

## A TAXONOMY OF MORAL VIEWS THAT JUSTIFY AGENT-RELATIVE PARTIALITY

A morality that endorses agent-relative partiality endorses the idea that one morally ought to some degree to favor persons to whom one has special ties. Favoring a person is acting for her benefit when doing something else instead would produce a better outcome. Candidate social relationships that might establish special ties include the relation of parent to child, sibling to sibling, friend to friend, lover to lover, spouse to spouse--also fellow work colleagues, fellow members of a community, fellow countrymen, people with shared interests and projects, people who share a religious faith, or an ethnic or tribal identity, or race, or skin color, or sex, or sexual orientation.

As described above, partiality is a requirement. A morality might also permit, but not require, certain forms of partiality. The question would be: May I favor my friend over strangers or must I do so?

I treat partiality as involved in decisions about whom to aid, but one might also embrace partiality involving decisions concerning whom to harm. One might hold, for example, that the partiality appropriate to one's children justifies infringing the rights of other people (stealing from them, or assaulting them, for example) when doing so is necessary to save one's child from a harm of size X when it would not be justified to violate the same rights of other people to the same degree to save a person not one's child from a harm of size X.

Some views that endorse some partiality, as requirement or permission:

1. Self-referential altruism. In deciding whom to help by one's actions and omissions, one morally ought to give greater weight to achieving a gain for a person, the greater the degree of psychological connection between that person and oneself. Think of the psychological connections that normally obtain between a person at one time and that same person at a later time. Some of these connections might hold, to various degrees, between oneself and other persons. On this view, one normally owes more by way of concern and beneficent action toward close family members and friends, less to neighbors and colleagues, less than that to members of one's community, less still to mere acquaintances, least of all to strangers.

2. Samuel Scheffler (not a course author) has written that if one values a relationship one has with another person intrinsically and not merely instrumentally, one is thereby committed to being willing to favor that person over others to some degree, in some contexts, depending on the nature of the relationship. If one were not willing to favor those to whom one stands in social relationships at all, one would not value any of these relationships except as tools to one's own ends.

3. Richard Miller holds that living with others under the jurisdiction of a common state, being subject to the coercive rules the state enforces and benefiting overall from those rules, one thereby has a special tie to one's fellow citizens, which requires that one morally ought to support the channeling of state aid to needy fellow countrymen rather than to needier foreigners. Benefiting from the operation of the state's massive coercive apparatus, whereas others are left far less well off, triggers an egalitarian political duty roughly to help bring it about that the basic social structure regulated by the state makes the worst off among one's fellow citizens as well off as possible. One has no such duty to outsiders not under the jurisdiction of the state's coercive scheme. He accepts the legitimacy of other forms of partiality, such as partiality to family members and friends, but concentrates on the justification of patriotic partiality (partiality toward fellow citizens in the political proposals one supports).

3a. Miller also holds that what we owe to needy strangers generally is modest, as expressed in the Principle of Sympathy he affirms. He holds that we are also bound by a Principle of Nearby Rescue, which requires us to save people in peril who are close by, such as the child drowning in the pond in Peter Singer's example.

4.\*\* Liam Murphy does not endorse partiality. He endorses a simple principle of beneficence (do whatever would produce the best outcome or perhaps do whatever would produce the best outcome without violating moral constraints) when there is full compliance (everyone is obeying this principle). When there is not full compliance, he holds that one is not morally required to put forth greater sacrifice to help others than the level of sacrifice one would have been required to put forth according to simple beneficence with full compliance. In other words, one's duties of beneficence do not increase, in the amount of sacrifice they require of one, if other people fail to do their part.

5. The personal prerogative doctrine denies that one morally ought always to be doing whatever would produce the overall best outcome. In deciding what to do, one is permitted to give extra weight to one's own projects and concerns, whatever one might care about, by multiplying by some number  $M$  the value and disvalue of the effects on one's interests that actions one might perform would bring about, compared to the value and disvalue neutrally measured of the effects that the various actions one might perform would bring about. One is then not required to choose what would bring about the impersonally best outcome, but is rather permitted to choose an action whose  $M$ -adjusted outcome would score just as high as that.

6. Thomas Hurka holds that if agent-relative partiality to friends and close family members is morally acceptable, as many people believe, then other forms of agent-relative partiality will also be morally acceptable to the degree that they share the features that render these uncontroversial forms of partiality justifiable. The partiality at issue here is mandatory, not permissive. One not only may, but morally must, favor one's own child over other people's children. So one must look to the least controversial forms of partiality and try to figure out what renders them acceptable (if they are). Hurka thinks the view he arrives at does a good job matching our pretheoretical convictions in this area and gives guidance for problematic cases. His view says racial solidarity among dominant groups is not OK, but that partiality to conationals, to some degree, may be OK.

Consider friendship and love. When one loves someone, in such a way that partiality becomes required, one sees that the person has genuinely valuable traits and loves the person in part for those traits. One also loves the person in a more particular way, in virtue of a shared history of the right sort—a history of doing good together and/or suffering evil and hard times together. In close personal relationships, the relevant history includes close, intimate interaction.

7. Niko Kolodny in unpublished work advances a view similar to Hurka's. He holds that personal attachment, or the sort that warrants partiality, must arise in response to what is valuable from an agent-neutral impartial perspective. A personal history of counting blades of grass on courthouse lawns does not add up to a project to which one might justifiably be partial, because such counting episodes are silly and pointless. A personal history of revering some people's skin color likewise does not form the basis for personal attachment and legitimate partiality. Justifiable partiality arises when a legitimate agent-neutral valuation of a personal encounter or situation or thing is amplified by a reasonable personal response, a response to the fact that one has a personal encounter or relationship with that other. Example: friendly mutually beneficial interaction with another person is objectively, agent-neutrally valuable, and a history of such encounters reasonably triggers amplified personal feelings toward that person, so that a friendship occurs, warranting partiality. A history of cheating one another or beating up one another would not have value so one's personal response would not properly resonate positively with such encounters, and so would not establish the sort of personal relationship that warrants partiality. Neither would a history of joining with others to cheat or beat up some third parties establish a relationship with one's fellow oppressors that would legitimate partiality. Agent-relative partiality always rides piggy-back on agent-neutral value. A personal history of being treated well by one's parents

generates an open-ended filial partiality, but a history of being mistreated and abandoned by one's parents or guardians does not.

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One position that opposes agent-relative partiality is any moral view that holds that all moral reasons to do or omit anything are always agent-neutral reasons, reasons that make no essential reference to the person who has the reason. If your pain gives you agent-neutral reason to get rid of the pain, it gives anyone the same reason to get rid of your pain. If all reasons are regarded as agent-neutral, one then gets a moral doctrine like act consequentialism: one morally ought always to do whatever would produce an outcome no worse than the outcome that would come about if one did anything else instead. Agent-neutral views can vary depending on what is taken to be agent-neutrally valuable. An agent-neutral view can hold that friendship is intrinsically valuable and hence that a world in which friends are nice to friends is better, other things equal, than a world in which strangers are nice to strangers. But from an agent-neutral standard, it is a better outcome if I betray my friend if that leads to two other people being loyal to their friends (two betrayals of friendship are worse than one).

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Some possible constraints on agent-relative views. One might hold that an acceptable doctrine concerning what warrants or justifies agent-relativity must be compatible with some or all of the following claims:

1. Selfishness is not morally mandatory. (Even if morality permits me to pursue my own interests rather than the interests of other people, morality does not require me to favor myself over others. We might think a person who is altruistically devoted to the interests of others is saintly, not immoral.)

Arguably self-referential altruism violates this constraint.

2. The self-abnegating person is not just imprudent, but immoral. (A self-abnegating person is disposed to sacrifice herself for the sake of some other people even when the cost-to-self/net-benefit-to-others-ratio is extremely unfavorable. For example, the self-abnegating housewife is disposed to sacrifice a huge amount of her well-being [say the excruciating pain of a three-day migraine headache] to get very small benefits for her husband or children [say the pleasure of an extra piece of cake]).

The personal prerogative doctrine fails to endorse constraint 2.

3. Simple racism and sexism (involving no false beliefs about other groups or hostility to other groups but simply a disposition to favor one's own) is morally unacceptable.

Arguably the Hurka and Kolodny views fail this constraint.

4. How much morality can legitimately require one to sacrifice one's interests for the sake of others depends in part on ratio of the cost-to-self-of-giving-aid to the net-benefit-to-others-if-one-gives-aid. The more favorable the ratio, the more can be required.

Murphy's Cooperative Principle fails this constraint. (Murphy's view is not one that endorses agent-relative partiality but it is one that rejects simple beneficence, the type of view Peter Singer affirms.)

5. We are morally required to save the drowning child we happen to encounter, even at considerable personal sacrifice.

There is a question as to whether Miller's position is ultimately consistent with this constraint. Of course, Miller explicitly affirms the Principle of Nearby Rescue. But he also affirms the Principle of Sympathy, which might look to be inconsistent with the Principle of Nearby Rescue. Although I don't think Miller's two principles are strictly incompatible, what he says to establish their compatibility may render parts of his position vulnerable and his overall position unstable. That is to say, the question arises whether Miller's affirmation of the Principle of Sympathy, followed through reasonably, requires him to give up the Principle of Nearby Rescue and hence violate constraint 5.

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None of constraints 1-5 is set in stone. One might embrace a doctrine that justifies partiality on some basis, not by showing that all of constraints 1-5 can be satisfied by this doctrine, but rather by showing that one or more of the constraints is rejectable.

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If one distinguishes some forms of partiality such as friendship and close family ties from partiality to clan, nation, supposed race, or sex, on the ground that the former types of partiality generally produce better outcomes than would otherwise be obtainable and the latter types don't, the question arises, are you saying that special ties have instrumental not intrinsic moral significance? If so, might we do better to reinterpret the kind of partiality we find acceptable, in ways that the Peter Singer type views can allow? (We might alternatively think friendship is intrinsically valuable, but this is one value to be weighed with others in agent-neutral calculation about what one ought morally to do.) Or does acceptance of Peter Singer type views rule out as inadmissible the partiality that must be allowed if one's morality is to find a legitimate place for friendship and close family ties?