

## **Consequentialism versus Special-Ties Partiality**

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Most people believe that partiality toward those near and dear to us is morally required. Parents ought to favor their own children over other people's children, and friends ought to favor each other over strangers. Partiality toward extended kin, fellow clan members, co-nationals, neighbors, members of one's own community, and other affiliates is often affirmed, though it is controversial or at least unclear just what sorts of social relationship generate obligations of partiality.

In contrast, mere distance in time or space does not in and of itself affect the content or stringency of moral obligation. If there is an obligation to help the needy to some extent (or an obligation not to harm them), it does not matter whether the needy are at one's doorstep or many miles away, living now or in the distant future. But whereas distance in space and time is not per se morally significant, commonsense moral thinking holds that we are variously morally distant from people depending on whether they are mere strangers or have special ties to us, and on the nature of the special ties. From a moral perspective, more is owed to those who are morally close to us by virtue of special ties than to those who are morally distant, lacking such ties.

Consequentialism need not oppose special ties but must deny partiality. The consequentialist moral theory to be explored in this essay is act consequentialism: One morally ought always to do an act that would bring about

consequences no worse than would be brought about by any alternative act one could choose.<sup>1</sup> Consequentialism so understood specifies a criterion or theoretical determiner of morally right action. The criterion as stated is incomplete, since it does not include a standard for assessing consequences as better or worse. For the most part I shall assume that the value of consequences (states of affairs as affected by human actions) is set by well-being gains and losses for individual persons. Other things being equal, it is better that the sum of individual well-being aggregated across persons be larger rather than smaller. The distribution of well-being across persons also matters morally: For example, gains to a person are more valuable, the lower her well-being level.

In this scheme, special ties might affect the well-being gains and losses that actions can produce. All else being the same, it might be intrinsically better that parents care for their own children rather than that they bestow the identical care on other children. Relationships of friendship might be intrinsically good, so that all else being the same, bringing it about that people become friends makes their lives intrinsically better, and friends helping friends might be intrinsically more productive of value than strangers helping strangers. For now, just suppose these claims are true. Making this supposition brings into sharp relief the necessary opposition between consequentialism and common-sense moral views.

But if the consequentialist can affirm that there is special reason for parents to care for their own children and for friends to help their friends, where lies the conflict? Must the consequentialist set her shoulder against common moral beliefs? The answer, of course, is Yes. In Amartya Sen's terminology, the consequentialist can embrace "tie aims" but not "tie respect."<sup>2</sup> If it is intrinsically more productive of value for friends to help friends rather than strangers, then other things being equal, I should help my friends rather than strangers. But friendship so understood is an agent neutral value. The extra value that inheres in friends helping friends inheres in other people helping their friends just as much as it inheres in me helping my friends. So other things being equal, if I can choose between an act of caring for my friend and an act that brings it about that two distant strangers care for their friends, the consequentialist criterion selects the act of facilitating friendship among distant strangers, since that act is more productive of value.

In contrast, the common-sense understanding of the morality of friendship takes the moral requirement of friendship to be agent-relative.<sup>3</sup> Each person ought to establish friendships and be loyally partial to her own friends. This is an instance of special tie respect. One morally ought to act so as to respect the obligation to show care and concern toward one's own friends.

Charles Dickens provides a satirical caricature of a would-be consequentialist in the character of Mrs. Jellyby in his novel *Bleak House*. Mrs. Jellyby expends great energy in philanthropical efforts aimed at assisting the

distant needy strangers in “Borriboola-Gha, on the left bank of the Niger”<sup>4</sup> while she shamelessly neglects her own children, who are ragged and dirty. As it turns out, Mrs. Jellyby’s philanthropical plans are silly, and predictably do no good for anyone, so she does not actually behave as a good act consequentialist would. Her motives as described are also suspiciously self-serving. But Dickens obviously expects his readers to share his authorial response that her stated priorities are askew. Even a sincere and conscientious version of his character would be morally reprehensible. The duty to care for one’s own children takes priority over mere charitable duties to aid needy strangers.

In this essay I aim to defend a version of the Jellyby mentality against Dickens and common sense. My strategy includes two projects. On the one side, I try to show that consequentialism can to some extent accommodate the common-sense moral convictions it appears set against. On the other side, I try to show that common-sense beliefs about the requirements of partiality do not cohere into any plausible shape when one tries to articulate them.

#### AVOIDING THE DUTY OF SELFISHNESS

One desirable feature we should hope to find in an account of special-tie partiality is that it does not yield the result that partiality toward oneself is morally required. Although selfishness in the sense of favoring oneself over others is prevalent and humans are naturally disposed to it, the tilt of human nature toward selfishness renders it excusable, perhaps even permissible, but hardly required. There is no moral obligation to favor oneself over others. We

do not hold Mother Theresa to have violated moral obligation if she acts to help the poor needy of Calcutta rather than to help herself. Perhaps common-sense morality condemns self-abnegating self-sacrifice, which is sacrificing one's own interests to gain satisfaction of other people's interests when that leads to a net loss of moral value. But altruistic conduct that counts the agent's own interests as having exactly as much weight as the interests of other people in determining what to do is not a violation of moral duty.

Some views that justify special-tie partiality fail to secure this desideratum. C. D. Broad once described a self-referential altruism, a principle that requires partiality toward those near and dear to us.<sup>5</sup> According to this principle, the closer the relationship one sustains to someone, the greater the extent to which that person's interests should figure in the calculations that determine what one ought to do. Each person is closer to immediate family members than to more distant kin, and closer to dear friends than to lesser friends, and closer to fellow members of her community and nation than to distant strangers. One might extend Broad's account by amalgamating different types of close relationship into a single scale that measures how close or distant one is to anybody overall. On such accounts, one will be closest to oneself. David Brink usefully amplifies the account by proposing that the measure of closeness is the strength of psychological connections (of the sort that form personal identity according to the psychological criterion of personal identity<sup>6</sup>) that hold between individuals or temporal stages of individuals.<sup>7</sup>

A difficulty with the Broad-Brink account of special ties is that it implies that each person is morally obligated to be partial to herself. This means it would be morally forbidden to give one's own interests and the interests of other people equal weight in deciding what one ought to do. This strikes me as highly counterintuitive.

It is one thing to say that a reasonable morality should hold it to be morally permissible to favor oneself over others, at least when doing so does not conflict with respect for the rights of other people. That has the ring of common sense (whether or not we should ultimately chime in with agreement). It is less plausible to hold that favoring oneself when one's interests conflict with those of other people is morally required or obligatory.

I hesitate to raise this point as an objection against the account, since its proponents are aware of this implication and do not appear to hesitate to embrace it.<sup>8</sup> Still, the implication is hard to accept. Suppose that someone is raising doubts about the character of a revered figure such as Mother Theresa. The skeptic claims her reputation for virtue and nobility is exaggerated. To bolster his case, the skeptic might cite evidence that shows Mother Theresa to be a religious fanatic, or vain, or self-aggrandizing, or cruel to opponents, or unconcerned for the welfare of the poor people she was reputed to be dedicated to helping. What would seem bizarre would be a case against Mother Theresa's moral stature that cited her lack of partiality to herself. Suppose the skeptic says, "I grant she was kind, generous, wise, gentle, and so on, but she clearly

failed to fulfill her duty to give top priority to satisfying her own interests. She routinely made great personal sacrifices at great cost to her own interests in order to bring about satisfaction of the greater needs of desperate poor people. But a person who does not behave selfishly cannot be a thoroughly moral person. Case closed!"

#### A UNIFIED ACCOUNT OF THE BASIS OF SPECIAL TIES?

Another difficulty with the Broad-Brink account emerges if one asks what is the stuff that constitutes special ties. The account supposes there is a single unified answer to this question. There is something that renders one more or less close to other persons, and close personal relationships generate special ties of obligation. The closer the personal relationship, the stronger the special tie obligation to favor the one to whom one is so related. Brink suggests that the varieties of these personal relationships can all be construed as friendship in a broad sense. He also offers an account of "closeness." According to Brink, "we might understand friendship as involving good will toward one's friend that is based on shared history, where shared history might be understood in terms of the way in which the beliefs, desires, intentions, experiences, emotions and actions of each influence and interact with those of the other."<sup>9</sup> This account is intended to capture the basis for special ties of parents to children, friends and lovers for each other, and any other sorts of special ties there might be.

The difficulty here is that in fact special ties appear to be a motley. The obligation of a parent to care for his children, according to ordinary common

sense views, is rooted in a voluntary act that amounts to a voluntary undertaking of parental responsibility or at least an act that one should know might bring about the existence of a child in a world in which natural parents are understood to have an initial responsibility of care and nurturance. The obligation of a parent to care for his child is rooted in this voluntary act and also in the fact of the child's dependency, not any sort of shared history. The obligation of a parent to care for a newborn child, with whom no significant shared history has occurred, is normally far greater than the obligation of a parent to care for a child who is a mature adolescent, nearly ready to assume adult responsibilities and privileges, even though in this case the parent and child have an extended shared history. In contrast, I believe that friendship can just happen, develop between two people without any voluntary acts of friendship construction or friendship obligation assumption. The ties of friendship are rooted in mutual liking and related positive subjective attitudes reciprocally directed. Shared history can strengthen a friendship, but love at first sight and friendship at first sight do not seem to be conceptually impossible.

The claim that that there are special ties that require individuals to be partial to those to whom they have close relations might be correct even if no unified rationale or explanation can be found that covers the variety of special ties. Perhaps there are just various special ties with various rationales and justifications. But failure to find a unified rationale for special tie partiality renders consequentialist skepticism more plausible. This opening to

consequentialist debunking explanations of the appearance of special tie partiality is widened if it turns out that the variety of special ties is satisfactorily explained by pointing to outcome advantages to be gained by having special tie practices of the various sorts.<sup>10</sup>

At any rate, psychological connections of mutual influence and interaction are an unlikely candidate for the role of universal associational basis for special ties. As already noted, the obligation of parent to child as ordinarily understood does not rest on the existence of such connections. But the account also fails as an analysis of the basis of special ties of friendship in the narrow sense.

Brink emphasizes deliberative connections. Friends reason together about the good, about morality, about what each ought to be doing with her life. Each is an exemplar of traits that the other to some extent imitates. Friends deliberate together in the course of planning significant joint activities.

These sorts of connections sometimes obtain. But they do not seem to be the essence of friendship. The mutual regard that constitutes friendship need not be based on shared history, and certainly not shared history of reciprocal psychological influence. Good friends can sustain very weak connections, and mere acquaintances can sustain strong connections. The strength of personal association is not plausibly regarded as directly proportional to the density of these psychological connections. Strong and dense psychological connections are not necessary for friendship: Consider two strong-willed and independent-thinking individuals, who meet as adults when the characters and significant

ambitions and life plans of each are already set. The two individuals do not influence each other, but they instantly like and admire each other, enjoy each other's company, and are steadily disposed to make significant sacrifices for the good of the other should such sacrifices be appropriate. Notice that one can respect the opinion and reasonableness of another person without being at all disposed to be influenced by that person's opinion and reasonings. One might habitually think things through for oneself.

Strong and dense psychological connections may exist when the friendship is weak. Consider two individuals whom the sociologist David Riesman would have described as "other-directed."<sup>11</sup> The two individuals are strongly disposed to bend their beliefs, values, and aims to conform to those they regard as significant others. Regarding each other as significant others, each is strongly psychologically influenced by the other. This susceptibility to influence might be regarded as desirable or repulsive. In any case, it seems to have little to do with friendship. The mutually susceptible "friends" just described might have little mutual understanding, or liking, and be only very weakly disposed to cater to the good of the other.

It is probably true that any personal acquaintance is likely to involve some psychological connection as understood here. One meets an acquaintance for coffee, and to this extent coordinates plans and forms joint intentions. But a lot of this can occur between persons without its being the case that they are friends.

Another attempt to provide a unified account of special ties of partiality starts by noting that in a friendship, one is related to a particular person on a dual basis. One loves or likes the friend for qualities she possesses. But one's affection attaches not to anything that manifests those qualities, but to the particular individual with whom one has a shared history of intimacy and of reciprocally doing good or suffering evil. The claim is then made that these features justify special tie partiality in the case of personal friendship and that the more a social relationship manifests these same features, the more that relationship also justifies special tie partiality. The strategy here is to identify the basis of partiality in the case of friendship where it looks most plausible and then treat other social relationships according to the degree to which they resemble this paradigm case. Thomas Hurka follows this strategy.<sup>12</sup> Part of his aim is to indicate how to distinguish unproblematic special ties from questionable cases such as racial partiality. Hurka holds that positive subjective feelings do not suffice for special ties (the racist has positive feelings for fellow members of her race); further objective conditions must be satisfied.

This is complex conceptual terrain, so the points I make here are advanced in a tentative spirit. But it strikes me that this account fails on its home ground, the case of personal friendship. The objective conditions proposed as necessary for special ties appear unnecessary. First, if shared history did matter, I doubt the history must be of doing reciprocal good or suffering evil at the hands of others. Hurka holds that it would be wrong for

former concentration guards to regard fellow guards as special friends on that basis, or to be partial to each other. But so long as one does not glorify the evil one has done and does not sustain a failure to repudiate it, I do not see why a grisly history of doing evil together could not be a basis for friendship. Partners in crime can still be partners, and friends. Second, I doubt shared history is a necessary constituent of friendship anyway. Friendship is constituted by mutual positive feeling.<sup>13</sup> One has affection for one's friend and desires her good. It may be that true friends also enjoy each other's company, so if the opportunity for shared history occurs, they will seek out each other's company and create a shared history of camaraderie. If appropriate opportunities to do good for one's friend occur, one will take advantage of them. But these opportunities may not occur. Third, I doubt that intimacy is required for friendship. So even if shared history were a must, the shared history need not involve shared intimacy. A friendship may be formal, involving stilted relations and no mutual sharing of personal information.<sup>14</sup> Hurka is mistaking a particular, perhaps common style of friendship for the essence of the relationship.<sup>15</sup>

Moreover, the thin account of personal friendship I have hinted at does not plausibly generalize into an account of all valuable personal relationships that might sensibly be regarded as generating special-tie partiality. Parental ties are not constituted by subjective feelings. If I do not love or like my child, I should care for him just the same. Perhaps I ought to try to bring it about that I come

to have appropriate parental subjective feelings, but if this is impossible, or just does not occur for whatever reason, the parental duties do not thereby lapse.

#### REASONABLY VALUED RELATIONSHIPS AND SPECIAL TIES

Samuel Scheffler has proposed an alternative general account of special-tie partiality that has the virtue of not entailing that each agent ought to be partial to herself. Scheffler does not commit himself to his proposal. He advances it as meriting further study.<sup>16</sup>

The proposal is that if one reasonably noninstrumentally and all-things-considered values a relationship in which one stands to another person, one is thereby committed to holding that one ought to be partial to that person. Being partial means that one ought to give that person's interests extra weight, compared to the interests of persons to whom one stands in no special valued relationship, in determining what one ought morally to do. If one's belief that the relationship is valuable is reasonable, one's commitment to partiality is also reasonable. Here regarding a relationship one has to another person as valuable is regarding it as valuable all things considered.

The inference from the claim that a relationship is valuable all things considered to the claim that the relationship generates moral requirements of partiality<sup>17</sup> does not generally hold true. Consider examples. One is colleagueship. One may sustain a cooperative relationship with a colleague at work. One admires one's co-worker and the quality of her work. One views the cooperative work relationship one sustains with this colleague as valuable for its

own sake, a thing of beauty. If one views such a relationship as valuable for its own sake, it follows that it is worthwhile to sacrifice some goods in order to bring it into existence or sustain it once it already exists. A relationship between work colleagues of this sort might be viewed as a limited-purpose friendship.

But none of this implies that one is morally required to be partial toward one's work colleague in the way people tend to be partial toward friends and kin. In fact, both parties to a work colleague relationship may value it noninstrumentally while it is explicitly announced and accepted that they have no special moral obligations to each other beyond the obligations voluntarily assumed in their work arrangement.

Another example is the voluntary friendly noncommitted sexual encounter. A person might engage in a series of short-duration sexual relationships, valuing each relationship for itself and not merely for the sexual pleasure it affords. One might also value the sum total of these brief relationships. One sees them as forming a rich and varied tapestry. But again, none of this implies that one views oneself or should reasonably view oneself as morally obligated to be partial toward any of one's serial sexual partners. Again, we might suppose that the fact that the relationship is not to be understood as bearing any obligations of partiality is fully understood and explicitly acknowledged by the people who form the relationship.

For a third example, consider a man who is not psychologically capable of sustained or serious friendship. Commitment of the sort involved in friendship

exceeds his capabilities. Alternatively, the man might exalt an ideal of personal self-sufficiency and independence that is incompatible with friendship. This person gets friendly human contact exclusively in the form of casual acquaintance and friendly civil encounters in the course of carrying on daily activities. He jokes with the driver of the cab he occupies; he is charming to business customers he meets in the course of a day's work; he exudes friendly feeling as he volunteers to help a stranger change a flat tire. He values these relations of casual convivial encounter, values them for themselves and not just for the benefits they bring. But this sort of valuing certainly can coincide with no inclination at all to be partial to the persons with whom he sustains these relations of friendly casual encounter.

It may help to appreciate that valuing noninstrumentally a relationship one sustains to another person does not logically imply that one should regard oneself as obligated to be partial toward that person if one notices that a condition of the relationship's being valuable may be that it is not regarded as generating such obligations. So far from necessitating partiality, some valued relationships may preclude it. Of the examples given above, work collegueship seems unlikely to exhibit this feature. A relation to a colleague could evolve to include friendship without destroying the collegueship. But in some personal relationships the maintenance of a free-floating unencumbered quality may be crucial to what makes the relationship valuable. The relationship at its best evokes the image of a flitting butterfly, not that of a steady reliable ox. Certainly

short-term sexual relationships are sometimes viewed by their participants in just this way.

One possible response to this line of thought is to deny that short-term sexual relationships (one-night stands) and relationships of mere civil acquaintance are valuable at all. If they have no intrinsic value, and are to be valued, if at all, only for extrinsic goods that they might produce, then even if it is a fact that such relationships do not plausibly generate special ties of partiality, that is not a counterexample to the claim that a relationship believed reasonably to be all things considered noninstrumentally valuable must be regarded as giving rise to special tie obligations.

This response is unsuccessful. Many people might incline to the view that stable long-term sexual relationships that involve friendship and mutual commitment are inherently superior to short-term sexual relationships. Many people might believe that paradigm friendship is far superior to paradigm acquaintance relationships. But the fact that one type of relationship is overshadowed by a superior similar type of relationship does not tend to show that the first type lacks value. One might suppose that if engagement in an inferior type of relationship crowds out the possibility of engagement in a superior type, settling for the inferior relationship is all things considered undesirable. But for some people, the superior type of relationship might be unattainable, or undesirable for some other reason. So short-term sexual flings and relations of mere civil acquaintance may be reasonably regarded as valuable

sometimes all things considered. The fact that athletic excellence is superior to athletic mediocrity does not entail that my mediocre athletic attainments are inherently valueless.

#### FRIENDSHIP AND PARTIALITY TOWARD FRIENDS

Suppose it is not generally true that to value a relationship with another person noninstrumentally and all-things-considered, one must regard that relationship as obligating one to be partial to that person (count the satisfaction of that person's interests as having more weight in determining what one ought to do than the identical interest of a mere stranger). Maybe that does not matter much. It might yet be true that to value certain relationships such as friendships one must regard oneself as obligated to be partial to the other participants in the relationship. The nature of friendship generates this special-tie obligation. (In what follows I treat friendship and love together without supposing that they do not differ in significant respects. These happen to be irrelevant for purposes of this discussion.)

The idea that relationships of friendship and love essentially involve partiality explains what might otherwise seem a puzzling feature of the inference from "I regard my relationship to Smith as intrinsically valuable" to "I regard myself as obligated to be partial toward Smith." Accepting that something is intrinsically valuable does not in and of itself involve acknowledging any duty of partiality. Suppose I come to regard chocolate candy eating as intrinsically valuable. By itself, this realization does not provide a ground for reasons of

partiality, because the fact that this activity is valuable is compatible with the further claim that I have a reason to promote this value impartially, to bring about chocolate candy eating for any and all persons rather than just for myself.

But there is some plausibility to the claim that personal relationships of friendship and love are different in this respect. What is intrinsically valuable in these personal relations includes partiality. As Jeff McMahan writes, "It is part of the meaning or significance of these relations that they legitimize certain forms of partiality." He continues, "A relation that did not, given opportunities, call forth and require partial behavior on at least some occasions would not be love at all."<sup>18</sup> Much the same might be claimed about friendship.

A preliminary clarification is needed before assessing this claim. As already mentioned, a consequentialist theory might affirm the claim by embracing the claim that friends helping friends is intrinsically more valuable, other things being equal, than strangers helping strangers. In a certain sense, this claim about value licenses partiality toward friends. If I have the opportunity either to confer a benefit on my friend or an identical benefit on a stranger, since helping friends is intrinsically valuable, there is extra value to be gained by helping the friend. In this way impartial act consequentialist calculation can require favoring friends over strangers. If the friendship multiplier is large, this tendency of consequentialist calculation can be significant. But this sort of "partiality" is fully consistent with act consequentialist impartiality.

The claim to be considered is that genuine friendship and love intrinsically require genuine partiality. A good friend helps her friend in need even when impartial calculation of consequences, giving full value to the special value of the aims, dictates that one morally ought not to give the aid.

Is there an objection to act consequentialism lurking in this consideration? I doubt it.

First, one should consider the alternate possibility that what is crucial for friendship and love is not acting in a certain way but having the appropriate affection. A friend has affection for her friend and a lover has stronger affection for her beloved. If I am a genuine friend to Fred, I like Fred, and this means I have a strong desire that he flourish and a strong desire to help him to flourish when the help is appropriate. On this view, to be a friend is to have affection for the friend and a desire for her good. This is a matter of feelings, not will. It is predictable that if my feelings of friendship toward Fred are strong, on some occasions I may be disposed by these feelings to act for Fred's benefit even when doing so is wrong according to act consequentialist calculation. Nonetheless, given that friendship is itself a great good, forming friendships and sustaining one's friendships may be right by act consequentialist standards even though one expectable consequence of these friendship-nurturing acts is that one will sometimes act wrongly. On this understanding of nature of friendship, the agent who aims to live her life in a way that is maximally productive of good states of affairs can be a good friend.<sup>19</sup> Moreover, on this view, understanding

the nature of friendship including its bent toward partiality does not generate any objection to act consequentialist morality.

Suppose on the other hand that the relations of friendship and love essentially involve how one wills and not just how one feels.<sup>20</sup> In this case, the partiality essential to friendship and love is located in dispositions to act and to form preferences. A friend has a stable disposition to seek the good of the friend for its own sake (rather than as a means to some other end). He is disposed to be partial to his friend, to favor advancing the friend's good even when another course of action would be better as assessed from an impartial perspective.

Supposing that friendship and love have this character, what does this say about consequentialism? If relations of friendship and love are sufficiently valuable, then it is impartially a good thing that they exist, and sometimes it will be best, according to act consequentialism, to act so as to foster and promote friendship and love and to develop these personal relationships within one's own life. To do so is to be disposed to act against impartial ethics in certain circumstances; being a friend, one intends to be partial to one's friend in certain types of situations. The situation is similar to nuclear deterrence as analyzed by Gregory Kavka.<sup>21</sup> From a consequentialist standpoint, it can be morally right to form the intention to do what is morally wrong—for example, to retaliate massively against a nuclear strike. Sometimes one ought to become a friend, even though this involves disposing oneself to do wrong, because forming this

disposition would be acting to produce best consequences. There is no paradox or inconsistency here so far as I can see, and hence no consideration that undermines act consequentialism.

It might be useful to restate this point in other words. Suppose that friendship is valuable, and that no relationship could qualify as a friendship unless the putative friends are disposed to be partial to each other--to advance each other's good beyond what impartial principles hold ought to be done. So becoming a friend is disposing oneself to do what is wrong according to act consequentialist principle. Nonetheless, becoming a friend, and acting to sustain a friendship, might sometimes be right according to act consequentialist principle--these acts produce best outcomes, because the value that accrues from the orientation of the friends' wills is greater than the value reasonably expected to be lost by acting on the disposition of friendship in ways consequentialism condemns. Analogy: Drinking alcoholic beverages for conviviality might be right according to act consequentialism even though the act of becoming a drinker inherently involves becoming disposed to act in ways (drink to excess, behave weirdly at parties) that act consequentialism condemns. This could still be so even if it were the case that becoming a drinker inherently involved forming firm intentions sometimes to drink to excess and behave weirdly at parties in ways that are not justifiable from an impartial consequentialist standpoint.

Of course, it does not follow that act consequentialism, even if it approves some formation of friendship (when friendship is understood to involve partiality), will not have revisionary implications for the conduct of friendship. In some cases consequentialist calculation will dictate that one should decline to form a friendship, or should break off a friendship already formed, or should betray a friend, or encourage another person to act against friendship in one of these ways, because the costs imposed by partiality exceed the gains generated by friendship. My point is just that even if friendship by its nature requires partiality, that consideration by itself can be accommodated within an act consequentialist viewpoint and gives rise to no objection against act consequentialist principle.

Of course one can pound the table and insist that acting partially as friendship on certain views of it requires is acting morally and doing the right thing even when act consequentialism holds otherwise. McMahan asserts, "Morality urges us to foster loving relations and to care specially for those we love not just because this is good for both us and them, making all our lives richer and deeper, but because this is the *right* way to live."<sup>22</sup> McMahan seems to commit himself to the position that even if fostering loving relations and caring specially for those we love made them and us worse off, made all of our lives poorer and shallower, we should still adhere to friendship and love, because behaving partially according to norms of friendship and love just is morally

required. But this bare assertion, backed by no argument, poses no trouble for the advocate of act consequentialism.

It should be noted that my proposed wary reconciliation of act consequentialism and partiality-demanding friendship interprets the norms of friendship as generating nonmoral "oughts." The good friend is partial to her friend; her will is disposed in that way. The norms of friendship specify that the good friend ought to behave this way. But if we interpreted norms of friendship as issuing in moral directives, they would conflict straightforwardly with act consequentialist directives, and the reconciliation I have proposed would fail. Analogy: One can hold that the norms of drinking specify that the good drinker gets drunk sometimes and behaves weirdly at parties without supposing that these are moral requirements. They are social practice requirements.

The proposed reconciliation suffers shipwreck at just this point, the critic will respond. For example, McMahan can insist that according to ordinary common-sense moral thought, the requirements of friendship and parenthood and other special tie relationships are straightforwardly moral requirements issuing in moral "ought" claims, not the watered down nonmoral social practice oughts I am substituting for the genuine article. Essentially the same problem would arise if common-sense morality is committed to the claim that one ought morally to comply with the norms of friendship (interpreted for the sake of the argument as nonmoral social practice norms).

FRIENDSHIP TIES ARE BOUNDED BY PRIOR MORAL REQUIREMENTS

In the previous section I countenanced the assumption that by its very nature friendship requires partiality that in practice violates act consequentialism. I suggested that once the implications of this assumption are spelled out, they suggest no reason to reject act consequentialism. Conscientious act consequentialists can be good friends even if friendship requires a partiality inconsistent with act consequentialism. But this account comes unhinged if the problem raised in the previous paragraph of this essay cannot be resolved. If our considered moral views either directly or indirectly require compliance with norms of friendship, the consequentialist must directly butt against contrary views that will have the ring of plausibility.

In considering this issue, ipso facto we are considering common beliefs about friendship in our own culture, in which act consequentialism is not the generally accepted morality. I shall concede that in "our" culture, friendship is generally supposed to generate special tie moral obligations to favor friends over strangers--but in this culture, not much is thought to be owed to mere strangers. Moreover, the obligations and ties of friendship are thought to be limited by such moral requirements as there are.<sup>23</sup> One is not morally obligated to favor one's friend over other candidates if one is choosing among applicants for a job or position that is supposed to be open to all applicants under conditions of equal opportunity. One is not morally obligated to help one's friend if doing so would violate a moral requirement such as the requirement to report illegal activity to the police or the requirement to refrain from aiding and abetting persons who

are initiating a course of action that would wrongfully violate the significant rights of other persons.

In view of these facts, the possibility needs to be entertained that the common sense view about the special ties of friendship is just an artefact of current widespread dismissal of act consequentialism. Were act consequentialism generally regarded as the correct morality, then the norm that the requirements of morality do not stretch so far as to justify violation of moral requirements would have it that the ties of friendship need to be understood as limited by act consequentialist account of what we morally ought to do. In the same spirit, the common-sense idea that we owe more to friends than to mere strangers strikes us with more force if our background belief is that we have no significant moral obligations to mere strangers except that we not act in ways that cause them harm in certain ways that violate their rights.<sup>24</sup>

Consider the thought that friendship requires that one be partial to one's friends even to the extent of violating for their sake the moral rules against, lying, promise-breaking, theft, physical assault, murder, or torture, when doing so advances the interests of one's friend in need. Most of us think the requirements of friendship do not stretch so far. The good friend favors her friend up to the limits set by the legitimate interests of third parties as interpreted by correct morality.

My claim is that if we are given good reasons to accept some version of act consequentialism as the correct morality, this will further constrain and shape

our view as to the extent to which requirements of friendship morally ought to be followed. I assume there is a positive case to be made for act consequentialism, but it is beyond the scope of this essay to prosecute that case here.

If friendship and other special tie obligations are understood as constrained by moral requirements, so one is not required by friendship to help one's friend in need when moral principles all things considered forbid from one from doing that, the opposition one feels between act consequentialism and special tie responsibilities is superficial. Here is another way of stating this point. I do not now believe that there are absolute agent-relative moral rules (such as the moral rule that one should keep one's promises) that morally ought always to be obeyed whatever the consequences. Having this belief, I would regard it as outrageous if my friend left me lying in the ditch seriously injured and in need of emergency first aid because she had given her solemn word that she would attend a certain party and rendering assistance to me would require that she break her word. But this response is contingent on my background beliefs about what morality truly requires. Since my response of outrage depends on the presumption that absolutism in ethics is incorrect, I cannot appeal to my response to show that absolutism is incorrect, on the ground that it conflicts with our ordinary understanding of friendship. If my background beliefs are wrong and absolutism is correct, my outrage is misplaced and my friend can and should go to the party without violating the requirements of friendship.

I am saying that even if it is true that friendship as we understand it essentially involves partiality—a relationship that looked superficially like friendship would no longer seem like one once it is understood that the “friends” feel no tug of special-tie partiality—we need not understand that social practice norm as giving rise to moral claims that contradict act consequentialist principle. In “our” culture, which is not hospitable to act consequentialism, it may be common to view norms of friendship as dictating such moral obligations. But that only looks plausible so long as there is thought to be independent reason to reject act consequentialism, and once the latter doctrine is embraced, the appearance that there is some deep opposition between friendship and consequentialist morality would dissolve. My hunch is that this is what should occur.

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<sup>1</sup> . As several authors have noted, the terminology is perhaps misleading. According to consequentialism, I should choose that act, among the alternatives--counting doing nothing as one of the alternatives--such that the state of affairs consisting of the doing of that act plus whatever is brought about by it is no worse than the like state of affairs that the choice of any other alternative would have constituted and produced. The normal implications of the term “consequences” are not in play here.

<sup>2</sup> . Amartya Sen, “Rights and Agency,” *Philosophy and Public Affairs*, Vol. 11, No. 1 (Winter, 1982), pp. 3-39.

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- <sup>3</sup> . The terminology of agent-relative versus agent-neutral values is explained and explored in Thomas Nagel, *The View from Nowhere* (Oxford: Oxford University Press, 1986), pp. 152-188.
- <sup>4</sup> . Charles Dickens, *Bleak House* in *The Oxford Illustrated Dickens* (Oxford: Oxford University Press, 1948), chapter IV, pp. 34-45. First published serially in 1852-1853. A sensible discussion of Dickens's attitudes revealed in this episode is in Humphry House, *The Dickens World* (Oxford: Oxford University Press, 1950), pp. 86-87.
- <sup>5</sup> . C. D. Broad, "Self and Others," in *Broad's Critical Essays in Moral Philosophy*, ed. D. Cheney (London: George Allen and Unwin, 1971). I owe this reference to David Brink.
- <sup>6</sup> . Derek Parfit defines what he terms "the psychological criterion" of personal identity in *Reasons and Persons* (Oxford: Oxford University Press, 1984), p. 207. Parfit adds (p. 215) that what should matter to a person who considers his relation to a putative stage of herself is not identity but psychological connectedness or continuity (being related by chains of connectedness).
- <sup>7</sup> . David Brink, "Impartiality and Associative Duties," *Utilitas*, vol. 13, No. 2 (July, 2001), pp. 152-172.
- <sup>8</sup> . The implication is also embraced by Jean Hampton, who argues that giving priority to the fulfillment of one's own basic needs and fundamental interests is morally required. See Hampton, "Selfishness and the Loss of Self," *Social Philosophy and Policy*, vol. 10, No. 1 (Winter, 1993), pp. 135-165. I criticize Hampton's position in "Moral Limits to the Demands of Beneficence?", forthcoming in *The Ethics of Assistance*, ed. by Deen K. Chatterjee (Oxford: Oxford University Press, 2003).
- <sup>9</sup> . Brink, "Impartiality and Associative Duties," p. 159.

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<sup>10</sup> . Of course, the consequentialist also wins if features of special tie practices in contemporary society that resist consequentialist rationale should come to seem objectionable after deliberation and scrutiny.

<sup>11</sup> . David Riesman, in collaboration with Reuel Denney and Nathan Glazer, *The Lonely Crowd: A Study of the Changing American Character* (New Haven and London: Yale University Press, 1950). Something close to a definition of the "other-directed" character occurs at p. 22.

<sup>12</sup> . Thomas Hurka, "The Justification of National Partiality," in *The Morality of Nationalism*, ed. by Robert McKim and Jeff McMahan (Oxford: Oxford University Press, 1997, pp. 139-157. Hurka does not see himself as justifying partiality from the ground up. The question that frames his inquiry is: Given that partiality arising from personal friendship is justifiable, what should we say about more problematic cases? As for myself, I am reluctant to heap objective conditions onto friendship and similar relationships. Positive mutual subjective feelings triggered by any morally innocent considerations can establish innocent friendship. When racial and other questionable types of solidarity are wrong, this is so because they are based on false beliefs, maliciously false beliefs, evil intentions toward those defined as outside the favored group, and so on. (That we are having fun together engaged in a bank robbery can be morally innocent as a basis for friendship even if engagement in the bank robbery is not morally innocent.)

<sup>13</sup> . On the account suggested in the text, it is conceivable that two persons who never interact face to face at all, but merely come to know about each other, to like each other and to be stably disposed to want to do good for each other for the sake of the other (not just in order to secure reciprocal gain for self) would qualify as friends. If one resists his

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classification, one would likely be insisting on personal interaction, some sort of shared history, as a necessary condition for friendship.

<sup>14</sup> . Consider these descriptions of the experience of climbing with Royal Robbins in Yosemite Valley. Jim Bridwell recalls, “I thought it’s be fun doing the route with three people, because you’d have somebody to talk to at the belays. But when Royal and I were at a belay, he would just stoically stare across the Valley and never say a word., It’d be one thing if we were in Nepal where there was really something to look at. But that was him. He had kind of an imposing personality—kind of aristocratic, above reproach.” Tom Frost corroborates this picture of Robbins: “Climbing with Royal was different. You knew what the assignment was and you did it. There wasn’t a lot of chatter. Royal’s not the gabbiest guy in the world, and I’m kind of quiet too, so we could go for days without saying much. We just enjoyed each other, and the environment, and the extreme privilege of being in those places.” Quoted from Gary Arce, *Defying Gravity: High Adventure on Yosemite’s Walls* (Berkeley, CA: Wilderness Press, 1996), pp. 81-82. Of course there can be unspoken intimacy, but as I imagine these friendships, they simply do not involve extensive or intensive mutual knowledge of each other’s inner unspoken thoughts and feelings. (Frost’s reflection does include some elementary claims about what both partners were feeling.) One can also imagine these relations as lacking true friendship, but my claim is that mutual liking and other positive reciprocal attitudes suffice.

<sup>15</sup> . Diane Jeske makes a similar mistake in her interesting essay “Special Relationships and the Problem of Political Obligations,” *Social Theory and Practice* vol. 27 (January, 2001), pp. 19-40. She asserts that friendship involves a joint intimacy-establishing project, and that hence friendship must involve voluntary acts on the part of those who become friends. I suggest one can fall into a friendship as one falls into a well, one just

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finds the relationship has come about, absent any voluntary doings on one's part.

Moreover, establishing a friendship need not involve establishing an intimate friendship; nonintimate friendship is not an oxymoron.

<sup>16</sup> . Samuel Scheffler, "Relationships and Responsibilities," reprinted in Scheffler, *Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought* (Oxford: Oxford University Press, 2001), pp. 97-110.

<sup>17</sup> . Scheffler asserts that if one reasonably values a personal relationship (in which one is a participant) in the way he specifies, one must regard oneself as having responsibilities to be partial to the other participants in the relationship. One sees oneself reasonably as having presumptively decisive reasons to be partial, one is under a duty to be partial. He does not specifically state that these duties are moral requirements, and he might object to my characterization of his view in these terms in the text. The objection I proceed to develop does not depend on whether the duties of special-tie partiality generated by valued personal relationships are seen as moral duties or not.

<sup>18</sup> . Jeff McMahan, "The Limits of National Partiality," in Robert McKim and Jeff McMahan, eds., *The Morality of Nationalism* (Oxford: Oxford University Press, 1997), pp. 107-138; see p. 118.

<sup>19</sup> . For pertinent argument for this claim, see Peter Railton, "Alienation, Consequentialism, and the Demands of Morality," *Philosophy and Public Affairs*, vol. 13 (Spring, 1984), pp. 134-171.

<sup>20</sup> . Harry Frankfurt writes, "The heart of love, however, is neither affective nor cognitive. It is volitional." See Frankfurt, "Autonomy, Necessity, and Love," in Frankfurt, *Necessity, Volition, and Love* (Cambridge: Cambridge University Press, 1999), pp. 129-141; see p. 129.

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<sup>21</sup> . Gregory S. Kavka, "Some Paradoxes of Deterrence," reprinted in Kavka, *Moral Paradoxes of Nuclear Deterrence* (Cambridge: Cambridge University Press, 1987), pp. 15-32.

<sup>22</sup> . McMahan, "The Limits of National Partiality," p. 118.

<sup>23</sup> . T.M. Scanlon makes this point in *What We Owe to Each Other* (Cambridge: Harvard University Press, 1998, pp. 164-168.

<sup>24</sup> . Further doubt that the value of friendship establishes an objection to act consequentialism emerges when one reflects on the typical scenario in which obligations of friendship are asserted as morally binding. Humans tend to favor themselves over all others, to be selfish. Humans also have a natural tendency to favor those near and dear to them, those they specially care about, over others. But selfishness can lead one to act callously toward friends, even when the friendship involves explicit bonds of reciprocal aid. I accept my friend's sacrifices for my benefit, but find ways to beg off when my friend is in need, and channel the resources to the satisfaction of my own interests. One prototypically feels betrayed by a friend who selfishly neglects obligations of friendship. I have trouble working up umbrage if what occurs is that the friend does not act for the needy friend's benefit but instead responds to the uncontroversially greater needs of strangers. If my friend and I have planned to go together to the woods, and this outing is important to me, I may feel let down if the friend decides at the last minute to vacation at the beach, leaving me in the lurch. My response is disappointment rather than resentment or indignation if my friend tells me she had to use the resources earmarked for our wilderness outing to contribute to the Distant Stranger Famine Relief fund or even to provide money for a medical procedure desperately needed by a lonely distant relative. Even in a culture such as ours in which one does not suppose one's friend is likely to be a committed act consequentialist, acting to bring about the

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uncontroversially greater good at the expense of putative special tie obligations does not elicit a clear negative response.