

Authority, Second-Personal Reasons and Value

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1 Introduction

In his most recent book *The Second-Person Standpoint* (Darwall 2006a) Stephen Darwall argues that in understanding the practice of making and responding to demands in the context of authority relations we come to see that there is a kind of *sui generis* practical reason, the existence of which entails a basic authority to make claims on one another that we enjoy simply as rational agents. These claims, Darwall argues, have normative force apart from any consideration of value. Darwall's ambition is admirably ambitious: we start with a phenomenon, or practice, that just about everyone is involved with in some way (namely authority relations) and use an analysis of it to draw fairly weighty conclusions about the dignity of rational agents and the nature of practical reasoning. Unfortunately, I am not convinced that this strategy works. In particular, I don't think that Darwall's analysis of authority relations in terms of second-personal reasons yields the conclusion that the practice of giving and accepting second-personal reasons cannot be grounded in reasons that stem from considerations of what has value - what Darwall calls third-personal reasons.

My strategy for defending this claim is as follows: In section 2 I offer a brief account of Darwall's conception of second-personal reasons. In section 3 I reconstruct Darwall's argument for the claim that all legitimate authority relations presuppose that the participants take each other to be free and equal, which is to say equally competent to address and acknowledge second-personal reasons. In section 4 I argue that this consideration is not sufficient to ground Darwall's conclusion that all specific authority relations are grounded in the common authority of the participants and instead propose a third-personal account of second-personal relations. In section 5 I consider an objection to my proposed alternative account.

Before proceeding, I want to make a small methodological point. Darwall thinks that all authority relations, from conventional to what we might call personal, presuppose the irreducibility of second-personal address. In this paper, I only consider conventional authority relations - such as that between soldier and sergeant - since if I can show that these authority relations are ultimately grounded in third-personal reasons, I will have shown Darwall's thesis to be false. But since Darwall is interested in non-conventional authority relations too - for example the authority someone has simply as a person to demand that someone else not step on her (the first person's) foot - in showing that Darwall's thesis is wrong with regards to conventional authority relations, his ideas might still hold true and capture something important in the case of non-conventional authority relations. As a matter of fact, I think the kind of account I sketch here will apply to those cases too, but I don't argue for it here. All that to say: in what follows, one of Darwall's main examples - that of stepping on someone's toe - is not present.

2 Second-personal reasons

Darwall brings out the contrast between second-personal and what he calls third-personal reasons in a number of ways, but I want to focus on only one, which arises in the context of Darwall's discussion of *practical* reasons. The best way, I think, to bring out the contrast is by way of a comparing two reasons I might have for scaling a nearby wall:

First Case A fire starts very nearby which threatens my safety. The wall, fortunately, is fire proof. All things being equal, we assume that I have a reason to escape the fire and, since my best route of escape is over the wall, it follows that I have a reason to scale the wall. We might say that the fire gives me a reason to scale the wall.

Second Case I'm in the army. I'm standing next to the wall in the middle of a drill. My superior says, 'Soldier: scale that wall! That's an order.' We might say that my superior's order gives me a reason to scale the wall.

In both cases, the circumstances I find myself in give me a reason to scale the wall. Having said that, there seems to be a crucial difference in the kind of practical reason I'm given in each case. In the first case, an explanation of my reason for scaling the wall will at some point refer to some outcome, or state of affairs, that I see as having value and so am trying to bring about in scaling the wall. It's clear what this outcome is: I want to survive. I take my survival to be valuable, something that should be brought about. And so my reason for jumping over the wall is to bring about this valuable state of affairs. This is a cumbersome way of putting it, but the point itself should be quite clear: we often act so as to achieve some end that we take to have value.

But what about in the second case? What would a reconstruction of my reason for scaling the wall look like here? We could imagine any number of reconstructions,

but one possible, and plausible, account of my reason for scaling the wall will mention simply that I was *ordered* to do so by someone with authority over me. Of course, I may have all kinds of other reasons to scale the wall (perhaps my superior has particularly offensive body odor), but whatever other reasons I have, I am given a *new* reason for scaling the wall simply in virtue of having been ordered to do so. The crucial point here is that my reason for acting, insofar as it is the order, does not depend on my beliefs about what has value: I might have no thoughts about whether something good will come about by scaling the wall. In fact, I might even think that there all kinds of good reasons *not* to scale the wall. Nonetheless, I scale the wall simply because I was ordered to do so, apart from whatever considerations of value might be in play.

We have, then, in this second case an example of a practical reason, the normative force of which appears not to depend on considerations of what has value. What does it depend on? As is probably clear, the force of the reason depends essentially on the fact that there is an authority relation between me and my superior: the sergeant can make a demand or claim on me that, by itself, gives me reason to comply. These kinds of reasons, which are addressed from one person to another in the form of a claim or demand, are **second-personal** reasons: their existence and normative force depends simply on their having been addressed from one person to another. This is in contrast to third-personal practical reasons which depend for their existence and normative force not on the mode in which they are presented to someone, but on their connection to valuable ends and outcomes.

To make this notion clearer it's important to see that second-personal reasons depend for their existence and normative force on the presence of a *legitimate* authority relation. We can imagine a case where a demand is made on me, but my reason for

complying comes not from the demand itself, but from the use, or threat, of sanctions that accompanies the demand. So, for example, a mugger's demand that I hand over my wallet gives me a reason to do so only insofar as I take there to be other, third-personal reasons at play (namely that he might kill or hurt me). Absent such third-personal considerations, the mugger's demand on its own generates no reason for me, the muggee, to hand over my wallet. Instead of saying that the mugger has illegitimate authority over me, it seems more natural to say that he has *power* over me: his demands are successful only because they are backed up, so to speak, by coercive third-personal considerations.

Legitimate authority relations are different. It's true that genuine second-personal address is often accompanied by the threat of sanctions (I'll be thrown in the brig if I don't scale the wall), but we can still make sense of the idea that someone follows an order simply because it is an order, and not because of the threat of punishment that comes with non-compliance. In these cases, the addressee takes the addresser's demand, on its own, to generate a reason for action, apart from any consideration of the outcome in doing so. Proper authority, then, consists precisely in being able to address demands that are taken up by the recipient second-personally, which is to say as reason-giving simply in being addressed. In the remainder of the paper, then, when I talk about 'authority relations' I am assuming that they are legitimate.

The crucial point is that since second-personal reasons flow from nothing more than legitimate demands, their status as practical reasons does not depend, in any particular instance, on the value of any states of affairs that might or might not follow from acting on the reason. Instead, their reason giving force comes from nothing other than the addresser's authority. So, to return to our example, I have reason (as a soldier) to scale the wall simply in virtue of having been ordered to do so, apart from whatever

third-personal considerations tell for or against scaling the wall.

But what if a fellow soldier *advises* me to scale the wall. Perhaps, being new to the army, I don't know that I'm meant to scale the wall. Unbeknownst to me, the sergeant is getting ready to throw me in the brig for not scaling the wall. A more experienced soldier might say, 'You know, you might want to scale the wall.' As Darwall notes, advice at least *appears* to have a second-personal structure: the more experienced soldier is a kind of expert, and insofar as I see that and trust him, his merely *telling* me that I ought to scale the wall gives me reason to do it.¹ But, according to Darwall, this is not a genuine instance of second-personal address, but merely *superficially* second-personal (Darwall 2006a, 57). Why?

The difference between genuine second-personal address and the superficial second-personal address exhibited in advice is best seen in the way each is defeasible in light of third-personal considerations. In the case of genuine second-personal address, competing third-personal considerations might make not complying with the second-personal reason the right thing to do the all things considered. So, for example, if the sergeant orders me over the wall when I know that there is actually a man-eating alligator there, then all things considered, I ought not scale the wall. But, and this is the important point, the reason given in the sergeant's demand retains its weight, or more simply retains its status as a reason: Even in justifiably and correctly not doing what was legitimately ordered, one has still ignored a genuine reason. The reason does not disappear just because, all things considered, it would be wrong to act on it.

The same is not true with the status of a merely apparent second-personal reason for action based on advice: if I come to *know* that the sergeant is not getting ready

¹The analogue on the theoretical side is one where I have reason to believe X simply because you, an expert for example, has told me that X is the case.

to throw me in the brig for not going over the wall, but is in fact coming to warn me not to scale the wall, my comrade's advice (insofar as it is based on his belief that I'm about to be thrown in the brig) loses its status as a reason for me to scale the wall altogether. Practical reasons generated by advice, then, are not properly second-personal because their strength as reasons varies in accordance with the truth of the third-personal reasons upon which the advice is based. Their second-personal force, in any particular instance, is merely proxy for the bevy of third-personal reasons in the background.

This is a regrettably sparse account of Darwall's conception of second-personal reasons, but I think it is sufficient to allow us to see the move Darwall wants to make, which I take up in the next section.

3 Addressing second-personal reasons and mutual acknowledgment

As we have seen, successful second-personal address can only take place in the context of authority relations (as opposed to mere power relations). But what does it take for two people to enter into an authority relation? That is, what does the possibility of second-personal address presuppose? Darwall argues that successful second-personal address is possible only when both parties accept the relation as one where second-personal reasons can be offered and taken up.² The first part of this relation is reasonably clear: if the addressee does not accept the addresser's authority to address second-personal reasons, then second-personal address will not be successful since the addressee will not

²I'm not sure whether this is a sufficient condition on an authority relation being legitimate.

take the addresser's claim or demand *as such* to generate a practical reason (as in the case of the muggee and the mugger). The second part of the relation is the flip side of this point: if the addresser does not take the addressee to be able to acknowledge a second-personal reason as such then she (the addresser) cannot successfully address the the addressee second-personally. The most she can do is act so as to give the addressee a third-personal reason to act.

The upshot of highlighting these 'felicity' conditions (as Darwall calls them) for second-personal address is this: successful instances of second-personal address presuppose that both parties *acknowledge* each other as capable of giving and taking up second-personal reasons in that context. But in order to do that, each party must see the other as having *freely* entered into the relation, for if they have not so entered, then we are dealing with a coercive, and so not, second-personal relation. Genuine second-personal relations, even those with asymmetrical roles (such as that of 'soldier' and 'sergeant'), presuppose that the participants have rationally entered into the relation from a prior position of symmetry, where each has equal standing to accept or reject the proposed relation.³ In short, the possibility of legitimate authority presupposes that each person party to the relation acknowledge the other as *free* and *equal*. Without such mutual acknowledgment successful second-personal address is not possible.

Darwall wants to move from the idea that second-personal address, and so authority relations in general, presuppose mutual acknowledgment to the conclusion that the practice of giving/taking second-personal reasons, and so the practice of making demands instantiated in particular authority relations, is irreducible to considerations of what has value, what we are trying to achieve or bring about. In short: the practice of

³This point is made throughout *The Second-Person Standpoint*, but see, for a particular example (Darwall 2006a, 271).

giving/taking second-personal reasons is not, for Darwall, grounded in third-personal reasons. But how is this conclusion meant to follow from the point about mutual acknowledgment?

The key, according to Darwall, is that the mutual acceptance of specific authority relations that is required to make second-personal interaction possible is *itself* a kind of authority. It is authority which is common to rational beings as such to sanction particular authority relations:

Addressing second-personal demands always presupposes[...]that the addressee has a second-personal authority as free and rational and, consequently, that the addresser and addressee share a common authority to make claims on one another. (Darwall 2006a, 274)

The idea, I take it, is this: a legitimate authority relation requires the mutual acceptance of that relation by parties in it. And now here's the key idea: this acceptance, on the part of the relevant parties, itself consists in a basic kind of *authority* the participants have, as free and rational, to demand that they not be treated a certain way, that the more particular authority relation take a certain form. So the possibility of second-personal address in particular authority relations presupposes that the parties to the relation are able to address demands to each other simply as free and rational. If this is right, then people *qua* free and rational can generate reasons for others which don't depend on considerations of value. In the next section, I question whether this conclusion follows from the need for mutual acknowledgment.

4 Third-Personal Justification

I think Darwall is right to claim that second-personal address in a specific authority relation presupposes common rational acceptance on the part of the agents involved. However, it seems far more plausible to me to see the ‘rational acceptance’ that is required for second-personal address as essentially dependent on *third-personal* reasons, and that acknowledging another as free and rational involves seeing them as able to acknowledge relevant third-personal reasons. That is, we might say that a functioning authority relation presupposes that each party at least takes there to be sufficient third-personal considerations that sanction that relation.

An example will make this possibility clearer. Suppose a group of us are playing *Monopoly*, which requires that one of us assume the role of banker. The banker has the authority to make demands of players at various points in the game and other players are given a reason to, for example, pay for their hotels because the banker demands that they do so. The relationship between the banker and other players is second-personal: when the banker makes a demand on another player in his capacity as banker, that other player is given a reason to comply.

We might have a number of questions about the banker. For example, why do we need a banker when we play *Monopoly*? And, provided there’s a satisfactory answer to that question, we’re more likely to be confronted with the question of *who* should be banker. I am going to focus on the first question, but everything I say applies to the second as well.

The point I would like to push is that in answering the question, ‘Why do we even need a banker?’ a satisfactory answer need only appeal to *third-personal reasons*. That

is, we'll point to what we're trying to do - play a game with certain features - and argue that having a banker, having someone who is able to issue second-personal reasons through demands, facilitates that end. And so it looks like third-personal considerations are what justify the setting-up of particular authority relations.

Darwall does not deny that third-personal considerations can play a role in setting up particular authority relations.⁴ So he will be happy to accept the kinds of reasons we might give for needing a banker: the game runs more smoothly if only one person is in charge of the money, it reduces the chances that someone will cheat etc. The point that I think Darwall will insist on is that these considerations aren't sufficient. But in what way are they insufficient? It's true that they aren't sufficient to enable second-personal address. *That*, as we have seen, requires mutual acknowledgment amongst the players that whatever their more specific roles (as banker, or owner of 'Boardwalk,' say) all the involved parties have freely accepted the terms of play and are capable of giving/responding to second-personal reasons.

But notice that if this is Darwall's view, then the mutual acknowledgment required for successful second-personal address is *nothing more* than a felicity condition, and so not a legitimizing, or justificatory, condition. It is a necessary condition, something without which authority relations would not work. But it does not follow from this, as Darwall would have it do, that mutual acknowledgment *grounds* the authority relations as legitimate.

In fact, if I am right in claiming that mutual acknowledgment is a necessary, but not justificatory, condition of second-personal address, then instead of the parties to a particular authority relation having equal *authority* to sanction the relation, they in

⁴See, for example, (Darwall 2006a, 13).

fact have equal *power* to scupper the possibility of successful second-personal engagement. On my view, the parties to a particular authority relation take that relation to be justified by third-personal reasons. But insofar as they reject, or refuse to acknowledge, possible third-personal reasons as justificatory, they can singlehandedly, or jointly, prevent the possibility of successful second-personal address. And this ‘ability,’ if we can call it that, to either innocently or willfully reject the third-personal reasons that justify the particular authority relation puts one in a position of power, insofar as the success of the authority relation depends on one’s acceptance of the third-personal reasons that legitimize it. So, considerations of value are what *justify* particular authority relations. They simply aren’t sufficient to secure their success.

5 An Objection

So suppose I’m right and that particular authority relations are justified by third-personal considerations which must be acknowledged by the participants if the authority relation is to work. Here Darwall might present me with a challenge: Why do we even have an interest in second-personal address, given that we’re ultimately going for the achievement of some kind of valuable state of affairs, or something of the sort? Why even be concerned about the possibility of genuine second-personal address? The concern is that on my view we lose sight of what’s wrong with relations that are justified by third-personal reasons but are in fact coercive because (at least) one of the parties does not acknowledge those reasons.

My answer is twofold. The first, less satisfying answer, is to deny that coercive power relations, which is what legitimate but unacknowledged authority relations amount to,

are really effective, especially over time, at achieving results. I think it is quite obvious that there are very strong pragmatic reasons for wanting legitimate authority to function properly, which is to say second-personally, because of their usefulness in coordinating social plans and social cooperation. But I won't press this point here.

My second answer to the imagined challenge from Darwall brings me much closer to his own position, as we'll see in a moment. The reason we prefer non-coercive, properly functioning legitimate authority relations to mere power relations is that we value the freedom and lives of others, in a way that is necessarily (in the case of freedom) or contingently (in the case of living) compromised in mere power relations. In certain moods, I'm willing to say that we value the dignity of persons. And putting things like this brings me much closer to Darwall, who thinks that the common, second-personal authority that grounds more particular asymmetrical authority relations is nothing other than human dignity.

Here is how Darwall makes the move from mutual acknowledgment to the claim that a basic, common authority *legitimizes* more particular authority relations (I've added numbers in certain places to aid subsequent discussion):

[1] Any second-personal authority at all can exist only if it can be rationally accepted by free and rational agents as such. [2a] But for that to be true there must be grounds for such an acceptance, and whatever interests free and rational agents have as such would have to be among such grounds. [2b] *It is conceptually necessary, moreover, that free and rational agents have an interest in not being subject to others' arbitrary will since that would, by definition, interfere with the exercise of their free and rational agency.* [3] As this interest must be among the grounds that free and rational agents have for accepting any authoritative demands at all, it necessarily supports a demand, as free and rational, against being subject to demands that cannot be so justified. (Darwall 2006a, 274, emphasis added.)

What, then, is the difference between Darwall and I? That is, I have said that we have an interest in non-coercive authority relations because we value human freedom, which is necessarily compromised in coercive authority relations. So, insofar as we need authority relations to regulate our social life - which we surely do - they must be second-personal, which means (amongst other things) that the parties to the authority relation must sanction the relation from outside their roles in it, i.e. simply as rational beings. And Darwall agrees on both points (unsurprisingly, since it's his idea): 1) that the authority relation must be rationally sanctioned and 2) That the grounds for sanctioning it involve the agents' interest in exercising their free and rational agency.

The difference between us is this: I take the grounds for acceptance in question (namely an interest in freedom and rational agency) to be *third-personal*, whereas Darwall takes them to be *second-personal*. He claims in [2b] that it is 'conceptually necessary' that as free and rational agents, we have an interest in not being subject to others' arbitrary wills, and that ([3]) this interest *must* be among the grounds we have for accepting any authoritative demands. I take it this means that these grounds are second-personal since they are, so to speak, transcendently built into the fabric of rational agency, and so not predicated on a view of what is third-personally valuable. As rational agents, we demand to be treated in a certain way. And this demand falls out of the structure of rational agency itself, and not from a claim about what has value.

But why accept *that* idea? I don't doubt that we have a very strong interest in our freedom, so much so that we have a very strong interest in not being subject to the arbitrary power of others. But I certainly don't think it's obvious that we *necessarily* have this interest, simply in virtue of being rational agents - that someone who acts

in a way so as to essentially deny his own freedom is making a *conceptual* mistake.⁵ Instead, it seems more likely to me that our commitment to the importance of freedom etc. is commitment to a third-personal value: we start with a substantive view of what has value and build particular, second-personal authority relations out of social need, alongside our third-personal commitment to human freedom.⁶

6 Conclusion: Practical Reasons and Value

I have argued that even if we accept Darwall's conditions on what is required for second-personal authority relations (i.e. mutual acknowledgment of the other as rational and mutual acceptance of the authority relation from outside one's role in it), it doesn't follow that second-personal relations are not exhaustively justified in third-personal considerations. I take our interest in our freedom, and the freedom of others, to be a commitment to a substantive, third-personal reason; a commitment, which when combined with other third-personal reasons stemming from the need for social coordination, give rise to substantive third-personal reasons for sanctioning particular authority relations.⁷ On this view, the mutual acceptance requirement, which Darwall is right to claim is necessary for successful second-personal address, is explained by the power we

⁵A suicide for example no doubt makes a mistake, but it seems odd to think it's at base conceptual, and not simply a failure to appreciate the third-personal value of life.

⁶But even if Darwall is right to think that our interest in freedom is second-personal, I'm still not sure how it follows that our reason for entering into authority relations is thereby second-personal. We might put the point like this: you have a second-personal interest in your own freedom, as I do in mine. But perhaps there are third-personal reasons for entering into authority relations, given this second-personal interest we each have.

⁷Darwall does say in several places in *Second-Person Standpoint* that attempts to reduce particular second-personal relations to third-personal considerations furnish a reason 'of the wrong kind.' Darwall convincingly shows that this is the case with a view like act-utilitarianism, but does not offer an argument for why this is so with kinds of indirect utilitarianism, instead asserting that while indirect theories, 'admit of a distinction between the desirable and the obligatory, the only support it allows for claims are instrumental considerations regarding how a practice of obligation and accountability itself, structured by some candidate rule, serves to advance an external goal. And this still seems like a reason of the wrong kind.' (Darwall 2006a, 103-04) But it's not at all clear to me that this is a reason of the wrong kind. In the very least, it's not obvious.

have to undermine, or prevent, such address by refusing to acknowledge or accept the third-personal reasons that justify it.

The upshot of all this might be lost in the jargon of second versus third personal reasons. But if we step back from the jargon the point of the dispute is quite significant (insofar as any academic philosophical dispute is significant!). In claiming that we cannot ground authority relations on third-personal considerations, Darwall is arguing that there is a class of practical reasons the normative force and existence of which cannot be grounded on prior considerations of what has value. The conclusion is that we have reasons for action, reasons that regulate our conduct toward each other, that do not depend on a prior substantive conception of what is good or valuable. And at least one consequence of this view is that good-based ethical theories, such as consequentialism, cannot be right.⁸

If, however, I am right, and the grounds to which we appeal in sanctioning particular second-personal relations are third-personal, and that the mutual acceptance requirement is simply an enabling condition of successful second-personal address, then Darwall hasn't shown that considerations of the good are not foundational in ethics. The point is *not* that there is no distinct class of reasons which are properly second-personal. I think Darwall convincingly shows that within the context of particular authority relations there are. Moreover, they are genuinely second-personal for just the reason he identifies (i.e. they are not defeasible in the same way third-personal, or superficial second-personal, reasons are). But, I have argued, the possibility for second-personal reasons, within the context of particular authority relations, ultimately relies on third-personal considerations.

⁸Darwall thinks that his view is most amenable to a contractualist ethics. (Darwall 2006a, Chapter 12)

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