powers?

*Quem acredita em poderes normativos robustos?*

Andrea Faggion [a]
Paraná, Brasil
[a] Universidade Estadual de Londrina (UEL)

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## Abstract

*Do we have the power to create or modify obligations and prohibitions, and to release agents from them by generating permissions? At first glance, this power may appear puzzling, almost magical, since it implies that moral agents can reshape the normative domain merely through communicative acts. This paper investigates what kind of moral principle can sustain such a robust notion of normative powers. Clarifying these principles shows that normative powers are not alien to our ordinary moral experience, but in fact closely tied to practices such as promising, consenting, or authorizing. Nevertheless, their intelligibility remains far from secure, as the very possibility of principles of this kind is philosophically contentious. Therefore, the discussion explores the main strategies available for grounding the normative force of principles capable of conferring robust normative powers. A central question is whether such principles can be grounded on non-deontic human interests and values, or whether they presuppose the existence of irreducible deontic values. The analysis supports the latter view, concluding that robust normative powers require recognition of fundamental deontic values or interests that cannot be derived from other considerations. This conclusion, in turn, leads to a broader methodological point about the limits of moral philosophy. The dispute between advocates of robust normative powers and their rivals cannot be resolved by simply vindicating one side over the other. Rather, it functions as a source of philosophical self-knowledge, bringing to light the presuppositions of each position and the deeper reasons for the persistence of disagreement.*

***Keywords:*** *Normative powers. Two-step justifications. Deontic values.*

[a] Ph.D. in Philosophy from the State University of Campinas (UNICAMP), Productivity Fellow of the National Council for Scientific and Technological Development – CNPq, e-mail: andreafaggion@gmail.com

**Resumo**

Temos o poder de criar ou modificar obrigações e proibições, bem como de liberar agentes delas por meio da geração de permissões? À primeira vista, esse poder pode parecer enigmático, quase mágico, já que implica que agentes morais podem remodelar o domínio normativo apenas por meio de atos comunicativos. Este artigo investiga que tipo de princípio moral pode sustentar uma noção tão robusta de poderes normativos. O esclarecimento desses princípios mostra que os poderes normativos não são estranhos à nossa experiência moral ordinária, mas, na verdade, estão intimamente ligados a práticas como prometer, consentir ou autorizar. Ainda assim, sua inteligibilidade permanece longe de estar assegurada, pois a própria possibilidade de princípios desse tipo é filosoficamente controversa. Assim, a discussão explora as principais estratégias disponíveis para fundamentar a força normativa de princípios capazes de conferir poderes normativos robustos. Uma questão central é se tais princípios podem ser fundamentados em interesses e valores humanos não deônticos ou se pressupõem a existência de valores deônticos fundamentais. A análise apoia esta última posição, concluindo que poderes normativos robustos exigem o reconhecimento de valores ou interesses deônticos que não podem ser derivados de outras considerações. Essa conclusão, por sua vez, conduz a uma hipótese metodológica mais ampla sobre os limites da filosofia moral. A disputa entre defensores dos poderes normativos robustos e seus rivais não pode ser resolvida simplesmente pela vitória de um lado contra o outro. Antes, ela funciona como uma fonte de autoconhecimento filosófico, trazendo à luz os pressupostos de cada posição e as razões mais profundas para a persistência do desacordo.

**Palavras-chave:** Poderes normativos. Justificações em duas etapas. Valores deônticos.

## Introduction

I understand a normative power as the power to create, nullify, or modify specifically deontic states—that is, obligations, permissions, and prohibitions—as opposed to the mere power to provide reasons for action in general, as occurs, for instance, in requests.[1] Do we have such powers? The hypothesis of this paper is that moral philosophy can only clarify what kind of people believe in robust normative powers: those who are willing to accept moral rights and obligations as basic or fundamental notions. In other words, we can only clarify the presuppositions of the existence of normative powers. I suggest that moral philosophy does not have independent data capable of settling the dispute between theorists of normative powers and their rivals, who believe that moral rights and obligations are reducible to or derived from non-deontic human interests. Unsurprisingly, this reveals a point of division between moral traditions.

This is a relatively brief paper, in which each step of the argument is given its own section. The first section explains what constitutes the exercise of a normative power in the robust sense. Some paradigmatic examples are offered. For illustrative purposes, the paper focuses on the case of promises, given the abundance of literature on the relationship between promises and normative powers. The second section deepens the contrast between explanations of deontic phenomena based on a robust sense of normative powers and rival normative explanations. The third section presents what would be the advantage of explaining deontic phenomena by means of a robust notion of normative powers, from the perspective of the theorists of normative powers: the intuitive correctness of such an explanation. The fourth section appeals to what I call the principle of intelligibility of morality to cast doubt on the alleged advantage of robust normative power theories presented in the previous section. The fifth section introduces what I consider the standard way out available to a theorist of normative powers for the difficulty raised in the fourth section: the two-step justification model. The sixth section questions the possible success of the argumentative strategy presented in the previous section, given the potential extensional divergence between the principles in question and their justifications. The seventh section offers an alternative way to respond to the charge that theorists of normative powers could not attribute intelligibility to morality: there would exist directly deontic values or interests, that is, fundamental deontic values or interests. The eighth section questions the existence of such fundamental deontic values or interests. The ninth section suggests that the issue raised in the previous section takes us to the limits of moral philosophy.

## 1. Explanations of deontic phenomena based on robust normative powers

These are some typical examples of deontic phenomena that theorists of normative powers aim to explain through the exercise of normative powers in a robust sense:

- Promises (the agent creates obligations for herself).

[1] It is, therefore, something different from David Enoch's robust reason giving (2011, p. 4). This point renders basically irrelevant, for my purposes, the arguments in favor of normative powers offered by Ruth Chang, for whom the exercise of normative powers cannot alter what we already have most reason (given, not created) to do. See, for example, Chang (2013b, p. 178–79, 183) and, specifically, (2009, p. 267) on the fact that Chang does not use normative powers to explain the binding force of promises. The explanation of promissory obligations is one of the main purposes of theorists of normative powers, such as Joseph Raz (2014) and David Owens (2006), for instance.

- Acts of consent (the agent suspends another's obligations, that is, creates permissions).
- Orders by authorities (the agent creates obligations for another).

As can be seen from the most paradigmatic examples, normative powers are exercised through intentional communicative acts. In such cases, the act communicates precisely the intention to alter the relevant deontic state by means of the very same communication. What is crucial for the robust exercise of normative powers is their *sufficiency* for altering the deontic state in question. In other words, provided that the normative power is validly exercised—except, in some cases, for its reception by the other party[2]—no further state of affairs needs to obtain for the relevant deontic state to be created, annulled, or modified. This means that the exercise of normative power may be subject to conditions of validity, such as the absence of coercion over the subject who exercises it and the sufficiency of the information available to her; however, once such conditions of validity are met, nothing else is required for the relevant deontic consequence to arise.

Accordingly, even if we have principles governing the exercise of normative powers, the sole condition for the application of these principles is the performance of the relevant communicative act. For example, according to the principle "once promised, it must be kept," it is required only that there has been a valid promise, properly received by the promisee,[3] for the promised action to become mandatory for the promisor.

## 2. Rival normative explanations of deontic phenomena

In rival normative explanations of the same phenomena, there are always additional conditions that must be satisfied for the communicative act to have the intended normative consequence. That is, theorists who oppose the existence of robust normative powers explain voluntarily induced deontic alterations through principles that include conditions beyond the valid performance of the relevant communicative act. In this rival approach, the normative force of the relevant communicative act depends on the fulfillment of these further conditions. Fundamentally, the very link between the intentional communicative act and the consequent intended deontic change is justified instrumentally, by the protection of values expressed in the other conditions of the normative principle at stake.

The clearest and most influential example I know is T.M. Scanlon's Principle F, which he uses to justify the acquisition of promissory obligations. His definitive formulation of it is the following:

> *Principle F:* If (1) in the absence of objectionable constraint, and with adequate understanding (or the ability to acquire such understanding) of his or her situation, *A* intentionally leads *B* to expect that *A* will do *X* unless *B* consents to A's not doing so; (2) *A* knows that *B* wants to be assured of this; (3) *A* acts with the aim of providing this assurance, and has good reason to believe that he or she has done so; (4) *B* knows that *A* has the beliefs and intentions just described; (5) *A* intends for *B* to know this, and knows

[2] In the case of promises, for example, it is commonly accepted by theorists that the promisor's communicative act must be properly received by the promisee for the relevant deontic state to be altered—that is, for the intended promissory obligation to be created (Chang, 2013a, p. 76; Darwall, 2011, p. 268; Gilbert, 2011, p. 99; Himma, 2005, p. 147; Owens, 2007, p. 306; Passi, 2023, p. 1012; for example, Raz, 1977, p. 213–214; Riedener; Schwind, 2022, p. 633; Roth, 2016, p. 91; Thomson, 1990, p. 297; Watson, 2009, p. 156).

[3] See the previous footnote. In this case, we may say that the act in question is not purely unilateral. The promise is only established if the promisee also plays her part. However, it is not the task of this paper to discuss the details of the performance required on the part of the promisee.

> that *B* does know it; and (6) *B* knows that *A* has this knowledge and intent; then, in the absence of special justification, *A* must do *X* unless *B* consents to X's not being done (Scanlon, 2001, p. 95).

Within the contractualist framework of Scanlon's moral philosophy (1998, p. 4), moral principles that regulate general behavior are binding when they cannot reasonably be rejected by individuals motivated to coexist under reasonable principles. In this case, the reason why A cannot reasonably reject Principle F, which obligates her, with respect to B, to perform action X, is that the principle protects the assurance of the performance of action X, valued by B, at little cost to A. After all, A could easily avoid being bound by Principle F by making statements such as: "I intend to do X, but I promise nothing" (Scanlon, 1998, p. 304–305, 404, fn. 9).

The difference between Principle F and a principle of fidelity to promises based on a robust notion of normative powers is striking. According to condition 2 and onward of the principle, if it is not the case that the assurance of the promised action is valued by the promisee and intended by the promisor, *even if the relevant communicative act takes place*, the promise does not bind—that is, the corresponding deontic state does not follow. The promisee's valuing of the assurance of the action is an additional state of affairs that must obtain for the promisor to incur the promissory obligation. More than that, the value of assurance justifies the binding force of promissory obligations: human beings incur promissory obligations only because it matters to us to be assured that certain future actions will be performed by other agents. If there were no such non-deontic human value to be protected by the principle, the promisor could reasonably object to the moral validity of Principle F, which imposes on her the burden of having to perform an action for which she may have lost motivation after the communicative act in question.

## 3. The advantage of normative explanations based on robust normative powers: an appeal to intuitions

Theorists of normative powers often emphasize a supposed extensional adequacy of their explanation of deontic phenomena, such as promissory obligations.[4] Only theories of normative power would be "intuitively correct," since by adding further conditions to the principles that justify the relevant permissions and obligations, rival theories would exclude from the class of legitimate permissions and obligations certain particular cases that, intuitively, we would consider genuine examples of valid permissions and obligations.

An example from Scanlon himself (1998, p. 313) illustrates well the extensional difference with respect to normative power theories that follows from condition 2 and the other mutual knowledge conditions concerning assurance that make up Principle F. A mother promises a sewing machine to her daughter, believing she would be benefiting her with the gift. For the daughter, however, the machine is nothing but a burden. Since the daughter is already an adult, it is unlikely that her values will change. Nevertheless, the daughter accepts the promise in order not to hurt her mother. Later, the mother discovers that the daughter does not want the machine—that is, she discovers that the assurance of receiving the machine has no value to the daughter and probably never will. It follows from Scanlon's

[4] A claim of this kind pervades much of David Owens's work (for example, 2012). Bruno (2022) is also a clear example.

Principle F, according to Scanlon himself, that the mother is not bound to deliver the machine to the daughter (Scanlon, 1998, p. 314), and this even if, for whatever reason, the daughter does not release the mother from the promise.

According to theorists of normative powers, the result generated by Principle F is intuitively incorrect. For Owens (2012, p. 8, 15), the great advantage of his account of promising, based on normative powers, lies in its ability to explain what he calls "bare wrongings," actions that are wrong but not by virtue of contravening human interests. In this case, what makes it wrong for the mother not to deliver the sewing machine to the daughter is the simple fact that she promised the machine to her, and not any kind of interest the daughter might have in the machine.[5] That is, in this approach, promises must be kept even if there is a burden for the promisor and no one else benefits from their fulfillment, either directly or indirectly. This would be the correct result of a normative theory that aims to explain deontic phenomena.

## 4. The disadvantage of accepting normative powers: morality as taboo

Despite the claims of normative power theorists regarding the content of our moral intuitions, some of us may find a serious difficulty with the kind of principle of permissions and obligations implied by the robust notion of normative powers. Precisely because they sever the link with human interests or with what benefits us, this type of principle seems to violate what, inspired by Raz, I will call the "principle of the intelligibility of morality."[6] According to this principle, no moral reason is a brute fact, something that just happens to be a reason for action simply because that is the way the world is. On the contrary, it must be possible to explain why a given consideration is a moral reason.

Returning to our example, why must someone who has made a promise, if she later changes her mind, still fulfill her promise, even if she incurs a loss and the promisee gains nothing from it? An answer such as "because she promised" does not seem to go beyond the assertion "because that is how things are." Yet if moral discourse is part of the domain of *practical rationality*, it does not seem consistent with its nature to claim that what is morally permitted or forbidden would be so without any reason, or for mysterious reasons, even if we rarely possess a complete understanding of the justification for our reasons (see Raz, 1994, p. 151). By analogy with what Raz (2013, p. 19) says about values in general, we may even claim that the primary way of identifying a consideration as a moral reason is through the explanation of what makes it a moral reason. Otherwise, after all, we would not be able to distinguish moral reasons from mere taboos.[7]

[5] Parfit (2011, p. 451) appears sympathetic to a notion of wrong along the lines of Owens's bare wrongings. Parfit does not offer any conclusive argument in favor of this notion but accepts that there exists an indefinable sense of wrong as that which "mustn't-be-done." This sense would give us an independent reason not to do something, contrary to those who believe that the notion of wrong is merely a second-order notion, expressing that we have decisive non-deontic moral reasons not to act.

[6] For the thesis of the intelligibility of values, see Raz (2001, p. 38, 46, 74).

[7] Despite a possible alignment with the notion of bare wrongings seen in footnote 5, Parfit (1984, p. 106), in an earlier work, captures well what I have in mind when speaking of a principle of the intelligibility of morality, when he states: "Our morality is *not* a set of pointless rules, intended merely to test our obedience."

## 5. An available way out for theorists of normative powers: two-step justifications

The way out of this difficulty that has often been proposed by theorists of normative powers, including Raz himself (1972, p. 98; 1977, p. 219), is a two-step justification structure.[8] According to this model of justification, at a first level, to justify the validity of an obligation or permission in a particular case, it is sufficient to appeal to the principle that connects the exercise of the relevant normative power to the deontic consequence in question. That is, an action X may become mandatory for an agent A because: 1) A validly promised to do X; 2) there is a valid moral principle according to which promises must be kept. But this does not mean that this type of principle cannot itself have its own justification, at a second level or stage of the justificatory process.

The very value of assurance that certain actions will be carried out, seen in section 2, could be mobilized in the justificatory strategy of a principle of fidelity to promises, much simpler than Scanlon's Principle F—that is, a principle that simply establishes that valid promises cannot be broken. In this case, the normative power theorist's account of promises would still not collapse into Scanlon's account, because the value of assurance would not be directly mobilized, at the first level of the justificatory process, for the normative explanation of the concrete obligation at issue. The normative power theorist's principle of fidelity to promises would not even mention the value of assurance, which would only serve as its background value, to be made explicit in a (philosophical) discussion concerning the foundations of the principle itself. In short, in two-step justificatory processes, non-deontic human interests enter only at the second level of justification, to explain normatively the principles used at the first level and, by extension, the very existence of normative powers.

## 6. The problem with two-step justifications

Anyone familiar with the history of rule consequentialism will recognize the typical difficulty of two-step justificatory strategies. Circumstances may arise in which a principle applies—for example, someone will have made a valid promise—but the foundational value of the principle, the one that explains its normative force, is known to be absent. In other words, there can always be an extensional divergence between the principle and the value that justifies it, if the principle does not include that value in its formula (see Faggion, 2024).

Raz's last article on promises offers us an illustration of this problem. Raz (2014, p. 73) approaches Scanlon when he claims that the principle of fidelity to promises provides a normative assurance that secures something desirable, namely, the opportunity to develop an interest that might not even be reasonable to develop without the promise. Now, if we return to the case of the sewing machine, it does not seem like a good explanation of the binding force of the mother's promise to say that such a promise must be kept because the opportunity to develop an interest in sewing has value. For the daughter, having this option has no value whatsoever and hardly ever will, unless, already in adulthood, she undergoes a radical transformation of her personality.

[8] For a more recent restatement of the argument, see Monti (2021) and Bruno (2022).

Naturally, a defender of this argumentative structure will claim that we are mistaken in saying that the mother's promise must be kept *because of* the valuable opportunity it protects. Such a claim would collapse the first level of justification—the justification of the mother's particular obligation to give the sewing machine to her daughter—into the second level of justification, which concerns the reasons for the validity of the principle of fidelity to promises. According to the defender of a robust sense of normative powers, the mother's promise must be kept solely by virtue of the validity of the principle of fidelity to promises. That is, if a valid promise has been made, it is for that reason alone that it must be kept. But in this case, once again, we lose the intelligibility of the moral reason at issue. We were told that the principle would be justified by a value. Yet when we point out the absence of this value underlying the principle in the case at hand, we are told that one cannot appeal to it. By employing this argumentative strategy, rule consequentialism was accused of engaging in "rule worship" (see Smart, 1956).[9]

## 7. An alternative solution for recovering the intelligibility of morality: fundamental deontic values

We may draw on a proposal by Owens (2012, p. 147–151) as a possible solution to the extensional divergence between the justification of principles and the principles themselves in theories of normative powers. The idea is simple: the human interests protected by this type of principle would be directly interests in deontic phenomena.[10] In the case of promises, the directly normative interest at issue, for Owens, is the promisee's interest in having authority over the promisor. Since it is impossible for a binding promise to exist without the promisee acquiring authority over the promisor—given that the promisee always holds the exclusive power to release the promisor from the promise[11]—it is not possible for there to be an extensional divergence between the principle of fidelity to promises and the value that, for Owens, justifies this principle: our supposed interest in acquiring authority over others in the role of promisees.

Thus, we may conclude that, for normative powers to exist, there must be directly deontic interests or values—that is, there must be fundamental deontic interests or values—unless, of course, we are prepared to abandon the principle of the intelligibility of morality. But are there deontic interests that are not grounded in non-deontic interests?

[9] A moral principle such as "if you made a valid promise, you must keep it" may also be considered a rule. It is not relevant here to discuss the difference between principles and rules, since there are different proposals for drawing this distinction, and evaluating them would go beyond the scope of this article. What is worth noting at this point is only that a rule is not justified solely by the values directly protected by its content, as I suggest, for simplicity, in the body of the text. There are also values involved in having rules, more generally. For example, rules make decisions more predictable, insofar as it is easier to know that a given action will be the action performed if all the evidence I need for that is that this action is the action prescribed by an applicable rule. Decisions made according to rules are also more efficient, since from the agent's perspective, she has much less to consider if all she needs to know to determine whether she ought to perform a given action is whether the antecedent of a certain rule is satisfied in the case. Values of this kind—predictability and efficiency—are values of having rules. However, such values may also be absent or defeasible in the context of applying a given rule. It may be argued that by not following a rule when the values of having rules do not seem relevant, we undermine the practice of rule-based decision-making, thereby causing serious harm in cases where the values of having rules are vital. This consideration, however, strikes me as clearly exaggerated. I do not accept that, in the classic example of the red light in the desert, if we do not stop the car, we thereby become more likely not to stop the car at a red light in a busy intersection.

[10] For this article, it does not matter whether values are objective or merely subjective preferences. That is why I speak of interests or values.

[11] By including the phrase "unless *B* consents to X's not being done," Principle F makes explicit that the promisee may release the promisor from the promise. I am not aware of any theorist relevant to the debate on promises who denies that promises create this special power for promisees. In Raz's words (2014, p. 72): "the promisee has a right that the promise be kept, and a right and power to waive his right, releasing the promisor from his undertaking, at any time and at his complete discretion."

## 8. Are there fundamental deontic values? That is the question!

Regarding Owens's influential proposal, Raz (2014, p. 74), for example, doubts that we have any interest in exercising authority over promisors. More importantly, Raz judges that, even if such an interest existed, morality should not protect it with a principle. I follow Raz in considering that the interest in question is not morally sound. After all, it is crucial to keep in mind that we are not dealing here with an interest in the promised action. The supposed interest invoked by Owens to explain why we have a normative power to make promises is merely the interest that the promisor should be vulnerable to guilt for failing to perform the action in question (Owens, 2012, p. 151).

In any case, I wonder whether any candidate for a fundamental deontic interest would be able to satisfy those among us who align with Mill (2015, p. 130) on what seems to me to be one of the most crucial points of divergence between classical utilitarianism and deontology:

> The utilitarian morality does recognize in human beings the power of sacrificing their own greatest good for the good of others. It only refuses to admit that the sacrifice is itself a good. A sacrifice which does not increase, or tend to increase, the sum total of happiness, it considers as wasted. The only self-renunciation which it applauds, is devotion to the happiness, or to some of the means of happiness, of others; either of mankind collectively, or of individuals within the limits imposed by the collective interests of mankind.

We may dispute Mill's view that a single fundamental non-deontic value underlies and unifies all others, giving rise to an aggregation principle, and thereby reject utilitarianism. Even so, if we believe that every sacrifice required by a deontic principle is wasted unless it can be justified by appeal to some non-deontic human value, it seems to me that we have enough to side with him against those who prefer that justice be done, even if the world perishes.[12] Which side is right?

## 9. The fragility of the appeal to moral intuitions and the limits of moral philosophy

Well, those who, like Owens, believe that there are fundamental deontic values[13] will try to convince us of their existence by presenting a series of concrete cases of bare wrongings. They will say, for example, that the mother must indeed hand over the sewing machine to her daughter, who regards it as nothing but a nuisance. This would be the intuitively correct result that only their kind of principle can generate.[14] However, those who align with Mill will see in the example nothing but the waste of a

[12] The attentive reader may have found it odd that I used a principle of fidelity to promises formulated by Scanlon as a paradigmatic example of a normative explanation of promissory obligations that rivals the explanations of theorists of normative powers. After all, Scanlon is far from being a utilitarian. Nevertheless, in the article Rights, Goals, and Fairness, originally published in 1978, Scanlon (2003, p. 26) states: "In attacking utilitarianism one is inclined to appeal to individual rights, which mere considerations of social utility cannot justify us in overriding. But rights themselves need to be justified somehow, and how other than by appeal to the human interests their recognition promotes and protects? This seems to be the uncontrovertible insight of the classical utilitarians." I would argue that Scanlon developed his entire subsequent philosophy in an effort to remain faithful to this claim. In short, his mature moral philosophy is an attempt to align contractualism, as a form of moral constructivism, with this utilitarian insight—which, in fact, is far from uncontroversial—that rights are not basic in morality but must instead be constructed from non-deontic human interests. But this is a hypothesis for another work.

[13] Or, like Parfit, they believe that there are independent deontic reasons, see fn. 5.

[14] Naturally, the principle in question may (and indeed should) include, at least implicitly, exceptional circumstances in which the promisor would have a special justification for not keeping the promise. But details of this kind need not detain us in this article, where the principle of

sewing machine. And what more could Mill say to someone who finds the very question "for what purpose?" immoral in such cases?

What lessons should we draw from this impasse? In moral matters, we can no longer take intuitions seriously if we define them as direct cognitions of an independent reality or as the intellectual power to grasp abstract *a priori* truths. As Bernard Williams (2015, p. 105) puts it, in today's debates in moral philosophy, intuitions are merely "spontaneous convictions, moderately reflective but not yet theorized, about the answer to some ethical question, usually hypothetical and couched in general terms." Thus, the appeal to intuitions is nothing more than an appeal to particular judgments that may become considered judgments, that is, substantive judgments we are willing to maintain even after reflecting on the matter. In the debate between proponents of robust normative powers and their opponents, it simply happens that both sides are prepared to uphold their divergent intuitions regarding the existence of bare wrongings, even after reflection.

To illustrate how fruitless it is to appeal to what would be intuitively false or correct in such a debate, I turn to Riedener and Schwind (2022). In this article, the authors begin precisely from certain moral intuitions that, according to them, are correct and therefore must be explained by any theory of promises. However, these intuitions are precisely contrary to those held by advocates of the existence of bare wrongings. In their example, one person promises another a valuable collector's item (Riedener; Schwind, 2022, p. 622, 632). The promisee, however, loses interest in the item and intends only to let it gather dust on a shelf, with no purpose at all. Even so, she insists that the promise made to her be fulfilled (Riedener; Schwind, 2022, p. 638–639). According to the authors: "If out of sheer caprice she insists on her claim, Leo [the promiser] may plainly ignore this. And something similar seems true for all once-pointful promises that lost their grounding reason. They're null now" (Riedener; Schwind, 2022, p. 639).

So, if theorists of normative powers insist on the correctness of one set of intuitions, while authors like Riedener and Schwind insist on the opposite set, how can we resolve the disagreement? Even Bruno (2022), who shares the moral intuitions of theorists of normative powers and employs expressions such as "intuitively correct extension," ends up admitting, at least, the historical volatility of these intuitions. In his example, it was once intuitive that we had an obligation to accept a challenge to a deadly duel (Bruno, 2022, p. 3215).

I am aware that some suggest appealing to experimental philosophy in such cases, so that at least we may know which set of particular judgments comprises current common-sense morality, or a "folk morality." But I do not think that knowing who holds the majority view would help us in any way. Instead, this seems to me the kind of debate that forces moral philosophy into a position of humility, such as that professed by David Lewis (1983, p. ix–x):

> Our "intuitions" are simply opinions; our philosophical theories are the same […] [A] reasonable goal for the philosopher is to bring them into equilibrium. Our common task is to find out what equilibria there are that can withstand examination, but it remains for each of us to come to rest in one or another of them. […] Once the menu of well-worked out theories is before us, philosophy is a matter of opinion…

fidelity to promises plays a merely illustrative role. What matters here is only that the mere absence of a benefit would not constitute a circumstance that nullifies the promise.

## Final remarks

What are the presuppositions or conditions for the existence of robust normative powers? I proposed that robust normative powers require moral principles whose application depends solely and exclusively on the genuine performance of certain voluntary and intentional communicative acts. I then argued that the intelligibility of principles of this kind, in turn, requires the notion of fundamental deontic values or interests, that is, values or interests irreducible to, and not derived from, non-deontic human values or interests. Thus, I suggested that the core of the divergence between theorists of normative powers and proponents of rival normative explanations for deontic phenomena lies precisely in the acceptance of this latter notion. Depending on whether we accept the notion of basic deontic values or interests, the extension of deontic concepts expands or contracts. A perfectly legitimate obligation for a theorist of normative powers is a pointless sacrifice for her rival. It is a divergence that concerns the considered particular judgments of each theorist. In other words, it is a disagreement about moral intuitions themselves.

On the one hand, we have those who, since the time of Epicurus against the Stoics (Mitsis, 1988, p. 62–63, fn. 10), have mocked virtue without benefit. On the other hand, we have those who distrust anyone who seeks a reason beyond the moral prohibition of a given conduct. At most, the latter allows the exaltation of the value of adherence to a pure moral law. The former, however, may well see some utility in strict obedience to moral principles, being aware of the value of rules and wary of the mistakes we might make in our moral reasoning if those rules were not sufficiently rigid. But they will also see danger in inflexibility and, above all, will not value obedience for its own sake.

We might even try to discover which of the sides is the majority. Which one, after all, would represent the true folk morality? But I do not think that the result of such a survey would provide good reasons for declaring one side the winner. On the contrary, I suggested that reaching this kind of impasse teaches us about the limits of moral philosophy and about its proper role as an exercise in self-knowledge, much more than as an instrument enabling us to prevail over our adversaries in the public sphere. If moral philosophy has value beyond the internal matters of our own minds, it is much more in helping us to better understand how and why others are different, rather than simply… evil.

With respect to the deontic phenomena that make up the scope of this article, there remains another possibility that has not been considered. They may be pseudo-phenomena, and therefore subject only to non-normative explanations. This hypothesis could be defended by an amoralist—that is, by someone who denies validity to any non-instrumental practical reason—or by someone who believes that ethics can (or even should) be constructed (or reconstructed) without these deontic notions most typical of modern morality. Even though such positions lie outside the debate among moral theories explored in this article, the conclusion we have reached concerning the limits of moral philosophy may be useful for reflections on them to be pursued in other works.

## Data availability statement

The main focus of this article is contributions of a theoretical or methodological nature, without the use of empirical data sets. Therefore, in accordance with the journal's editorial guidelines, the article is exempt from being deposited in SciELO Data.

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