

Demandingness and Boundaries Between Persons

Edward Harcourt

Faculty of Philosophy, University of Oxford

and

Keble College, Oxford OX1 3PG, UK

edward.harcourt@philosophy.ox.ac.uk

ABSTRACT

Demandingness objections to consequentialism often claim that consequentialism underestimates the moral significance of the stranger/special other distinction, mistakenly extending to strangers demands it's proper for special others to make on us, and concluding that strangers may properly demand anything of us if it increases aggregate goodness. This argument relies on false assumptions about our relations with special others. Boundaries between ourselves and special others are both a common and a good-making feature of our relations with them. Hence, demandingness objections that rely on the argument in question fail. But the same observations about our relations with special others show that there are many demands special others may not properly make, and since we cannot be *more* guilty of unjustified partiality in insisting on boundaries between ourselves and strangers than on boundaries between ourselves and special others, there are – as demandingness objections maintain - some demands strangers may not properly make on us.

Key words: demandingness, consequentialism, strangers, special others, separateness of persons, boundaries, partiality, psychotherapy.

1. Introduction.

It's likely that after several decades of philosophical discussion, there is no longer such a thing as *the* demandingness objection to an ethical theory, but rather a family of related objections. I shall call a demandingness objection to an ethical theory an objection that says that there is some demand such that (a) the theory makes it and (b) it is not the case that we are obliged to fulfil it.

I hope this formulation makes it clear why I'm going to make nothing here of the distinction between demandingness and overdemandingness (Van Ackeren and Kühler 2015; Benn 2015; Murphy 2000), since it is possible to characterize a demandingness *objection* without using the word 'overdemanding'. The argument also proceeds independently of the characterization (Van Ackeren, in press) of a demandingness objection as a type of objection that appeals distinctively to costs of the demanded action to the agent. This is partly for the theoretical reason that, at least as far as consequentialism is concerned, demandingness objections framed in terms of costs to the agent look as if they treat agents as victims of their own actions, so they look set to inherit the weakness of 'victim-based' objections (Scheffler 1982) generally. But it is also because the argument of the paper is supposed to go through (if it goes through at all) independently of any theoretical account of the basis on which a demand is alleged to be improper. To anticipate, my thought is rather that if we can agree that certain demands are improper – for whatever reason – even when they arise from special others, then it should be easier to concede that they are also improper when they arise from strangers, and these are generally the demands that most trouble those who wish to press demandingness objections.

Demandingness was originally flagged as a type of objection – whether or not it's successful - to act-consequentialism (Scheffler 1982; cp. Williams 1977). It's been argued more recently that other ethical theories may be open to a similar type of objection (Swanton 2009; Hills 2010; van Ackeren & Sticker 2015; Pinheiro Walla 2015); but also that demandingness is to be expected of morality generally, so if according to a particular theoretical reconstruction of it, morality is demanding, then that is a virtue not a defect of the theory (Chappell 2009). I want to focus here solely on act-consequentialism, though the demandingness – such as it is – of morality generally will come back at the end. The strategic focus is on what I take to be the common core of any demandingness objection to act-consequentialism, namely that act-consequentialism implies that there is no demand strangers may not properly make on us if it increases aggregate goodness, and that *pace* act-consequentialism there is at least some such demand. (This formulation is just a substitution-instance of the schematic demandingness objection in the previous paragraph.) This also helps me to circumscribe the type of act-consequentialist I have in mind for the rest of the paper: concessive act-consequentialists - who agree that there are some demands strangers may not properly make on us even if they increase aggregate goodness - are not in the frame, so the phrase

'consequentialism' (etc.) should also be understood henceforth as an abbreviation for the non-concessive variety of act-consequentialism.

I want to focus for much of the paper, however, not on the common core of any demandingness objection to consequentialism, but on a particular type of demandingness objection to consequentialism, which is distinguished not just by the conclusion it tries to reach (which is common to them all), but by an argument it relies on and which (I argue) is fallacious. If some people think the particular type of objection I have in mind is *not* a demandingness objection, but better labelled in some other way, I am fine with that: although as the 'demandingness' label gets baggier over time so the risk of mislabelling decreases, it is the substance of the objection rather than the labelling that I am interested in.ⁱ

First I am going to characterize the particular type of objection I have in mind, and sketch some points of overlap between it and certain other objections to consequentialism which are sometimes labelled 'the demandingness objection' and sometimes distinguished from it. Next I am going to draw attention to some very ordinary features of relationships with special others, which are familiar from ordinary life but not (in my view) made enough of in discussions of demandingness. Then I shall argue that these phenomena undermine the force of the particular argument relied on by the demandingness objection to consequentialism I characterize, though they also help us to diagnose what some people have found disturbing about the demandingness of consequentialism itself. Finally I argue that these same phenomena can be used to revive a version of the demandingness objection which preserves the 'common core' without relying on the fallacious argument. But I remain neutral as to how far these considerations block the force of non-consequentialist, or pre-theoretical, demands which the suffering of others makes upon us.

2. Self, strangers and special others: a common version of the demandingness objection characterized.

The particular objection I have in mind, roughly characterized, is that in its account of what we are obliged to do, consequentialism makes too little of the difference between, on the one hand, myself and my special others and, on the other, strangers. There is more than one way in which it might be said to do this. Thus, consequentialism requires that I maximize aggregate goodness, impartially conceived. (For variations on what consequentialism requires, but which are irrelevant to the general point, see Hooker 2009.) Compliance with this requirement may be consistent with what I pre-theoretically take to be my obligations towards my special others. For example, my children benefit from receiving birthday presents from me not only in so far as these objects are pleasant or useful (etc.) but in so far as they are from me. Were I on the other hand to send birthday presents to children I have never met, they would (presumably) benefit from them only in so far as they were pleasant, useful (etc.), so plausibly my

children would benefit more, so personal obligation and impartial utility-maximization converge. But they might very easily not converge – for instance if my children already have a lot more pleasant and useful stuff than most other people. So, according to consequentialism (and of course making many other assumptions), I ought to send the presents to the people who need it more, while ‘intuition’ says I should at least sometimes give them to my children.

This objection locates consequentialism’s indifference to the stranger/special other distinction at the beneficiary end of things. Prior to theory, it looks as if my children’s claims on me as beneficiaries of my actions are at least often greater than those of strangers because of their special relation to me; whereas consequentialism, because it sees no moral significance in that special relation *per se*, sees strangers’ claims on me as beneficiaries only in the light of the size of the benefits. Though related to it in some way, this is *not* the particular objection I am interested in.

The particular objection I am interested in locates consequentialism’s indifference to the stranger/special other distinction in what it’s proper for (on the one hand) special others and, on the other, strangers to demand *from* me – if you like, in the difference in the *sacrifices* it’s proper to ask me to make for strangers versus those it’s proper to ask me to make for special others. Obviously there’s a correlation with the previous objection, in so far as my benefit to another may be a cost (*sc.* sacrifice) to me. But the correlation is imperfect, since in the case of special others more often (I think) than in the case of strangers, benefits to them are *benefits* to me, not costs (e.g. I like giving my children presents they like). Be that as it may, I am interested in cases where compliance with obligation *is* a cost (*sc.* sacrifice) to me, which it can be where both strangers and special others are concerned, though very possibly in different types of situation in each case. The objection is that consequentialism is indifferent to the stranger/special other distinction in so far as (according to consequentialism) the fact that someone bears no special relation to me makes no difference to the propriety of the demands they can make on me. But, the objection runs, the demands – prior to theory - which it’s proper for special others to make on me are of quite a different order to the demands it’s proper for strangers to make. So consequentialism’s indifference to the stranger/special other distinction in respect of the propriety of the demands they can make on me is a fault in the theory.

Before I move on, the term ‘obligation’ requires a gloss. It is often observed that consequentialism finds moral obligations in obscure corners of human experience where prior to theory none are visible. Thus if I am morally obliged to maximize aggregate happiness and the only choice on offer is to brush my hair or comb my hair, then if combing is more comfortable and nothing else is relevant, I am morally obliged to comb my hair not brush it. Though there may well be material in this odd result for an objection to consequentialism, I am going to set that aside. The point for now is that in comparing consequentialism with untheorized practical thought on the importance of the stranger/special other distinction, what we have on the consequentialist side will always be claims made upon me

by my *moral* obligations, whereas pretheoretically others' claims on me may not so readily be classifiable as moral (though sometimes they will be). I simply want to flag this asymmetry in order to say that it ought not to matter.

This particular demandingness objection – if that's the right label for it – is closely related to certain other objections to consequentialism that are often made by invoking the idea of 'personal commitments' or 'projects'. Indeed these latter are what Mulgan (2001:4) calls *the* demandingness objection: 'The common objection that Consequentialism is too demanding, as it leaves the agent too little room (time, resources, energy) for her own projects or interests ... I ... call ... the Demandingness Objection'. (These same objections are also made – less happily – under the heading of 'integrity': Williams 1977, Hooker 2009.) One reason why it's said, rightly or wrongly, that consequentialism is at fault in setting no limits (consistently with aggregate utility-maximization) to the demands which it's proper for strangers to make on me is that these demands are liable to interfere with my projects or commitments. (This point is so familiar I hope I don't need to spell it out.) Special others, by contrast, *are* commitments of mine (though they may not be my only commitments). Williams (1977), for example, uses the word 'commitment' in just this elastic way so their possible objects include (rightly) persons, countries, causes, activities and more besides, and the aptness of placing persons on this list is underscored by the fact that one of the things consequentialist demands are so often said to interfere with are precisely close relationships with other persons. But of course if persons, or our special relationships with particular persons, are among my commitments and commitments (by definition) contribute centrally to the goodness or worthwhileness of my life, the demands these make on me can't interfere with the goodness or worthwhileness of my life in anything like the same way as consequentialist moral obligation. As Mulgan puts it, consequentialism (allegedly) is at fault because 'it does not allow you to give special weight to your own interests and projects, and to those of people who are close to you' (2007: 97): that is, the objection goes, consequentialism wrongly blurs the line between special others and strangers in a way that it is quite right to blur the line between special others and oneself.

Another affinity is with the so-called 'separateness of persons' objection (or objections) to consequentialism (Rawls 1971: 27; Mulgan 2001: 17 ff). For various reasons, but basically because consequentialism is interested only in aggregate utility, not in whose utility it is, consequentialism is accused of paying insufficient regard to the 'separateness of persons': it is inclined to a view of the world not as composed of distinct persons, but as a 'sea of preferences' (Williams 1985: 88). Thus it (rightly or wrongly) thinks one person's benefit can compensate another's harm, overlooking the pretheoretical point that compensation must be *to* the person harmed.

3. The objection developed: 'no demand is improper where we are one with the other'.

Indeed, it would not be putting too fine a point on it to say that, according to the 'projects and commitments' version of the demandingness objection, consequentialism *gets it right* about the demands it's proper for special others to

make on me, because they are indeed limitless, and errs – as of course it would do, because it regards the stranger/special other distinction as having no moral significance on its own - just in so far as it generalizes the propriety of demands of that sort *beyond* special others to strangers. This point can be made over again in relation to the separateness of persons objection. What's *especially* objectionable about consequentialism, the thought runs, is that it treats as an inseparable mass the utility of persons who are strangers to one another: as Mulgan puts it, 'the boundaries between one life and another are not as morally significant as we [pretheoretically] think... [T]here is no reason why I should be more concerned [T] for my own future experiences than for anyone else's' (2007: 103). But where persons are my special others – where I am bound to them by special ties of whatsoever sort – then perhaps it is realistic to imagine that a harm to me can be compensated by a benefit to someone close to me, for I and my special others really aren't as separate as I am from strangers. Once again, a diagnosis of the consequentialist mistake could be expressed as the thought that consequentialism gets it right in relation to special others – there are indeed *some* people, i.e. my special others, such that my own future experiences are no more valuable to me than theirs - but goes wrong in generalizing its demands to strangers as well.

This diagnosis joins hands with yet another current of thought which is often not explicitly anti-consequentialist, but fuels my analysis of the particular demandingness objection I'm examining – namely that 'I am not an island', that my own interests extend beyond the boundaries of me to my special others (Bradley 2012: 254; Sidgwick 1907: 501). This is explicit for example in Aristotle (1984). It could be described as the moral of Anthony Price's *Love and Friendship in Plato and Aristotle* (1989) but the Epilogue may stand for the current of thought as a whole:

It is necessary that individual life should diffuse itself for another, in another, and, if need be, give itself ... [T]his diffusion is not contrary to nature... [L]iving nature does not halt at this cut-and-dried, and logically inflexible division [of mine and thine]. ... It is our whole nature that is sociable... it cannot be completely egoistic even if it wished to be. We are everywhere open, everywhere invading and invaded (Price 1989: 206, citing Guyau 1885).

David Brink also expresses the view, whether or not he is speaking accurately for Aristotle:

Aristotle thinks that the way in which a (decent) parent nurtures, educates, and provides opportunities for her child establishes psychological relations between them that justify us in claiming that the child's well-being extends the well-being of the parent (1161b 17-29). It is this same sort of psychological interdependence that exists between friends who share thought and discussion that justifies each in seeing the other as extending his interests and, hence, as another-self. But then we can see how Aristotle can think that friendship involves concern for the friend's own sake and yet admits of eudaimonist justification.

If B extends A's interests, then B's interests are a part of A's. This is true when A and B are the same person and when they are different people. My friend's good is a part of my own overall good in just the way that the well-being of my future self is part of my overall good. (Brink 1997: 129)

However, while some writers have followed Plato and Aristotle in emphasizing *friendship* or *love* – i.e. relations in which we stand to some (small) subset of others - as the route by which self-interest expands, others have stressed routes of expansion which are capable of taking in *all* others. As an example of this tendency, Brink cites T.H. Green and F.H. Bradley, who claim that we are all one, thus giving a psychological or metaphysical justification for their view:

Like other idealists, such as F. H. Bradley, Green thinks that the proper conception of self-realization involves the good of others as a constituent part. For Bradley, this kind of reconciliation is a direct consequence of a fundamentally anti-individualist metaphysics that treats persons as aspects of an interpersonal organic unity ... I must view others as my "alter egos" ... and [in order to realize myself] aim at a common good (Brink 1997: 133-5).

In contemporary philosophy, the leading representative of this type of view – not arguing via identification with others or via sociability, but rather via the supposed metaphysical feebleness of the distinction between persons – is surely Derek Parfit (1984).

Obviously the stronger the premiss in these theories of the extension of self-interest, the further such a theory could go towards showing that we should indeed make nothing of the stranger/special other distinction. But at the same time the more likely it is that the premiss – at least if it rests on the idea of a psychological *bond* between myself and all persons, to say nothing of the supposed non-existence of persons as basic individuals - is false. The problem is just that not very many others *are* (to any given person) special. As for example Sidgwick emphasizes (1907: 501)), there does not seem to be a bond of the requisite kind between myself and everybody, so although my self-interest extends beyond me, typically it does not extend very far. Pressing that point into the service of a demandingness objection to consequentialism, one would stress the bonds between myself and my special others, the feebleness of the distinction between my interest and theirs, the benefits (e.g. pleasure) rather than the costs of transferring goods from me to them, and so on, and then locate the demandingness objection in the differences in all those respects between my relations to those special others and my relations to strangers. This particular version of the demandingness objection thus says that consequentialism goes wrong because it underrates the moral significance of the difference between strangers and special others, because a boundary it's quite proper not to draw between oneself and special others thanks to the bonds between myself and them – the phenomena

emphasized by e.g. Plato, Aristotle and Sidgwick - consequentialism *also* refuses to draw between special others and strangers. Otherwise put, consequentialism underrates the moral significance of the difference between strangers and special others by modelling its incorrect conception of our relation to strangers on a *correct* conception of our relation to special others, because special others are special in so far as they are 'parts of us', and so are not – in the relevant sense – separate from us, or (in an alternative vocabulary) they constitute 'commitments' of ours; whereas strangers are separate, and do not constitute commitments.

4. An assumption challenged: boundaries between ourselves and our special others.

The strategy I want to pursue in this paper is almost the reverse to that of the demandingness objection I have just characterized. Of course I do not want to deny that sacrifices for special others can sometimes be pleasant, that the interests of special others are sometimes my own interest, and so on. However, I want rather to emphasize the multiple boundaries – in the shape of a sharp if inexplicit sense of the distinction between mine and thine – that characterize our relations with special others, and indeed characterize them not because in this world nothing is perfect, but as good-making features of these relations. In overlooking these (I think) common phenomena, *both* those critics of consequentialism who have emphasized the gap between special others and strangers, and those consequentialists who have claimed there is no such gap, are missing a very important feature of relations to special others. Since they both miss it, they are obviously both at fault in some respect. Interestingly, it also follows that the particular demandingness objection I have characterized fails. So at least as far as *that particular* demandingness objection is concerned, consequentialism is in the clear.

I shall return to the critique of consequentialism in the final section, but I want now to spell out why there is something amiss with the particular version of the demandingness objection I have characterized.

The reply to that version of the demandingness objection is that it misrepresents relations with special others. That version of the objection represents relations with special others as the proper but distinctive locus of potentially limitless demands, on the grounds that special others are special precisely in so far as they – unlike strangers – are indeed parts or extensions of us, and thus (and quite properly: that's what makes them special) not 'separate persons'. But, I shall argue, that is a mistake. The Platonic/Aristotelian/neo-Hegelian authors whose view of special others lies behind the demandingness objection I've characterized are very good at stressing how others' interests are also my interest, so as to emphasize the psychological possibility of (limited) altruism, but also, sometimes, to emphasize the difference between special others and strangers. I don't think the phenomena to which I am about to draw attention are at all unfamiliar, but for some reason they have tended to escape philosophers' attention. Just because philosophers of the Platonic/Aristotelian/neo-Hegelian cast of mind have been on the whole preoccupied with trying to make special others look more like ourselves – with obliterating the differences between self and

special others in the interests of showing the possibility of altruism - they are not very good at stressing the *boundaries* between self and special others, to the detriment of the demandingness objection I've characterized. But, as I shall go on to argue, the problem the Platonic/Aristotelian/neo-Hegelian view has with special others is just a more local version of a problem that consequentialism has with *all* others: Plato (*et al.*) say you and I are one; Green or Bradley (or, in a different way, Parfit) say we are all one; I want to say that however special even you are, you and I are separate. So the reply to the demandingness objection I've characterized does not help consequentialism in the end.

Parents, spouses, lovers, close friends and so on often say they would give up their lives or their liberty or their wealth for their special others – there is 'no sacrifice they are not prepared to make' – and I assume they mean what they say. However, it is important to be careful in interpreting what they mean. We would indeed, let us suppose, be prepared to give up our lives for our special others if *their* lives were at stake. But it does not follow that we would be prepared to give up our lives if their next trip to the cinema, or some other trivial thing, were at stake.ⁱⁱ What is more, though I would often willingly give a special other an extra bite of food rather than have it myself, and indeed it's pleasant for me to do so – this is meant of course just as a stand-in for a great many acts of a similar kind – it is no less true that there is much that I would *not* give up for special others. What exactly these things are will vary considerably among persons, among families and across cultures, and – within cultures – depending on whether the special other is a spouse, a child, a sibling, a friend or whatever it might be. Some parents for example will not give up space in the marital bed to a small child; others, who think this is a foolish thing to insist on, will not give their children money and insist that if the children want money they must go out and earn it. In some families, certain items of clothing – sweaters, say – are regarded more or less as common property and there is a culture of mutual borrowing; in others, these items are jealously guarded. Mothers (or indeed fathers) who are 'unstintingly generous' – as we say - with the time and effort they devote to caring for their young children nonetheless typically set aside certain times of the day which are inviolably theirs (that is, inviolably if there is no emergency), whether this is to have a rest, talk to a friend, or (in almost forgotten past ages) have a cigarette. Siblings share, and enjoyably share, a huge range of things but also have a strong sense of mine and thine: they can share a bath or a bed or hand-me-down clothes but may regard it as 'unthinkable' to share an ice cream or a Christmas present; all the more so, sometimes, for sharing a friend. Some friends and siblings ask and offer one another financial help of various sorts; in other friendships this would be regarded as overstepping a boundary, or as challenging the self-esteem of the friend or sibling in implying they could not fend for themselves. Of course boundaries of this sort are not always adhered to, but they are widely acknowledged even when they are not adhered to (in the form of blame, silent resentment, protest, apology and so on). These examples, which I assume are part of everyone's experience, could be multiplied endlessly. My point is not to defend any particular set of views about where, in relationships with special others, the boundaries between mine and thine should lie, and

therefore about where to locate the limits to the demands – often very trivial – which one person may properly make on another. It is rather that it is a generally accepted part of relationships with special others that there *are* boundaries of this kind, never mind where exactly they lie.

Nor, however, do I see these facts as a counterexample to, say, Bradley or Aristotle – as it were as proving, against them, that the ‘boundaries of the self’ really do end at the boundaries of each human being, and that after all the *only* morally interesting contrast is between self and *all* others. For insisting on the boundaries I have been trying to exemplify is only very misleadingly described as mere selfishness. The reason for this is that these boundaries do not, or at least need not, *compromise* the closeness of the relationships with special others that might otherwise be available. On the contrary, the existence of these boundaries is a good-making feature of these relationships, and sometimes indeed a good-making feature of them because it enhances their closeness. Here I don’t have in mind – though equally I do not wish to dissent from – David Velleman’s observation (1999: 353) that one can very easily ‘love someone whom one cannot stand to be with’, such as the ‘meddlesome aunt’ or the ‘cranky grandfather’ (ibid.). Supposing that the fact that a relationship is a love-relationship is itself a good, cases such as these show that the good of love can be realized without closeness – that is, without the parties to the relationship seeing anything much of each other, being involved in one another’s daily lives and so on. We could call the fact that I don’t share my mobile phone number with my meddlesome aunt, for example, an instance of a boundary between us so here, this boundary (and others like it) keep our relationship from being close, and yet (following Velleman) it can still be love. What I have in mind is the (common) type of case where the love-relationship *is* close. Precisely what that means will also be subject to considerable interpersonal and intercultural variation but it might include - for example - that we see each other enjoyably and often, we are relatively uninhibited in our emotional expressions with each other, share with one another thoughts, plans, games, ways of behaving which we share with few others. But there are boundaries nonetheless. Where these boundaries lie helps to determine the kind of love-relationship it is – a sibling relationship or parent-child relationship or a friendship or a marriage. And within each of these, their observance helps to make the love-relationship a good instance of the close relationship it is. In sum, there are boundaries designed to decrease closeness, but which are consistent with love (the cases which interest Velleman); but there are also boundaries the specific nature of which constitute a love-relationship as a closeness of this kind rather than that, and which make the close love-relationship a *good* close love-relationship of its kind.

It may be objected that though a close love-relationship can survive the existence of boundaries, any boundary nonetheless limits its closeness, and thereby the good realized by closeness. So, on this view, boundaried close relationships belong on a continuum with Velleman’s case of the meddlesome aunt. Just as in that case, various boundaries (e.g. on how often we see each other) destroy closeness though without destroying love, so in (e.g.) a relationship between spouses or parents and their small children, though boundaries don’t *destroy* closeness

(because the boundaries are less absolute than not sharing phone numbers, or never seeing one another), nonetheless there's always a trade-off between boundaries and closeness. In the background of this objection might be the thought that insofar as a boundary between two people is a matter of one or both persons holding themselves in reserve, or of their being some part or aspect of themselves that they fail to share, it must derogate from closeness. But if insisting on a boundary is *for the sake of* the relationship, it is not for the sake of one party to it alone, and therefore should not be described as selfish. To illustrate this point, it will perhaps be easiest to examine the case of parents and their small children, since here it is easy to illustrate the ways in which the non-observing of boundaries of the kind I have described, far from constituting a still better version of the same close relationship, partly constitutes the relationship going badly, i.e. being bad of its kind. But if the good foregone is the good of closeness, this seems like good evidence that there isn't – or needn't be - a trade-off between closeness and boundaries.

Parents' capacity (or, alternatively, incapacity) to put themselves first and to say 'no' to their small children is a staple of the psychotherapy literature, since this is a kind of problem which often brings parents and children to psychotherapists. Some of this literature reports parents' retrospective reports on their children made in the consulting room, some of it directly reports baby observations in the home, which are part of the child psychotherapist's training. Although this literature is not explicitly focused on ethical questions, it assumes – and for that reason also helpfully illustrates – the fact that the caregiver putting her- or himself first, in everyday non-emergency contexts whose outer limits are not explored, is a good thing for the caregiver/child relationship, because it's something the therapy aims to get caregiver and child to do (or to accept). So, here are some examples.

[Peter, aged 6] had never succeeded in sleeping on his own and slept permanently in his parents' bed. He had a variety of fears that kept him there, such as the sound of the rain on the roof, ... which apparently could never be challenged. During the day, Peter was described as a monster who would become violently out of control when he did not get his way. His physical attacks were ... reserved for his mother. (Schmidt Neven 2005)

[Kate, aged 1 year] used her mother as a kind of portable breast available at any time and in any place [She took] half-hourly 'sips' to gain reassurance [and would not let the mother go far away without protest. Though the mother was exhausted, she] seemed helpless to refuse; [as Kate's father was in prison, she also] seemed to rely on Kate to give her own life some sort of routine, security and meaning. This meant being at Kate's beck and call, and mother's growing exhaustion was ... the result of allowing herself to be used in this way. (Lubbe 1996)

Sarah, aged 15 months, 'completely refused to be weaned', as her parents put it. She 'had almost never been separated from her mother, day or night'; she clung to her mother and wanted the breast every ten minutes or so. Moreover, 'Sarah was too anxious to play and was completely silent'. In the therapist's view, both parents 'subscribed to the phantasy [sic] which unconsciously told them that the heavens would open if anyone said 'no' to Sarah'. However, in part by forming an alliance against the therapist and agreeing she (the therapist) was 'useless', the parents experienced a new solidarity with one another. Apparently because the mother could thenceforth rely on her husband for closeness as well as on her child, the parents found the strength to lay down the law – and discovered that the price of physical separation was not the loss of their emotional connection with their child. Three weeks later, 'Sarah was in her room, in her bed at night, and breastfeeding had diminished to an unremarkable level. ... [There emerged] a small girl who began to take a lively interest in the toys [the therapist] provided, ... and to talk'. 'Sarah's rage [which her parents had so feared] was a paper tiger because Sarah it seems, ... [gladly] complied with her parents' requests once they had made up their combined mind.' (Miller 2008; cp. Daws 1993: 77) ⁱⁱⁱ

Examples of this kind could be multiplied *ad infinitum*. Whether about sleeping arrangements or about weaning or some other thing, they all revolve around the distinction between those of the child's demands which it is proper for the parent to yield to, and those it isn't, and the topic of the demands is always something – a space in the bed, time together without the child, access to the mother's body – which the child wants, and which the parents (or one of them) would otherwise reserve to themselves. In other words they are all about the boundaries between mine and thine which, as I have said, are central to relations with special others. Moreover, the parents (initially) act as if these demands are proper and give in to them – for example because they think that not yielding would be selfish, for it would be to deny the child something it ought to have; or because it would compromise the closeness of their relationship with the child, because they would be withholding something from it; or because it would cause some nameless catastrophe. If that were the right way to see things, one would imagine that whatever its instrumental disadvantages (e.g. Kate's mother's exhaustion), at least the parents' *relationship* with the child would be maintained or enhanced by the parents' failure to say 'no'. But the opposite is the case: the relationships are conflictual (Peter's violence), or insecure (Kate's feeding 'to gain reassurance'; Sarah was silent and didn't play). Of course some of the badness in the relationship is instrumentally bad – exhaustion compromises parents' ability to do various *further* things for their children that need doing. But it is non-instrumentally bad too. The vignettes above are all miniature portrayals of parents and children *getting on badly*. Conversely, when the parents become able not to give in to the child's demands (that is, to insist on a boundary), things start to go better – for the child, but also between them and the child. But if insisting on reserving various things to themselves (space in the bed, their bodies, time etc.) were a case of mere selfishness on the parent's part, one would expect the reverse to be

the case, since selfishness compromises the goodness of a relationship. What the parents in the vignettes find it hard to learn (but eventually do learn) is precisely the theoretical point I made in answer to the objection above: that observing boundaries is not a case of selfishness.

As to why insisting on a boundary isn't a case of selfishness, because it is withheld for the sake of the relationship, we can compare games which involve turn-taking. In any such game, a player may have occasion to say 'now it's my turn'. That is of course an instance of insisting on what's theirs rather than the other player's – the turn – i.e. of insisting on a boundary. However, if it were never proper to insist on that, the game would not be a turn-taking game, but its being a game of that kind makes it a case of reciprocity, i.e. of joint or shared endeavour: it does not destroy the joint or shared endeavour. So, in such a game, insisting on the boundary helps to constitute the game as a case of shared endeavour, so insisting on the boundary is for the sake of that endeavour, not just for the sake of one of the players. The same is true, on a larger scale, of the varieties of no-saying in the vignettes. The parent's ability to say no enables the child to come to see the parent as not just a need-satisfier but as a person with wants, interests, purposes etc. of his/her own. The child and the parent seeing one another that way is an example of a relationship going well because it is a case of turn-taking writ large.

One could – optionally - dig one level deeper. Some of the therapists suggest that it is easier to say no if the underlying state of the relationship is good, or if the mother or father trusts in their own ability to give the child love – because if they do, saying 'no' to some particular demand doesn't appear to them to be a rejection of the child, or to be a token of their inadequacy in being able to give emotionally. It is *just* saying no to their feeding, or sleeping in their bed, or sitting in the front seat of the car. That is, one could say selfish is how these parents *feel* they are being – which is why they find saying no so hard. But the therapy teaches them that they shouldn't feel that way – the relationship gets better instrumentally and non-instrumentally when they are better able to insist on what's properly theirs and get the child to accept that. Indeed one might say that in describing the claims special others properly have on us as *not* being subject to limits of these familiar kinds, and thus describing the denial of these claims as instances of selfishness, philosophers are reproducing the parents' mistake at one remove. Of course – as the parents in the vignettes show – learning when one is not being selfish, when it is proper to say no even to a highly dependent intimate, can be very difficult. I suspect the fact that many of us have experienced difficulties of these kinds either as a normal part of growing up or as a normal part of being parents explains part – though not all - of the 'feel' of the argument around some of the consequentialist's favourite cases, i.e. when it is proper to say 'mine not yours'.

Be that as it may, in all these situations – and many others like them that do not involve parents and small children, but involve siblings, couples, friends and so on – withholding something the special other demands is not a case

of selfishness because although it involves A putting their own wishes, needs etc. above those of B, it is not a case of A denying B something – time, water, food, rest, money or whatever - to which they have a proper claim, in the name of A's having that thing to herself. This is not to say that there are not hugely many ordinary situations in which we (with varying degrees of pleasure) give things up for our special others, nor that the class of situations in which it is proper to affirm the boundaries I've tried to point to are not heavily if inexplicitly circumscribed by assumptions as to what defeats them – centrally, emergencies or crises of various kinds. Still, the cases show how the relationship goes worse when the demand is treated as if it is proper, and better when it's treated as if it isn't. Hence, the type of boundary between mine and thine I have described does not compromise the closeness of relationships with special others but, on the contrary, contributes to a close relationship's going well.

In the types of case typified by the vignettes, where no-saying not only enhances the relationship but also enhances its closeness, the point that boundaries are a good-making feature of relationships is perhaps most easily made. However, there are also cases where relationships are good, but less obviously modelled by the analogy of turn-taking games. Especially perhaps in the case of relations between adolescent or adult siblings, or between adolescent or adult children and their parents, it may also be proper to say, in rejecting a demand by the other, "I have a life of my own to lead", or the like. This *may* make the relationship better, in the sense that it may enable each to relate to the other as an independent adult. But insisting on a boundary in this way may not only create distance of a kind – that is what it is designed to do - but also at least temporarily damage the relationship, so an effort of reparation is needed to restore the relationship on this new basis. In such cases it is harder to argue that insisting on one's own time, space, friends or whatever it might be is partly constitutive of the reciprocity of the relationship. And if the relationship is restored on the new basis, it may well in some sense be less close than it was, for what one has insisted is one's own entitlement to a life that isn't a part of that relationship. So here again, as in Velleman's cases, being good-making and being closeness-enhancing come apart. And yet, as in the parent-infant cases, we frequently do allow and indeed encourage people to insist on boundaries of just this kind.

5. An improved demandingness objection.

Now, finally, let me try to relate these observations to the demandingness objection, both the particular version I singled out above and the 'common core'.

The particular demandingness objection I singled out says that consequentialism underrates the moral significance of the stranger/special other distinction. Moreover it does so because it models its conception of the demands it's proper for strangers to make on us on a conception of the demands it's proper for special others to make on us which both consequentialists and some of their usual opponents agree is correct. This conception of special others' proper demands is correct, these theorists agree, because special others are special in so far as we and they are

parts of a 'single unit', and so are not – in the relevant sense – separate from us; or because they constitute 'commitments' of ours; whereas strangers are or do not do so. Consequentialists go wrong, according to the demandingness objection, only in so far as what their opponents correctly say about special others, consequentialists (and also, according to Brink, Hegelians) also say about strangers.

In my view the shared conception of relations between ourselves and special others is mistaken, at least in so far as it says that the demands which it is proper for special others to make on us are limitless – essentially, it's fine to say 'no' to a stranger, but the specialness of special others is such that that is not fine.

I spent the last section arguing that relations between us and our special others are characterized by boundaries of various sorts between ourselves and them, and moreover that when in normal circumstances these boundaries are observed, this often makes these relations go well – and even when it may not (as in the sibling or adult child/parent cases) we are often inclined to say it is proper to insist on the boundary. With special others, it is often just fine to say (or 'say') 'no, that's mine not yours'.

So far so bad for the particular demandingness objection as I have characterized it. That is, the whole argument so far has striven to show that the demandingness objection rests on a conception of relations with special others which (a) proponents of the objection share with consequentialists, and (b) is false. Hence, the demandingness objection as I have characterized it fails.

However, I now propose to use the observations in the last section to revive what I take to be the 'common core' of demandingness objections to consequentialism, and which is independent of the false common assumption – namely that there is no demand strangers may not properly make on us if it increases aggregate goodness. That is, the objection I have discussed wants to resist the conclusion that strangers' proper demands are limited only by considerations of aggregate goodness *on the grounds that* special others' demands are so limited, and consequentialists mistakenly extend that thought to strangers. The objection I wish to revive wants to resist the same conclusion, but on different grounds.

The central thought is that it would be very odd if, in non-emergency cases, we were *more* at fault – more guilty of selfishness, or of unjustified partiality - in drawing boundaries between ourselves and strangers (that is, in insisting on the difference between mine and thine where strangers are concerned) than we are in drawing them between ourselves and our special others. For if we were, wherein would the specialness of the special others consist? Thus, the propriety of drawing the boundary must either be the same whatever the degree of closeness to us of the other person or, alternatively, lessen as the degree of their closeness to us increases. Presumably

consequentialists would choose the first alternative (i.e., closeness makes no moral difference), and many non-consequentialists would choose the second. So, in order to conduct the argument on assumptions maximally favourable to the consequentialist and thus to strengthen any potential case against the consequentialist, let us assume the first alternative is correct.

Now consequentialism says the propriety of drawing the boundary, including in non-emergency cases, is nil. That is, it is always improper to insist on the difference between mine and thine – for example, by not sharing some resource – simply for its own sake. (Of course if consequentialist calculation determines that aggregate goodness increases if I keep what was antecedently mine, then it is proper for me to keep it, but the fact that it was antecedently mine isn't a self-standing reason.) But as the argument of the last section shows, the propriety of drawing the boundary in non-emergency cases is *not* nil even where the others are special others. Hence, on the assumption that closeness makes no difference, the propriety of drawing the boundary in non-emergency cases is also not nil where the others are strangers. That is to say, it is proper to insist on differences between mine and thine as self-standing reasons for not sharing some resource with strangers; otherwise put, there are some demands on us which, otherwise than for reasons of aggregate utility, it is not proper for strangers to make. But consequentialism says that differences between mine and thine are *not* self-standing reasons for not sharing some resource with strangers; the proper demands on us of strangers are limited only by considerations of aggregate utility. So – as the 'common core' of the demandingness objection has it – consequentialism is mistaken on account of the demands it makes.

It is not clear, finally, how far any of this helps to smoothe away the demands which morality – as opposed to a consequentialist theorization of it – places on us. Certainly the phenomena to which I have drawn attention – the normality of 'boundaries between persons' when the persons are special others, and the fact that these boundaries do not detract from, but can on the contrary contribute to the specialness of the relationship – should help to explain why it feels so wrong to be told, as we frequently are, that the refusal to yield to moral demands is merely selfish. Nonetheless the overall argument above depends on a characterization of special others' proper demands on us which are circumscribed by an important but vague 'no emergencies' clause – i.e., in emergencies, much of the above does not apply. So any argument from what's true of special others to what's true of strangers that's grounded in the no-emergency case will lapse in an emergency. If the world is frequently in a state of known emergency (Ashford 2000), it will therefore lapse often. So often we may well owe to strangers what consequentialism says we owe. But if we do, then if the above argument is correct, it will at least be owed on a different basis to the basis advanced by consequentialism.

References

- Aristotle 1984. *Nicomachean Ethics*. Tr. W.D. Ross, rev. J.O. Urmson. In *The Complete Works of Aristotle* vol. 2. Revised Oxford Translation. Ed. J. Barnes. Princeton: Princeton University Press.
- Ashford, E. 2000. 'Utilitarianism, Integrity and Partiality', *The Journal of Philosophy* XCVII(8), 421-439.
- Benn, C. 2015. 'Over-demandingness objections and Supererogation'. In M. Van Ackeren and M. Kühler (eds.), *The Limits of Moral Obligations*. New York/London: Routledge, 68-83.
- Bradley, F.H. [1876] 2012. *Ethical Studies*. Cambridge: Cambridge University Press.
- Brink, David 1997. 'Self-Love and Altruism'. *Social Philosophy and Policy* 14, 122-57.
- Chappell, T. 2009. 'Introduction'. In T. Chappell (ed.), *The Problem of Moral Demandingness*. New York/Basingstoke: Palgrave Macmillan, 1-9.
- Daws, D. 1993. 'Feeding Problems and Relationship Difficulties: Therapeutic Work with Parents and Infants', *J. Child Psychotherapy* 19:2, 69-83.
- Guyau, M. [1885] 2008. *Esquisse d'une morale sans obligation ni sanction*. Paris: Allia.
- Harcourt, E. In press. 'Madness, Badness and Immaturity: Some Conceptual Issues in Psychoanalysis and Psychotherapy', *Philosophy, Psychiatry and Psychology*.
- Hills, A. 2010. 'Utilitarianism, Contractualism and Demandingness'. *Philosophical Quarterly* 60, 225-242.
- Hooker B. 2009. 'The Demandingness Objection'. In T. Chappell (ed.), *The Problem of Moral Demandingness*. New York/Basingstoke: Palgrave Macmillan, 148-62.
- Lubbe, Trevor 1996. 'Who Lets Go First? Some Observations on the struggles around Weaning', *J. Child Psychotherapy* 22:2, 195-213.
- Miller, Beth 2008. 'A Kaleidoscope of Themes: Intensive Psychotherapy with a Girl on the Autistic Spectrum', *J. Child Psychotherapy* 34:3, 397-8.
- Mulgan, T. 2001. *The Demands of Consequentialism*. Oxford: Oxford University Press.
- Mulgan, T. 2007. *Understanding Utilitarianism*. Stocksfield: Acumen.
- Murphy, L. 2000. : *Moral Demands in Nonideal Theory*. Oxford: Oxford University Press.
- Parfit, D. 1984. *Reasons and Persons*. Oxford: Oxford University Press.
- Pinheiro Walla, A., 2015. 'Kant's Moral Theory and Demandingness'. *Ethical Theory and Moral Practice* 18, 731-743.
- Price A., 1989. *Love and Friendship in Plato and Aristotle*. Oxford: Oxford University Press.
- Rawls, J. 1971. *A Theory of Justice*. Cambridge MA: Harvard University Press.
- Scheffler, S. 1982. *The Rejection of Consequentialism*. Oxford: Oxford University Press.
- Schmidt Neven, R. 2005, 'Under Fives Counselling: Opportunities for Growth, Change and Development for Children and Parents', *J. Child Psychotherapy* 31:2, 189-208.
- Sidgwick, H. 1907. *The Methods of Ethics*. London: Macmillan.
- Sobel, D. 2007. 'The Impotence of the Demandingness Objection'. *The Philosophers' Imprint* 7:8, 1-17.

- Swanton, C. 2009. 'Virtue Ethics and the Problem of Demandingness'. In T. Chappell (ed.), *The Problem of Moral Demandingness*, London: Acumen, 104-122.
- Van Ackeren, M. and M. Kühler 2015. 'Ethics on (the) Edge?'. In Van Ackeren, M. and M. Kühler (eds.), *The Limits of Moral Obligations. Moral Demandingness and Ought Implies Can*. New York/London: Routledge, 1-18.
- Van Ackeren, M. and M. Sticker, 2015. 'Kant and the Problem of Demandingness'. *Ethical Theory Moral Practice* 18, 75-89.
- Van Ackeren, M. In press. 'What Makes A Moral Obligation Demanding?' [present volume].
- Velleman, J. David 1998. 'Love as a Moral Emotion'. *Ethics* (109:2), 338-374.
- Williams, B. 1977. 'A Critique of Utilitarianism'. In JJC Smart and B Williams, *Utilitarianism: For and Against*. Cambridge: Cambridge University Press, 75-150.
- Williams, Bernard 1985. *Ethics and the Limits of Philosophy*. London: Fontana.
- Woollard, F. 2016. 'Dimensions of Demandingness'. *Proceedings of the Aristotelian Society* 116:1, 89-106.
- Yarov, S. 2017. *Leningrad 1941-2: Morality in a city under siege*. Tr. Arch Tait. Cambridge: Polity.

ⁱ I do not present any argument here as to how we should treat (plausible) pre-theoretical conviction in assessing ethical theories, simply on the grounds that any view on this question will bear equally on any (plausible) pre-theoretical conviction, and I am interested in unearthing a particular conviction or set of convictions that I think has been insufficiently attended to so far. Obviously if no pre-theoretical convictions deserve any weight in evaluating ethical theories, then this one won't, but it's still worth dragging the conviction out into the open and seeing what difference it might make, prior to this general methodological issue being settled.

ⁱⁱ I say 'let us suppose': there are situations where we may have to inhibit the desire to give up our lives for the sake of a loved one, because we know that if we did so, other loved ones would die – see some of the accounts in Yarov 2017. But if my argument goes through on the assumption that we would always lay down our own life for that of a special other, it will presumably go through if the assumption is waived, so I do not explore these tragic cases.

ⁱⁱⁱ Miller says both that Sarah's parents had been 'holding out against the paternal function' but also that 'even in the earliest stages of a baby's development there needs to be the growing intimation that there is a division between mother and infant'. That is, Miller officially subscribes to the idea that all life begins in psychic mergedness with the mother which the paternal function, if not the father in person, needs to disrupt for development to occur; but at the same time shows awareness of the limitations of this idea, in claiming that the 'division' between mother and infant *ought* to be there 'even in the earliest stages'. This is an uneasy theoretical compromise because if the latter claim is true, then healthy psychic life doesn't begin in mergedness, so if all goes well there's nothing for the 'paternal function' to do. See (Harcourt, in press). The myth of original mergedness is of course related to what I am claiming is the false picture of special relationships that underlies the particular version of the demandingness objection I'm examining – that in them, individuals are (ideally at least) not separate from one another.