

TIME AND THE 'ANTINOMIES' OF DELIBERATION

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Conference: "Time and Agency"
The George Washington University
November 18–19, 2011

I

The criminal code of the late German Empire specified what today we might call "sentencing guidelines" for murder. The punishment for homicide without deliberation was a prison term of not less than five years; the punishment for homicide when mitigating circumstances were present was a prison term of not less than six months; and the punishment for homicide after deliberation was in all cases death. Adolf Reinach believed the enormous disparity in the sentences masked what he called "remarkable antinomies" (Reinach 1989, 279) in our understanding of deliberation. He stated them this way:

1. We reproach someone who performs an evil action of great import without "deliberating even for a moment."
2. We judge that same action even more harshly when done "with deliberation."

In the case of homicide, the first proposition is confirmed by the five-year sentence for killing a person without deliberation and the even lesser sentence of six months for killing without deliberation in provocative circumstances, while the second proposition is confirmed by the much harsher sentence of death when deliberation is present.

Similarly, according to Reinach:

3. Meritorious actions count as less meritorious when done “without any deliberation.”
4. Meritorious actions also count as less meritorious when done “only after long deliberation.”

Reinach argued that these antinomies required an analysis of the notion of deliberation and the related notions of moral and legal responsibility. I raise these antinomies for our consideration not because I think Reinach has properly stated them or because I wish to follow him in exploring the relation between deliberation and responsibility. I am struck by the references to time. Deliberation, on the view presupposed by Reinach, takes time at or continuous with the moment of action. The so-called antinomies arise when the agent takes no time or too much time. And this suggests, misleadingly, I think, that there is a “Goldilocks-amount” of time—some deliberation and some time—and just enough deliberation and just enough time. Otherwise, the agent acts impetuously or with an insufficient attunement to what it is right to do in certain kinds of circumstances.

When we think about deliberation with respect to time rather than responsibility, the third proposition, namely, that a meritorious action counts as less meritorious when done without any deliberation, strikes anyone with an Aristotelian ear as false or, at least, as importantly misleading. We need only recall Aristotle’s somewhat paradoxical descriptions of the brave person. On the one hand, Aristotle tells us, “the man ... who faces and who fears the right things and with the right aim, in the right way and at the right time, and who feels confidence under the corresponding conditions, is brave; for the brave man feels and acts according to the merits of the case and in whatever way reason directs” (*NE* 1115^b18–20). The brave man is guided by reason

and must get an awful lot of things “right” to count as brave. Nevertheless, Aristotle also tells us, “it is thought the mark of a braver man to be fearless and undisturbed in sudden alarms than to be so in those that are foreseen; for it must have proceeded more from a state of character, because less from preparation; for acts that are foreseen may be chosen by calculation and reason, but sudden actions [are chosen] in accordance with one’s state of character” (*NE* 1117^a17–22).

So there we have it: the brave person, insofar as he acts from virtue, acts from calculation or deliberation and from right reasons, whereas the braver person acts from a state of character rather than calculation and reason. Acting from the right reasons suggests that at the moment of action one reflects on one’s reasons and affirms them as right, that one justifies one’s action by an argument that yields as its conclusion a prescription for what to do in the current circumstances. This is just what deliberation seems to do. The braver person, however, just acts without such deliberation, and he does so from a fixed character. So Aristotle’s example seems to confirm Reinach’s fourth proposition that the meritorious action is less meritorious when done after deliberation—that person is less brave—but it seems at the same time to disconfirm the third, that the meritorious action is less meritorious when done without deliberation.

There is, of course, an obvious solution to this paradox. When Aristotle speaks of the braver person, we might think, he is undoubtedly suggesting that the braver person does not *occurrently* deliberate in a suitably extended sense of “occurrent.” If an agent deliberates about what to do in the current presented circumstances and then immediately acts, the deliberation can be thought *occurrent* even though the action is temporally posterior to the deliberation. The temporal continuity of the deliberation and the performance of the action are sufficient for the deliberation to count as *occurrent*. But Aristotle’s braver person does not deliberate *occurrently* even in this

extended sense; the braver person acts directly from a state of character rather than “calculation and reason.” But insofar as the braver person is brave at all, it seems he must act from right reasons and, hence, must act deliberately.

This raises the questions of whether, and if so how, deliberation is temporally related to choice and action. Let us suppose, for the sake of the argument, that the braver person deliberates non-occurently. On that supposition there are only two options for when the deliberation occurs: the deliberation is prior to and temporally discontinuous with the action, or the deliberation, in some sense, occurs after the action. John Cooper, in introducing the problem of deliberation in Aristotle, has suggested the latter as a possibility: “Aristotle’s insistence that moral decisions are all of them ‘choices’ (*prohaireseis*), and therefore supported by deliberation, can be defended, then, provided one understands by this only that moral decisions are always backed by reasons which, when made explicit, constitute a deliberative argument in favor of the decision” (Cooper 1986, 9–10). The idea is that if someone demands to know why the braver person acted as he did, he can produce a list of reasons for his action that would have the look of a deliberation. As Cooper puts it, “the attempt to explain what one has done will take the form of setting out a course of deliberation by which one *might* have decided to do what one has done, and which contains the reasons one actually had in acting as one did” (Cooper 1986, 9). It is important to stress that the reasons cited in the so-called deliberation are the reasons one actually had in acting; otherwise, the citation of reasons would be merely an *ex post facto* rationale and not really the provision of the reasons governing the action.

In advancing this possibility as a solution Cooper has in mind a narrow, technical sense of what deliberation involves, namely, calculation or deliberation, a sense that Aristotle often seems

to advance as *the* account of deliberation and one that Cooper would like to supplant with a broader, more sympathetic reading of Aristotle on practical reason. Against the narrow, technical view Cooper claims that not all action, given Aristotle's theory of moral development and the inculcation of the habits of virtue in an agent, is the result of deliberation understood as the fashioning of an argument that some particular means of attaining an end is the preferred course of action or that some particular action is subsumed under a rule. Cooper proposes, rightly, I think, that Aristotle does not mean by practical reason only the production of means-end arguments or a "practical syllogism" endorsing particular actions as falling under a general rule. Instead, Cooper argues, Aristotle is concerned with working out various ways reasons for action might be at work in action, ways that might involve, say, views about the constituents of an end or views about what conduces to an end (but not as an external means to it). Such a determination of reasons gives us reason, according to Cooper, to perform a *specific* type of action in particular circumstances (Cooper 1986, 22–24). Once the agent reaches this state of practical knowledge, no further *reflection* is needed, but only *perception* of the particular situation (Cooper 1986, 58).

On Cooper's view of Aristotle, therefore, practical reason involves a knowledge of reasons already gained determining our sense of specific actions appropriate to particular situations. On seeing her bus pulling away from the bus stop, for example, Jane knows—as a practical matter—that she can start running after the bus or start waving her arms or both in an attempt to get the driver to stop so that she can board the bus. She does not deliberate about performing these actions, at least not occurrently; she simply does them. And since virtue demands having a command of right reasons, in the exercise of a virtuous action, for example, returning excess

change to a cashier, Mary simply does what is called for, as the braver person does, without deliberation. Nevertheless, she must, since she acts from virtue, have the right reasons and her action must be from those reasons.

This invites reflection on how this practical knowledge of right reasons is gained and the manner in which it determines an agent's present sense of what is to be done. In what follows I sketch a phenomenology of choice in order to illuminate the temporality at work in agency. In brief, I shall claim that the temporality of action is ecstatic in something like the Husserlian and Heideggerian senses, that is, that the present moment in which an agent acts incorporates and is informed by both the past and the future.

It is a commonplace that choice aims at an end, but the meaning of the term "end" varies in different accounts of choice and practical reason. An end for Aristotle is in the first instance the completeness, the perfection, the fulfillment, the maturation, or the ripeness of a thing through the exercise of its characteristic activity; hence, the end is internal to the thing and its activity. From ends in this sense we should distinguish purposes. A purpose involves the explicit ordering of an action toward an internal or external consequence that might or might not be identical to the end of the person acting or of the activity in which the agent is engaged. Purposes, in other words, are located in our conscious willing and acting, whereas ends belong to the defining activities of the natural thing as well as the institutions and practices established by beings capable of choice.

We can draw out this distinction with some examples. Plants reproduce. Their reproduction involves no purposes, although it does involve an end. Plants when reproducing do not have in mind the purpose of sustaining the species. They do not have minds and do not make choices,

but sustaining the species is nevertheless the end of their reproductive activity. Ends can be purposive in and for beings capable of choice, but not every purpose is an end in Aristotle's sense. It is only in medieval theological contexts that the natural changes that realize a being's end can be thought to be at the same time purposive from a divine perspective, and it is only after forms are banished altogether from our modern scientific conception of nature that ends and purposes are completely conflated (as in consequentialist theories in ethics).

The notion of an end proper is not limited to natural kinds. Humans, for example, have among their ends the maturation of their biological natures through processes such as nutrition and reproduction as well as the development of their sensory, appetitive, and rational powers through the exercise of both moral and intellectual virtues. The development of these powers and the concomitant demand to develop the virtues means that humans, by choice, establish institutions and practices that realize their ends, and these institutions and practices have their own ends. Medicine, for example, has as its end the restoration and maintenance of the health of the patient. Someone might undertake the practice of medicine to heal her patients, in which case the end of medicine and her purpose in undertaking it coincide. But her purpose might instead be to make a great deal of money or to gain social status. Similarly, the end of education is learning. But someone might go to college for the purpose of landing a better job or for the purpose of playing football for the further purpose of becoming a pro player. For such a student the purpose for which education has been undertaken can—and often does—subvert its proper end. The end of politics is to secure the common good, but a politician might act so as to ensure reelection or to favor his associates and financial supporters rather than to serve the common

good, and his or her purpose subverts the end of politics. In this way our human ends and the ends of the activities, institutions, and practices we adopt to realize them measure our purposes.

I am not trying to enforce a terminological rigor here, for ends, purposes, and consequences overlap in important ways. I claim only that if one uses the term “end” for all of these, then the term is being used in a systematically ambiguous way. That is not necessarily bad, as long as the differences in usage are marked. Having made my terminological point, I am going to speak of acting for ends, and by “ends” I shall mean ends proper or purposes as measured by ends, and I trust the context will make the sense clear.

II

Persons are in the first place intentional beings, and I use the term “intentional” here in its broad sense of “directedness to” rather than its specifically volitional sense. This entails that persons have an end that is the characteristic activity of intentional beings. Intentional beings intend things and the world in both empty and full intentions. An empty intention is one that makes present or re-presents an object or state of affairs that is absent. The most important examples of empty intentions are linguistic expressions in which a speaker makes present to a listener an object or state of affairs in, say, a proposition expressed in a sentence. For example, I can describe my wife to you and thereby direct your attention to her, but your intending my wife on the basis of understanding this description would be an empty intending without any intuitive fullness.

Empty intentions are contrasted with full intentions. Full intentions either present an object intuitively, as in perception, or they present an object that, while not perceptually present, is

made present with the aid of a phantasm or an image. A full intention, in other words, has at least some degree of intuitive fullness. Full intentions fulfill empty ones. A full intention is fulfilling only in relation to an empty intention and only insofar as the full intention presents the object as it has been emptily intended, thereby “satisfying” or “fulfilling” the empty intention. To extend our example, I can show you a picture of my wife and this would fulfill, to a degree, your empty intending based on my description. This is why, in order to remind myself of my wife and children, I put pictures of them in my office rather than nameplates from their desks. I can also later introduce you to my wife, in which case your perception of her fulfills—and most fully fulfills—both the empty intention based on my description and the partially fulfilled intention in seeing her picture.

This is the sense in which a person’s rational experience is “teleological” and “evidential.” Reason is not so much a matter of arguments; rather, reason involves a striving for evidence, where “evidence” is understood as the experience of the agreement between what is emptily meant and what is intuitively given in a fulfilling intention (Husserl 1976, 334). In the case of a sentence expressing a cognitive judgment, for example, evidence is the act in which I am aware of what Husserl calls the “congruence” (*Deckung*) between the propositional sense of the sentence—the state of affairs as it is proposed to be—and the sense of the perceived state of affairs itself (Husserl 1985, 652; 1966, 102; 1974, 128). In this awareness I recognize the identity of what was emptily (absently) intended in the judgment and sentence and what is intuitively present in perceiving the state of affairs. In truthful encounters with things this congruence is present; in non-truthful encounters it is not. In all three rational domains—the cognitive, the axiological, and the practical—the aim of experiential life is the same: to live the

life of intuitive evidence. While the evidential experiences for which reason strives take different forms in cognition and the theoretical sciences, in valuation and the axiological sciences, and in volition and the practical sciences, the task of reason is always to ensure in fulfilled experiences the “truthfulness” of our judgments about what is the case, about what is valuable, and about what is right to do (Husserl 1976, 290). The end of rational agency, then, is truthfully apprehending things and states of affairs, having appropriate affective and evaluative attitudes towards those things and states of affairs, and acting rightly in response to and on the basis of our truthful cognitions and attitudes.

Against this background we can understand the intentionality involved in deliberation and how we might address Reinach’s antinomies. We can summarize—very abstractly!—the intentional structures involved in choice as follows:

C is a choice that issues in action *A* (i) as having end *E* and purposes *P*, (ii) as grounded in the valuation of *E* and *P* as good, and (iii) as conducive to realizing *E* or satisfying *P*.

While deliberation, whenever it occurs, is most obviously present in choosing actions that respond to and modify the situations in which we find ourselves, it depends upon axiological reason’s evaluation of the choice-worthiness of the ends and purposes we pursue in action. But insofar as our purposes are measured by the ends proper to human activity and human institutions and practices, our purposes ought to conform to the ends proper to the characteristic activities of persons and the institutions and practices they establish in order to realize those ends. This means that we must also deliberate about and preferentially order our ends, although the ordering of these ends can change in response to changes in our personal situation or the circumstances in which we are called upon to act. Our purposes, besides conforming or not conforming to

appropriate ends, might be greater than, i.e., in addition to, realizing the ends appropriate to our activity. When Mary receives too much change and returns the money, she realizes the end of being honest in the very act of returning the money, but she also achieves the purpose of ensuring that the merchant has received her fair share and that the cashier will not be punished for a short change drawer. In brief, then, deliberation is present in both the axiological and practical spheres.

Choice, we have said, is grounded in the evaluating as good or, at the least, as apparently good, the ends of our action and our purposes in acting. Moreover, deliberation, whenever it occurs, always occurs in the context of a fixed end understood as the good at which the action aims. This does not necessarily entail that there is a single, fixed end of all human activity or for all humans. It means only that in deliberating about what action to undertake, I deliberate in the light of the end I wish to realize, an end valued as good.

Evaluation, according to a widely shared phenomenological view, apprehends the valuable in a moment of feeling or an episodic emotion that is founded on a “presentation.”¹ I take this claim to mean that there must be distinguishable layers of sense within the compound sense of the evaluation such that a “presentational” layer—the layer presenting the merely descriptive, non-axiological features of the object—founds additional, affective layers of sense. Our evaluative experiences, in other words, invariably have a cognitive content. The value-attributes of things are the correlates of feelings and episodic emotions that are the affective response of a subject with a particular experiential history—that is, a subject with particular beliefs, emotional states, dispositions, practical interests, commitments, and so forth—to the non-axiological properties of a thing or situation. The value-attributes are neither separate from nor reducible to

the non-axiological properties in which they are rooted, but our valuations—precisely insofar as they are grounded on cognitive presentations—track these non-axiological properties.

Conversely, the non-axiological properties provide reasons for the valuation accomplished in the affective response. The intentional feeling or episodic emotion experienced by the subject is appropriate—or, to put the matter another way, the evaluation is correct—when it is rationally motivated by the non-axiological properties underlying it and when the underlying apprehension of the non-axiological properties is itself veridical.

While I cannot argue it here, the appropriateness of a particular feeling or episodic emotion in response to a set of non-axiological properties is determined not simply by the non-axiological facts of the matter but by an intersubjective determination of what feelings and emotions fit what non-axiological properties. By way of example, I evaluate a supervisor's shouting at an employee as rude. My evaluation is immediately grounded in my directly witnessing the behavior or hearing about it from someone whose testimony is reliable. The speaking loudly along with facial or bodily features, say, a reddened face or waving arms, rationally motivate my adverse affective response (say, shock or indignation or anger, depending on my relationships to the parties involved). The behavior and accompanying bodily features are reasons for, say, my felt indignation and the negative evaluation of the behavior. In brief, in experiencing the speaking loudly and bodily features of the employer, I immediately and at once recognize the action as rude and disapprove of it. But this perception and evaluation depend on an understanding both of what a conversational situation entails and of the concept of 'rudeness.' Shouting is inconsistent with what the nature of conversation entails, and to resort to shouting does not conduce to realizing the ends of conversation. The evaluative moment is rooted in the

underlying cognitive dimension and so thoroughly united with it that it is, as it were, a “matter of fact” (although not in the sense of ‘fact’ favored by proponents of the fact-value distinction; see Foot 2002, 102–105) that this shouting behavior is rude. Anyone who fails to recognize it as rude is mistaken and suffers from a misconception of what constitutes polite and rude behavior in conversational contexts. Experiencing and negatively evaluating the action as rude is, in other words, based on the features intrinsic to the behavior itself and to the ordinary expectation we have about the behaviors appropriate to different kinds of human transactions. The general sense of appropriate behavior is established and modified over time in the light of our untutored, affective responses and the education of the attitudes and emotions that occurs within the communities to which we belong.

III

These brief remarks about intentionality and evaluation connect with our consideration of deliberation in several ways: (1) they provide a fixed, albeit formal, end for all human agency that constrains deliberation; (2) they provide a basis for understanding the habituation of judgment that constitutes non-occurrent deliberation; and (3) they provide a basis for our sense that acts done without deliberation or with too much deliberation are less meritorious. The striving toward fulfillment points toward an areteic notion of the good and reveals the normative dimension of self-responsibility. A rational being strives toward fulfilling her empty and passively acquired judgments, beliefs, and emotional attitudes. When she gains the evidence that allows her to adopt or to revise these judgments, beliefs, or attitudes, she adopts them as convictions and thereby takes responsibility for them, realizing herself as a person having a

particular set of beliefs for which the appropriate evidence has been secured and which define her character. These convictions inform her subsequent judgments, valuations, and volitions. The self-responsible agent who can rightly act without occurrent deliberation toward good ends has already weighed competing goods and the rightness of the actions conducing to them in a reflective, deliberative, and self-responsible activity accomplished over time in such a way as to dispose the agent toward a certain kind of action in certain kinds of circumstances. These habitualities, as Husserl calls them (Husserl 1963, 100–101), make up our dispositions to expect certain features in certain kinds of situations, to pick out what is salient in those situations, to have certain kinds of attitudes toward them, and to act in typical ways. This is not to deny that deliberation can be occurrent, but it suggests that even when occurrent deliberation is built upon this reservoir of previous, justified judgments. It also confirms Cooper's point that in those circumstances where deliberation is non-occurrent, prior deliberation yields the sense of a *specific* action—that is, a certain *kind* of action—as appropriate for the particular circumstances in which the agent finds herself. It is the perceptual grasp of those circumstances that further determines the particular course of action to be followed in order to achieve one's ends.

The virtuous agent is the one who *correctly* grasps and assesses situations, who *properly* appraises ends and orders her preferences among them, who deliberates *well* about what specific actions conduce to what ends, and who acts *rightly* in the circumstances. The virtuous agent lives self-responsibly, judging, valuing, and deciding for herself in the light of evidence rather than passively accepting received attitudes and opinions. The end of self-responsibility, of responsibly, i.e., in the light of evidence, is attained only in the course of experiences that have a determinate content. Self-responsibility is a formal end realized only in the pursuit of other first-

order ends. The self-responsible agent, acting virtuously in the pursuit of true goods for herself and others, also realizes the goods of thinking well, feeling well, and acting well—what we might call the goods of rational agency that are rooted in the teleological structure of intentionality itself².

Since self-responsible thinking is dependent upon the self-responsible thinking of others against whose beliefs our own are tested in the pursuit of evidence for our own beliefs, the end of self-responsibility constrains our pursuit of first-order ends. Not only is it the case that the different first-order ends available to us must be properly evaluated so as to produce true judgments about choiceworthy ends. Not only is it the case that our deliberation about particular ends can occur only when a first-order end is rightly evaluated. Not only is it the case that we must rightly choose the actions in and through which we attain these ends. It is also the case that we cannot rightly choose ends or actions that would deny the possibility of self-responsible thinking to others upon whom our own exercise of self-responsibility depends. While the first-order goods that are the objects of our first-order valuations and volitions are realized in actions and worldly states of affairs, the goods of agency are superveniently realized in the cognitive, evaluative, and practical achievements of subjects whose experiences both truthfully disclose and rightly fashion the world as morally ordered. In brief, getting it right about what is true, good, and right constrains our first-order deliberations and choices.

The description of how deliberation could be prior to the chosen action reveals the first aspect of the ecstatic temporality of deliberation. We largely inherit our evaluative and moral concepts. In the case of the virtuous agent, her evidential confirmation of the judgments grounded in these concepts, of the evaluations of both ends and purposes, and of the judgments

of the rightness of the actions that realize or satisfy them self-responsibly appropriates these concepts and judgments. In the present moment of action features of the situation evoke and passively recall into the present these concepts and previous judgments. Our understanding of these concepts is also shaped by our experience of how others act in situations in which these concepts are relevant to those actions. To recall our earlier example of an action not occurrently deliberated, in seeing the bus pull away from the bus stop Jane might begin to run or to wave her arms in the hopes that the bus driver will see her stop the bus, and wait for her to board. But it is only because she is already aware of the appropriateness and efficacy of such actions that she undertakes them. Practical reason functions in sizing up the specifics of the situation and in determining what to do in this particular situation. Deliberation in the narrow sense of fashioning an argument yielding a conclusion about what to do is not operative.

The recall of the past at work in such exercises of practical reason is not memory. Memorial experiences explicitly direct my active attention to the past. When I act in the present on the basis of judgments previously made and self-responsibly appropriated, my past judgments inform my present action without my turning attention to them. The recall of the past into the present occurs, as it were, passively, without any active reflection on my part. Cooper is correct that if someone were to demand from me reasons for acting as I did, I would identify those reasons by articulating the content of the previously formed judgments about what is valuable and about what sort of thing ought to be done in the present circumstances. Since these previous judgments were not originally intended for the present circumstances, Cooper is also correct that my deliberation yields only a sense of the specific kinds of action that might be undertaken in the present. The particular determination is undertaken on the basis of my perception of the current

situation. But all that is needed for that to occur is the current perception. That perception is what we might call a moral perception or a practical perception that is informed by my already achieved sense of what ends are desirable in this kind of situation and of what actions are appropriate to achieving them. Without the prior judgments I have no sense of this apart from an occurrent deliberation, but with them my perception is already informed such that I can act without further current and active deliberation.

The second aspect of the ecstatic temporality of deliberation is its future orientation. Deliberate action transforms the current situation in which I value a future possibility more than the current actuality. In effective action an end or purpose is realized or satisfied, and there are four, non-exclusive temporal possibilities for the temporal relation between the deliberated action and the realization and satisfaction of its ends or purposes. The first is that the end is realized in the very performance of the action precisely because that end is internal to the activity itself. For example, in the very act of returning the excess change to the cashier, Mary achieves the end of honesty and fairness. The second is that the end is realized in a future that is continuous with the present. This occurs most obviously in the case of actions whose purpose is to bring about some external effect in the world. For example, in waving her arms to attract the attention of the bus driver Jane's purpose is to get the bus to stop. Or, to take a different example: in placing a wedge in a log and striking the wedge with a sledgehammer my purpose is to split the log. The log's being split is an external effect of the action of striking the wedge, and it is temporally contiguous with my striking the wedge. Even Mary's act of returning the excess change, to the extent that it has as a purpose that the cashier will not be charged for the shortage in the cash

drawer at the end of the day, has this character, since the drawer is no longer short once the money is returned even though the drawer will not be balanced until the cashier goes off shift.

The third and fourth possibilities involve situations where my deliberate intention involves the realization of an end or purpose in the more distant future. We can think of these cases as involving an element of resolve. So, for example, the third possibility is illustrated by an agent's choice to realize an end that can be attained only by repetition of the same action. Eileen practices the piano, for example, in order to become a good piano player. As a young child just beginning to play the piano Eileen did not realize that end in the very act of practicing. Nor did she realize as immediately contiguous with any particular instance of practicing. It was only by practicing over a long time that Eileen become a good piano player, and it is only by continuing to practice that Eileen can remain a good piano player. The commitment to realizing that end informs and renews the present commitment to practice.

The fourth possibility occurs when I deliberate and choose now to act later. A student, for example, decides as a sophomore that she wants to apply to graduate schools. She will not actually apply until her senior year. Her choice to apply to graduate school does not immediately produce an application. In this sense, her volitional intention remains empty, not to be fulfilled until she actually applies. Nevertheless, the future she forecasts with this decision affects her present in a variety of ways. She must plan and begin to do those things that will put her in a position to apply to graduate schools. She must, for example, select the right major and the right courses within the major; she must by the time she is a junior begin to consult her instructors in order to gather information about the schools to which it would be best to apply; she must begin to consider which of the papers she has written would provide a good basis for the writing

sample she must include in her applications; and so forth. Although her action of applying to graduate school is in the future at the time she decides to apply, her resolve to undertake that action in the future ecstatically shapes her present.

The third and fourth possibilities reflect the structure that is at work in many of the commitments around which we organize our lives: my commitments as a spouse, parent, philosopher, teacher, citizen, and so forth. For the virtuous agent, practical reason recalls the effective force of past actions is recalled into the present as the result of a deliberation that is relevant to determining the kind of thing I should do here and now. For the virtuous agent, the present is conceived in relation to the future-oriented commitments that organize her life, the priorities among which might sometimes shift as the circumstances of her life change. The temporality of deliberation and choice is ecstatic precisely insofar as the present in which I choose and act encompasses the past and future at once.

Finally, we have noted that Reinach's so-called antinomies apply only in cases of occurrent deliberation. And we have given an account of how a prior, non-occurrent deliberation can illuminate what I took to be the falsity of Reinach's third proposition, namely, that a meritorious act is less meritorious when done without deliberation. We have illuminated, in other words, how the braver soldier can be thought to have deliberated and how his virtue is realized through an exercise of practical reason without occurrent deliberation. If that prior deliberation is absent, the action is merely instinctive or impetuous and, as Reinach noted, less meritorious. We can also now understand why Reinach's fourth proposition—that a meritorious act is less meritorious when there is too much occurrent deliberation—strikes a chord. The person who must occurrently deliberate at length is not sufficiently attuned to what the choiceworthy ends in a

situation are and what specific kinds of action are most conducive to realizing those ends.

Axiological and practical reason have not been developed and nurtured in such a way that allows the agent simply to perceive what is to be done here and now.

NOTES

¹The view originates in Brentano 1995, 45, 80, 276. For the view in Husserl see Husserl 1988, 252. To say that *B* is founded upon *A* is to say (i) that *B* presupposes *A* as necessary for it and (ii) that *B* builds itself upon *A* so as to form a unity with it.

²I have elsewhere called these goods of agency “transcendental goods” and “non-manifest goods.” For examples, see Drummond 1995, 165–183; 2002, 15–45; 2005, 363–71; 2006, 1–27.

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