

# AGAINST PARTIALITY

by

ROGER CRISP



The Lindley Lecture  
The University of Kansas  
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The E. H. Lindley Memorial Lectureship Fund was established in 1941 in memory of Ernest H. Lindley, Chancellor of the University of Kansas from 1920 to 1939. In February 1941 Mr. Roy Roberts, the chairman of the committee in charge, suggested in the *Graduate Magazine* that

the Chancellor should invite to the University for a lecture or a series of lectures, some outstanding national or world figure to speak on “Values of Living” — just as the late Chancellor proposed to do in his courses “The Human Situation” and “Plan for Living.”

In the following June Mr. Roberts circulated a letter on behalf of the Committee, proposing in somewhat broader terms that

The income from this fund should be spent in a quest of social betterment by bringing to the University each year outstanding world leaders for a lecture or series of lectures, yet with a design so broad in its outline that in the years to come, if it is deemed wise, this living memorial could take some more desirable form.

The fund was allowed to accumulate until 1954, when Professor Richard McKeon lectured on “Human Rights and International Relations.” The next lecture was given in 1959 by Professor Everett C. Hughes, and has been published by the University of Kansas School of Law as part of his book *Student's Culture and Perspectives: Lectures on Medical and General Education*. The selection of lectures for the Lindley series has since been delegated to the Department of Philosophy.

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# Against Partiality

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Our natural uncultivated ideas of morality, instead of providing a remedy for the partiality of our affections, do rather conform themselves to that partiality, and give it an additional force and influence. (Hume, *Treatise* 3.2.2.8)

There is a spurious benevolence too often taken for the genuine, which proceeds from violent attachments to particular persons: some will do anything for those they fancy, but nothing for those whose faces they do not like. This stands but one little remove from selfishness ... Sterling benevolence ... knows no bounds besides those of reason. (Tucker, *Light of Nature Pursued* 2.334-5)

Most of us believe that impartiality has a place in morality, in sharing a cake between several equally deserving children, for example, or in a judge's decision in a court of law. But many also hold, especially when it comes to benevolence,<sup>1</sup> that reasons can arise from certain special relations in which one stands to others, relations, as Henry Sidgwick puts it, 'where affection normally exists, and where it ought to be cultivated, and where its absence is deplored if not blamed'.<sup>2</sup>

According to Sidgwick, it is quite easy to list the categories of human beings to whom, according to common sense, we have (partial) reasons of benevolence:<sup>3</sup> our parents, spouse, children, and, to a lesser degree, our kin; beneficiaries and friends; neighbours and fellow citizens; those of our own race; and in general human beings 'in proportion to their affinity to ourselves'; our country, and smaller institutions we are involved in; those we come into contact with.<sup>4</sup>

Those who believe that moral reasons are *ultimately* impartial may well claim that we have *derivative* reasons to be partial in our emotions, dispositions, actions, and so on.<sup>5</sup> Utilitarians, for example, will argue that, given the happiness we find in partial relationships, their motivational effects, and the epistemic advantages in coming to know certain other people's interests especially well, we have reasons to enter into and to sustain partial relationships.<sup>6</sup> That these reasons are derivative is shown

by the fact that their grounds can be elucidated without attaching any special normative or evaluative weight to partial relations in themselves.<sup>7</sup>

Others, however, hold the view that there are ultimate partial reasons. One way to state the position is in the form of an unadorned basic principle:<sup>8</sup> another's being one's child or friend, say, is of straightforward, unmediated, and ultimate moral relevance, justifying deviation from impartial beneficence in its own right.<sup>9</sup> But of course it is also possible to provide further elucidation and defence. Consider, for example, Simon Keller's sophisticated and ecumenical defence of partiality, which incorporates elements of Kantianism in its account of the value of individual persons, and of consequentialism in its recognition that any distribution of partial responsibilities within any society has to be broadly justifiable from the impartial point of view.<sup>10</sup> Keller insists, however, that one cannot derive specific conclusions about partial reasons or obligations from an impartial principle on the one hand and specific descriptive premises about human nature and our current circumstances on the other. That is partly because of imprecision, but also because, as we can recognize from a 'particularist' understanding of our own experience in relationships with others, there are partial reasons which may outweigh impartial reasons based on what is valuable overall.<sup>11</sup> A father, for example, has stronger reason to fund treatment for his daughter's asthma than to meet the greater needs of certain children unconnected with him.<sup>12</sup> As Keller notes, this does introduce an element of what he calls 'primitivism' into his account: 'At some point, we need to say that certain moral standards of partiality simply do exist'.<sup>13</sup> And this brings us back to a basic principle of partiality.

Yet others offer defences of partiality which may appear to be derivative, but when specified turn out to be ultimate. Consider the views that one has ultimate reason to pursue one's ground projects, to fulfil one's commitments, or to participate in relationships one has reason to value.<sup>14</sup> These views, as stated, do not include any commitment to partiality: ground projects, commitments, and valuable relationships may be, and perhaps should be, entirely impartial. But current proponents of the views specify them with the claims that we have special and particular reasons to engage in certain partial ground projects, to make certain partial commitments, to participate in certain partial relationships.

One might distil Sidgwick's categories into three: kin or family relationships; personal, social, and political relationships; and the relationship between beneficiary and benefactor. I shall address each of these in separate sections below.<sup>15</sup> Sidgwick's reference to racist partiality, as standard within the philosophy of his time as in society at large,<sup>16</sup> is evidence of the point that he goes on to make: that the

difficulty of making partial reasons more precise is compounded by the great temporal and spatial variation in views of the scope and stringency of duties of benevolence.<sup>17</sup> But it also poses a general challenge for any defence of an ultimate reason of partiality. Though views of the scope of benevolence have indeed varied over time, the belief that race, broadly construed, is a morally relevant property has been widespread until relatively recently. An ancient Greek would have taken it as obvious that a Greek should give priority to Greeks, just as most of Sidgwick's white contemporaries took it as obvious that whites should give priority to whites. One important task for any contemporary defender of partiality is therefore to answer what one might call the *racial analogy challenge*,<sup>18</sup> by explaining the disanalogy between their favoured property and that of race, and bringing out the normative significance of the former.<sup>19</sup> That significance should be manifest on reflection. Imagine a case in which I am asked why I am offering a harmless painkiller to someone in agony. The fact that the painkiller will alleviate their agony stands up to reflection as an appropriate reason for giving it to them. The question is whether the relational properties used to justify partiality can survive the same scrutiny.

The racial analogy challenge is a problem in particular for defenders of ultimate reasons of partiality, since there may be a dialectical stand-off between the racist and the proponent of partiality to, say, children or friends.<sup>20</sup> Such a stand-off should be especially worrying to the defender of partiality when they consider that biological and cultural evolution have led us to be partial in some degree not only to our friends and family, but also to our own race.<sup>21</sup>

There are of course some obvious disanalogies between certain alleged grounds for partiality and race, thinly construed: certain kinds of shared history, for example.<sup>22</sup> But later I shall suggest that it may be these properties stand up to reflection as badly as race. Part of the point of the racial analogy challenge is to alert us to the possibility that the properties we now tend to take as grounding partiality may turn out to be as irrelevant as race, thinly construed, has turned out to be. Some authors have provided a broadly ethical response to the challenge. Samuel Scheffler, for example, suggests that we have no reason to value relationships that are 'degrading', 'demeaning', 'unhealthy', 'exploitative', or 'oppressive'.<sup>23</sup> But these notions seem too thin on their own to distinguish between relationships based on mere race and those based on, say, friendship. At this point, the mere (non-derivative) claim that standard personal relationships just are valuable is too close for comfort to the same claim about race, especially given that relationships of friendship and so on can be said to undermine human flourishing in the same way as actual racism,

by diverting resources to people who can derive less benefit from them than others.<sup>24</sup> But note that my primary aim in what follows is to suggest not that the racial analogy challenge *cannot* be met in the case of partial benevolence, but merely that *how it might be met* is a question worthy of serious consideration.

## 1. Kin

Sidgwick includes the duties arising from familial relationships in the same category as those based on race, both of them ‘arising out of comparatively permanent relationships not voluntarily chosen’.<sup>25</sup> His criticism of alleged familial duties focuses primarily on their unclarity.<sup>26</sup> We think parents have a special obligation to their children, but we also accept that they can go too far in benefiting them or in sacrificing themselves for the benefit of their children. How far is too far?

Consider the following case:

*My child.* I am outside a burning house, and can save either my child or some other child. All else is equal.

Many common-sense moralists will claim that it is obvious that I should save my child. Sidgwick himself would probably be unimpressed by this common-sense view:

[S]uppose that I am thrown with my family upon a desert island, where I find an abandoned orphan. Is it evident that I am less bound to provide this child, as far as lies in my power, with the means of subsistence, than I am to provide for my own children?<sup>27</sup>

The common-sense moralist, however, will insist that it is quite evident that there is an obligation to give priority to one’s own child at least in some circumstances — not perhaps to provide them with superior food, but certainly *in extremis* to save them rather than the orphan.

But is it a problem that the common-sense principle advocating priority to one’s children in certain cases will not give precise guidance in all possible cases? I suggest not, since Sidgwick’s insistence that any acceptable moral principle must be fully action-guiding in all possible circumstances is based on a false analogy between standards in philosophical ethics and in natural science. Consider the following passage:



[G]eneral rules and maxims may ... be found mutually inconsistent ... and here too conduct appears to us irrational, or at least imperfectly rational, not only if the maxims upon which it is professedly based conflict with and contradict one another, but also if they cannot be bound together and firmly concatenated by means of some one fundamental principle. For practical reason does not seem to be thoroughly realized until a perfect order, harmony, and unity of system is introduced into our actions.<sup>28</sup>

Sidgwick fails to learn from Aristotle that something analogous to perceptual judgement about particular cases is required for (at least, human) agency. Sidgwick accepts the need for such judgement at the level of ethical theory itself, advocating what he calls ‘philosophical intuitionism’, the view that ethics consists in the attempt ‘to enunciate, in full breadth and clearness, those primary intuitions of Reason, by the scientific application of which the common moral thought of mankind may be at once systematised and corrected’.<sup>29</sup> But even in the case of a relatively straightforward theory such as hedonistic utilitarianism judgement will be called for in particular cases properly to assess the intensity and duration of the pleasures and pains which the various options open to one will produce, and to weigh those factors against each other and compare them across options.

Should we, then, accept that parents have a reason to give priority to their own children? What might be the ground of this reason? First, note that it is as hard as it is in the case of racial similarities to see how a *mere* genetic relation, even a close one, can be normatively ultimately relevant.<sup>30</sup> Consider the following case:

*Lost sperm.* A man provides sperm for a randomized controlled trial. The test-tube containing the sperm is blown by wind from an open window into a package of test-tubes from sperm donors, which are then sent to a fertility clinic. The sperm is used to fertilize an egg, and a baby is later born. Several years later, the man finds himself outside a burning house, where he can save either his child or some other child. All else is equal.

It is difficult to believe that this man’s genetic relation to his child provides him with an ultimate reason to give priority to that child, whether

or not he is aware of the events leading to his genetic parenthood. Note that my argument is not meant to rest on our judgement of this case in particular. As we have already seen, there are different examples which might suggest the opposite conclusion. The point of this case, and indeed most of the other cases below, is heuristic: here, to enable us to see that, on reflection, mere biological relationships are morally irrelevant. By isolating them, we can see them for what they are.<sup>31</sup>

It might be claimed — by an Aristotelian perfectionist, perhaps — that a preference for one's own relatives over strangers is part of human nature and so to be acted on. But it may be that racism is also natural to human beings. That some action-type is characteristic of human beings is in itself irrelevant to whether there is a reason to engage in it.

It might be suggested also that the causal process leading to genetic parenthood is significantly more direct in this case than in standard cases (the same claim may be made against some of my other examples below). That is true; but degree of causal directness is, at least sometimes, morally irrelevant. If I kill you using some elaborate Rube Goldberg machine, that is as bad, other things being equal, as my stabbing you to death (this is not to deny that the latter may be evidence of a worse character). In other words, the onus here is on the objector to explain the moral significance of causal indirectness, at least in this case, and as yet no general attempt to explain such significance has won anything close to widespread acceptance.

The case I have been discussing involves the bringing of a new individual into being. Perhaps my conclusions will not carry across to cases of partiality involving already existing individuals. But consider:

*Siblings.* Sperm is donated in a fertility clinic and used to fertilize two donor eggs from the same woman. The resulting fetuses are gestated by two different women, and none of the parties involved ever meet. Several years later, one of the children finds herself outside a burning house, where she can save her sibling or some other person. All else is equal.

Again, it is hard to see why the genetic relation between these two individuals grounds any reason for priority.

I accept that *Lost sperm* is a non-standard instance of parenthood. Usually, the birth of a child is a result of certain intentional, voluntary actions by the parents, often consisting in an attempt to produce a child whom they will nurture. Could such action itself provide a reason in

favour of priority to one's own children?<sup>32</sup> Sidgwick does consider such a view, but claims that it implies that parents have a right to diminish the happiness of their children to any non-negative level, even to the point of killing them painlessly if their life as a whole has been above the zero level. Children treated in this way, he suggests, could have no complaint against their parents, since without them they would not have existed at all. But this is to assume that parents owe their children only a life at or above the zero-level. It could be that morality requires parents to make their children's lives as good as possible, or at least as good as most would think reasonable in the circumstances.

Consider now:

*Stolen sperm.* A man provides sperm for a randomized controlled trial. The test-tube containing the sperm is subsequently stolen and used in a clinic to fertilize an egg, and a baby is later born. The thief plans to kidnap and nurture the baby, but fails, and the child is brought up by its mother. Several years later, the thief finds himself outside a burning house, where he can save either the child he intentionally and voluntarily caused to exist, in the hope of nurturing it, or some other child. All else is equal.

The mere fact that this thief has caused a child to exist with the intention of nurturing it seems insufficient to ground a reason for him to give its interests priority over those of others. Again, however, this is an unusual case. Parents often love and care for their children, benefiting them in various ways, and that loving care is often reciprocated. This, along with the fact that most believe the duties of adoptive parents are no less stringent than those of genetic parents, suggests that alleged reasons to favour one's kin may be better understood as based on personal or social rather than merely biological or causal relationships.<sup>33</sup> And it may be that alleged reasons for children to favour their parents are also reasons of gratitude, at least in cases in which the lives of the children are above the zero level or some higher threshold. So let me consider such potential bases for reasons in general.

## **2. Personal, Social, and Political Relationships**

In a *Burning House* case analogous to that above, most would accept that the fact that one of the people one can save is one's friend is a reason to give them some priority. What is that reason grounded on? One answer

is the non-derivative claim that friendship itself has basic normative relevance, or that it is a 'role obligation' of a friend to be partial.<sup>34</sup>

This response faces the racial analogy challenge. But one obvious disanalogy between racism and friendship is that the former tends not to involve affection, and if it does then any such affection will probably be below some relevant threshold. Is a defence of partial reasons based on affection an ultimate or a derivative defence? If the claim is that liking X gives one some ultimate reason to give priority to it (e.g. the fact that one likes this vase gives one ultimate reason to save it rather than some other vase), it seems structurally analogous to derivative views based on utility, ground projects, or commitments. But if the claim is that (partial) affection between friends (say) is what grounds a partial reason, it seems to be claiming that reasons for friendship are ultimate, the reason-giving property being the existence of the kind of affection characteristic of friendship.

It is true that a defender of affection-based partiality might have to admit that in very unusual cases, in which a person feels deep affection for those of her own race, racist partiality is justified. Further, racism can be based on hatred, and if affection justifies partiality in another's favour, then we might expect hatred to justify partiality towards the non-hated. But we can anyway see that affection alone, of whatever strength, seems insufficient to justify partiality. Consider the following case:<sup>35</sup>

*Titania.* Titania wakes. The first person she sees is Bottom. The second person she sees is Top. Because of the magic juice Oberon has sprinkled in her eyes, she has developed a deep affection for Bottom. Both Bottom and Top are in a burning house, and she can save only one of them. All else is equal.

Titania's affection for Bottom is a highly contingent psychological fact about her.<sup>36</sup> Had she seen Top first, she would have felt the same affection for him instead. Now it is not the case that her new affection for Bottom is of no practical significance for her. Imagine, for example, that for some reason she has to choose to marry either Bottom or Top. She has a straightforward self-interested reason to marry Bottom, since that relationship is likely to be happier and more successful than a relationship with Top. The question is whether her affection for Bottom would provide an ultimate justification for her giving *moral* priority to Bottom over top, and it is hard to see, on reflection, why it should.<sup>37</sup> Consider an analogous case, in which a judge finds herself liking one of two defendants much more than another. After the trial, if, for some unusual

reason, she has to spend a few minutes with one or other defendant, it might well be reasonable for her to choose to spend that time with the one she likes more, if we assume that neither defendant cares whether she chooses them or not. But if both defendants are found equally guilty, her greater liking for one is irrelevant to her judicial decision. What the *Titania* case shows, I suggest, is that in the domain of benevolence also mere affection can be placed in the same category of morally arbitrary and irrelevant properties as biological and causal relations. Nor does it matter if the affection in question is reciprocated (imagine that Oberon had caused Bottom to feel for Titania what she feels for him). The mere fact that two people feel affection for each other is not a good reason for either of them to give the object of their affection moral priority.

It might be objected that ordinary relations of affection are not like this. They are not usually brought about through manipulation, nor is their origin as independent of a person's qualities. But ordinary relations of affection are not up to us. We just find ourselves liking or loving some people, and not others; so the role of Oberon in the story is not essential.<sup>38</sup> And we may like or love someone just because we find ourselves liking or loving some apparently non-evaluative feature of them: their smile, the sound of their laughter, the colour of their hair. But do we not, at least in many cases, feel affection for someone *because* of certain *good* or '*loveable*' qualities they have?<sup>39</sup> I might love my wife, for example, because she is beautiful, kind, and witty. But in that case why should I be partial to my wife, and not to those who are beautiful, kind, and witty? (Imagine that in the *Titania* case, both Bottom and Top were both equally well worthy of Titania's love.) And if it is claimed that I should prioritize these groups, we can anyway ask why should they be given any moral priority, except in so far as their kindness and other beneficial qualities are the result of free and voluntary actions they have taken, in which case we are talking not about duties based on personal or social relations, but about duties based on moral desert.

Personal and other social relationships often involve not merely affection, but engagement in joint activities. Could the relevant normative work be done purely by the conversations and other joint activities characteristic of such relationships? Consider the following case:

*Red and Yellow.* Red and Yellow are twins. I have had one short, insignificant conversation with Red, in a cinema queue. We developed no special concern for one another. I have never met Yellow. I now find myself standing in front of a burning house, able to save either Red or Yellow. All else is equal.

If we assume that the activities and conversations characteristic of personal and social relationships are sufficient to justify partiality, then we might expect there to be some — admittedly weak — reason for me to favour Red. But there seems to be no such reason. Here the partialist may appeal to long-term projects — what Bernard Williams calls ‘commitments’<sup>40</sup> — that involve one person in the life of another over time, and with which that person will be deeply identified. Niko Kolodny, for example, has argued that one’s reason for loving some other person is the ongoing history that one shares with them, and that such love grounds special concern for and partiality to that person.<sup>41</sup>

Consider first the following case:

*Blue and Green.* Blue and I work together for many years, collaborating on many projects. We engage daily in many activities and conversations, some of them characteristic of friendship, and sometimes outside of work, in group outings. Though there is no spark in our relationship, we do not dislike one another in the slightest. We just feel no special concern for one another; nor do we have any commitments to one another, or reasons to be grateful. I have never met Green. I now find myself standing in front of a burning house, able to save either Blue or Green. All else is equal.

I see no reason for me to give priority to Blue over Green. But this case does not involve affection. So now consider:

*Titania 2.* Titania 2 engages daily in joint activities and conversations characteristic of friendship, with two individuals, Bottom 2 and Top 2, though she feels no affection for either of them. Oberon 2 sprinkles some magic juice into Titania 2’s eyes while she is asleep, which will ensure (i) that she comes to develop deep affection for the first person she sees with whom she is daily engaging in joint activities and conversations characteristic of friendship, and for whom she currently feels no special affection, and (ii) that Titania’s feelings will come to be reciprocated by this person. When Titania 2 wakes, the first person she sees is Bottom 2. After some time, she has to decide

between saving Bottom 2 and Top 2 from a burning house. All else is equal.

It does not seem unreasonable for Titania 2, before Oberon's intervention, to have felt no affection for either Bottom 2 or Top 2, nor for them to have felt none for her. The cases of Titania, and Blue and Green, suggested respectively that neither mere affection nor a shared history can ground partiality. That of Titania 2 suggests that the same is true of the affection that often develops when people share histories. Note that this is not to say that such affection is unreasonable or objectionable in itself. What is unreasonable is believing that such affection grounds reasons to discriminate against those for whom one feels no such affection.

### 3. Gratitude

But what about gratitude? Consider the following case:

*My benefactor.* I am outside a burning house, where I can save one of my major benefactors, or a stranger. All else is equal.

Many will believe that I have stronger ultimate reason to save my benefactor. If I have benefited from someone's else's actions, would it not be objectionably ungrateful not to give them some degree of priority in my practical reasoning?

Sidgwick accepts that the duty of gratitude is recognized within every morality, but again claims that the demands of any such duty are too unclear for it to be accepted as solidly based on intuition.<sup>42</sup> As Sidgwick goes on to say, it is plausible to think that in standard cases gratitude requires some kind of 'equal return'. But should we be requiring the effort made by the benefactor, or the service actually provided? One obvious answer is that both ought to be considered. Sidgwick discusses only a rather peculiar version of this view, according to which a beneficiary ought to consider both and then select whichever option requires more from them. He then turns to the purely service-based view, and rightly points out that we would not think that a rich person saved from drowning by a poor ought to give as a reward whatever she would have been prepared to pay in advance for her life. He concludes: 'Something between the two seems to suit our moral taste: but I find no clear accepted principle upon which the amount can be decided'.

On reflection, it seems that gratitude should be seen entirely as a matter of intention on the part of the benefactor, rather than the service

provided. Imagine, for example, that both P and Q sought to benefit me, by sending me a cheque, but Q's cheque was lost in the post.<sup>43</sup> Though *in fact* I shall probably be more grateful to P than to Q, and be more likely to reciprocate and to offer more in return, this seems quite unreasonable. Why should Q lose out just because of an inefficient postal service?<sup>44</sup>

Should we, then, understand gratitude in terms of the 'quality of will' of a benefactor, to use P.F. Strawson's phrase?<sup>45</sup> To deal with the lost cheque case, we might think that my duty of gratitude is not to those who actually benefit me, but to those who attempt to benefit me. Consider now the following case:

*Potential benefactors.* I am outside a burning house, and can choose to save only one of the following: my benefactor, P; Q, who tried to benefit me and failed; or R, who, given the opportunity, would have tried as hard to benefit me as P and Q. All else is equal.

It would seem unreasonable to treat R differently from P or Q, since the quality of her will towards me is as good as that of P and Q.

Now consider a further case (*Potential benefactors 2*), the same as *Potential benefactors*, except that I can also choose to save another stranger, S, who *would not* have benefited me, given the opportunity, but only because they had been given certain drugs without their knowledge. Without those drugs, they would, given the opportunity, have benefited me. Again, it would seem unreasonable to treat S differently from R, since her failure to be well disposed to me is not her fault. What might seem to matter, then, is not the mere quality of a person's will, but the quality of a person's unmanipulated will.

Consider one further case (*Lack of concern*), in which there is another stranger, T, who would not have benefited me and who has not been manipulated by others. Here we have the intuition that it would not be unreasonable to give priority to P, Q, R, or S over T, perhaps choosing which of the four to benefit by lot. The quality of T's will is less good than that of the others, but this is almost certainly to some practically relevant degree because of factors beyond T's control. T is like she is in part because of her genetic predisposition to concern for others, her early experiences, her moral education, various events that have taken place, and so on. It may be that her own choices and decisions have affected her current character, but the fact remains that had things gone differently the quality of her will could have been the same as the others. For that reason



it seems unreasonable to discriminate against her, or indeed anyone else, in distributing benefits on the basis of gratitude.

#### 4. Conclusion

I have sought primarily to show that it is not unreasonable to question whether we have ultimate partial reasons to give priority to our kin, those with whom we are in certain personal, social, and political relationships, and our beneficiaries. Since most of us feel strongly inclined to be partial, it is indeed, as Scheffler suggests,<sup>46</sup> hard to imagine even this relatively modest view's becoming widely accepted. But that is more a point about us, our nature and our evolutionary and cultural histories, than about the plausibility of partialism about benevolence.<sup>47</sup>

#### Notes

1. Since I am speaking of reasons to act rather than merely to wish good on others, 'beneficence' might be thought more apt than 'benevolence'. But benevolence is usually taken to include doing good. The OED runs the two together in its primary definition, though the definition of beneficence confines it to action.

2. *The Methods of Ethics* (7<sup>th</sup> edn., London: Macmillan, 1907), p. 243. Sidgwick is here describing common-sense morality, not accepting it, and primarily identifying the subject of his discussion (his 'normally' allows that individual relationships may be reason-giving even in the absence of affection). All references to the *Methods* are to this edn. unless stated otherwise. Note also that, though my main focus is on reasons, the difficulties for partiality I raise arise also for alleged duties of partiality, or prerogatives or permissions to be partial.

3. *Methods*, pp. 246-7.

4. Sidgwick adds that those in urgent need have a special claim on us. He is discussing benevolence in general, and this duty might plausibly be characterized as impartial.

5. Cf. the distinction between reductionist and non-reductionist defences of partiality in N. Kolodny, 'Which Relationships Justify Partiality? General Considerations and Problem Cases', in B. Feltham and J. Cottingham (eds), *Partiality and Impartiality: Morality, Special Relationships, and the Wider World* (Oxford: Oxford University Press, 2010, 169-93), pp. 170-77.

6. *Methods*, pp. 432-6.

7. Some utilitarians have held that personal relationships themselves are constituents of well-being; see e.g. D. Brink, *Moral Realism and the*

*Foundations of Ethics* (Cambridge: Cambridge University Press, 1989), pp. 233-4. This defence of partiality is perhaps best classified as a view that, though it may appear ultimately impartial, turns out to be partial when specified; see main text below. Since I am concerned with benevolence as a source of moral reasons, I see as derivative the view that there is a self-interested reason to be partial because it promotes one's own good. Such a view may perhaps be found in E. Lord's recent defence of partiality: 'In order for creatures like us to fully thrive, we must participate in partial relationships with things that are valuable' ('Justifying Partiality', *Ethical Theory and Moral Practice* 19 (2016: 569-90), p. 584).

8. For a brief discussion of such positions, see S. Keller, *Partiality* (Princeton: Princeton University Press, 2013), pp. 9-11.

9. See e.g. W.D. Ross, *The Right and the Good* (Oxford: Clarendon Press, 1930), p. 19; T. Jollimore, *Friendship and Agent-relative Morality* (New York: Garland, 2001), pp. 9-10, 162-3; for criticism, see R. Arneson, 'Consequentialism vs. Special-ties Partiality', *Monist* 86 (2003: 382-401), pp. 395-6.

10. *Partiality*, pp. 92-7, 101-8.

11. *Partiality*, pp. 98-101, 104-5.

12. *Partiality*, pp. 110-11.

13. *Partiality*, p. 111; see p. 114.

14. See e.g. S. Stroud, 'Permissible Projects, Partiality, and Plural Agency', in Feltham and Cottingham (eds), *Partiality and Impartiality: Morality, Special Relationships, and the Wider World* (131-49); D. Jeske, *Rationality and Moral Theory: How Intimacy Generates Reasons* (New York: Routledge, 2008), ch. 4; S. Scheffler, *Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought* (Oxford: Oxford University Press, 2001), ch. 6.

15. My discussion of the second category will focus in particular on love and friendship, on the assumption that doubts about these will extend to more distant relationships, such as those of neighbours or fellow citizens.

16. See e.g. A. Barratt, 'The "Suppression" of Egoism', *Mind* 2 (1877: 167-18), p. 185: 'Besides his relation to nature which constitutes him an individual and gives content to his simplest Egoism, [man] is a member of a family, a profession, a social circle, a race, a country, and finally of an ideal society within his breast'. Race is mentioned by Scheffler as a currently accepted ground for a claim to at least certain forms of partiality (*Boundaries and Allegiances*, p. 64).

17. Noting how Sidgwick held out against 'the overwhelming tide of neo-Darwinian racism', B. Schultz speaks also of the 'breathtaking

fatuity with which Sidgwick designates unfamiliar peoples “lower” or “semi-civilised” or “savage”, with perfect insouciance consigning their ways of life to extinction’ (*Henry Sidgwick: Eye of the Universe* (Cambridge: Cambridge University Press, 2004), pp. 639-40).

18. See e.g. J. Cottingham, ‘Partiality, Favouritism and Morality’, *Philosophical Quarterly* 36 (1986: 357-73), p. 359; J. Rachels, ‘Morality, Parents, and Children’, repr. in *Can Ethics Provide Answers?* (Lanham: Rowman and Littlefield, 1997, 231-33), p. 216; C. Wellman, ‘Relational Facts in Liberal Political Theory: Is there Magic in the Pronoun “My”?’’, *Ethics* 110 (2000: 537-62), pp. 552-3; Kolodny, ‘Which Relationships Justify Partiality? General Considerations and Problem Cases’, p. 170.

19. I am understanding ‘racism’ here in a thin and ahistorical way, as merely the view that an agent always has a non-derivative reason to give some moral priority to members of her own race, the intended implication of the challenge being that this property is often as irrelevant as, say, the fact that someone was born on a Thursday. Racism so construed is consistent, for example, with valuing to some degree members of other races or their ways of life (cf. T. Jollimore, ‘Friendship without Partiality?’, *Ratio* 13 (2000: 69-82), p.81). In his ‘Egoism’ (printed as an appendix to S. Rachels and T. Alter, ‘Nothing Matters in Survival’, *Journal of Ethics* 9 (2005, 311-30)), J. Rachels argues that the preference for oneself over others is analogous to racism of the kind I have in mind. I leave aside also forms of racism according to which all ought to give some priority to one particular race or sub-set of races.

20. Utilitarians do have to deal with the objection that they may require racism in practice. But they do not have to defend any disanalogy between racism and other partial relations; for them, all such relations are, if important, only derivatively so.

21. On the implications of human evolution for our view of partiality, see the discussion of P. Singer and K. Lazari-Radek’s paper ‘The Objectivity of Ethics and the Unity of Practical Reason’ on the PEASoup blog: <http://peasoup.typepad.com/peasoup/2012/12/ethics-discussions-at-pea-soup-katarzyna-de-lazari-radek-and-peter-singer-the-objectivity-of-ethics-1.html> On racism, see e.g. M.P. Burns and J.A. Sommerville, “‘I Pick You’”: The Impact of Fairness and Race on Infants’ Selection of Social Partners’, *Frontiers of Psychology* 12 February 2014, <https://doi.org/10.3389/fpsyg.2014.00093>.

22. See e.g. Kolodny, ‘Which Relationships Justify Partiality? General Considerations and Problem Cases’, p. 189

23. *Boundaries*, p. 107; note also his ‘Projects, Relationships, and Reasons’, in R.J. Wallace, P. Pettit, S. Scheffler, and M. Smith (eds),

*Reason and Value: Themes from the Philosophy of Joseph Raz* (Oxford: Clarendon Press, 2004, 246-69), p. 258, n. 10.

24. See Scheffler, *Boundaries*, pp. 58, 107. Impartial views such as utilitarianism have long been criticized for their lack of realism: human beings, it is said, are just not capable of pure impartiality. That may well be true, but it is also the case that they are capable of significantly greater impartiality. Consider Christmas. Deloitte (<https://dupress.deloitte.com/dup-us-en/industry/retail-distribution/holiday-retail-sales-consumer-survey.html?id=us:2em:3na:holiday:dup3524:awa:cip:102616>) estimate that in 2016 US citizens spent \$1 trillion during the Christmas period, much of which will have been on gifts for family, friends, and colleagues. If we accept Jeffrey Sachs's claim that to end extreme world poverty in twenty years would cost around \$175 billion p.a. (*The End of Poverty: How We Can Make it Happen in our Lifetime* (New York: Penguin, 2005)), then it seems that Americans would need to channel less than one fifth of their current Christmas spending into overseas development to bring to an end within two decades the terrible injustice and suffering caused by extreme world poverty. Arguments for partiality often appeal to its benefits (see e.g. Scheffler, *Boundaries*, p. 63); but in its present form its costs, like those of racism and other widely criticized forms of partiality, are enormous. As I have noted, impartialists justify some forms of partiality derivatively with reference to their benefits. Given both the benefits of partiality, and the costs of the extreme partiality now practised across the world, the practical implications of a philosophically impartialist view and of a plausible philosophically partialist view are likely to be much closer than philosophical defenders of partiality tend to suggest.

25. *Methods*, p. 248. Sidgwick includes his discussion of parental duties to children under this heading, perhaps because, unlike those of friendship, such relationships are not voluntarily chosen relationships with already existing individuals. He does not go on to discuss race further, claiming that 'it would be tedious to go in detail through all the degrees of consanguinity', and that the more remote the degree, the more vague the alleged duty.

26. *Methods*, pp. 248-54; 345-9.

27. *Methods*, pp. 346-7.

28. Sidgwick, *The Methods of Ethics* (1<sup>st</sup> edn., London: Macmillan, 1874), pp. 25-6.

29. *Methods*, pp. 373-4.

30. See e.g. D. Archard, 'What's Blood Got to Do with It? The Significance of Natural Parenthood', *Res Publica* 1 (1995: 91-106); M. Austin, 'The Failure of Biological Accounts of Parenthood', *Journal of Value*

*Inquiry* 38 (2004: 499-51), pp. 499-500; N. Kolodny, 'Which Relationships Justify Partiality? The Case of Parents and Children', *Philosophy and Public Affairs* 38 (2010: 37-75); T. Rulli, 'Preferring a Genetically Related Child', *Journal of Moral Philosophy* 6 (2016: 669-98), p. 692. As always, it is important to ask a proponent of the normative significance of the genetic relation whether it grounds an ultimate or merely derivative reason. Kolodny (pp. 70-73) provides a suggestive argument for ultimate significance based on an analogy with egoistic concern. The argument is of course double-edged: the case below suggests that any attempt to base the rationality of egoistic concern on a diachronic genetic relationship will itself fail. D. Brink's arguments for partiality based on analogies with the rationality of self-interest are also double-edged in this way; see 'Rational Egoism, Self, and Others', in O. Flanagan and A. Rorty (eds), *Identity, Character, and Morality* (Cambridge, MA: MIT Press, 1990, 339-78), pp. 339-78; 'Self-love and Altruism', *Social Philosophy and Policy* 14 (1997: 127-57), pp. 138-41; 'Rational Egoism and the Separateness of Persons', in J. Dancy (ed.), *Reading Parfit* (Oxford: Blackwell, 1997, 96-134), pp. 126-8; 'Impartiality and Associative Duties', *Utilitas* 13 (2001, 152-72), pp. 166-9. For a helpful account of the social bases of belief in the significance of genetic ties, see S. Haslanger, 'Family, Ancestry and Self: What is the Moral Significance of Biological Ties?', *DSpace@MIT* (2009), <https://dspace.mit.edu/handle/1721.1/64650>.

31. It might be claimed that the some of the various factors I isolate may be morally relevant when brought together in a single case. They may be, but some argument would be required to show how two morally irrelevant properties could combine to become morally relevant. Note also that the unusual nature of the cases helps avoid our assessment of them being distorted by common-sense intuitions concerning partiality of the very kind we are seeking to hold up to the light (e.g. our view that a long-lost child who knocks on our door asking to meet us should not be treated like a mere stranger).

32. See e.g. O. O'Neill, 'Begetting, Bearing, and Rearing', in O. O'Neill and W. Ruddick (eds), *Having Children: Philosophical and Legal Reflections on Parenthood* (New York: Oxford University Press, 25-38); D. Archard, 'The Obligations and Responsibilities of Parenthood', in D. Archard and D. Benatar (eds), *Procreation and Parenthood: The Ethics of Rearing Children* (New York: Oxford University Press, 2010, 103-27), pp. 100-11; L. Porter, 'Why and How to Prefer a Causal Account of Parenthood', *Journal of Social Philosophy* 45 (2014: 182-202), pp. 191-8; S. Olsaretti, 'Liberal Equality and the Moral Status of Parent-Child Relationships', in D. Sobel, P. Vallentyne, and S. Wall (eds), *Ox-*

*ford Studies in Political Philosophy*, vol. 3 (Oxford: Oxford University Press, 2017, 58-83); L. Ferracioli, 'Procreative-parenting, Love's Reasons and the Demands of Morality', *Philosophical Quarterly* 68 (2018, 77-97).

33. See e.g. D.Jeske, 'Families, Friends, and Special Obligations', *Canadian Journal of Philosophy* 28 (1998, 527-56). I take the merely biological aspects of the gestational relationship to be open to counter-examples similar to those in this section. The concern felt by a gestational parent I am assuming to be analogous to the social relationships discussed in the following section. For a helpful discussion of the distinction between genetic and gestational parenting, see A. Gheaus, 'Biological Parenthood: Gestational not Genetic', *Australasian Journal of Philosophy* 96 (2018: 225-40).

34. See M.O. Hardimon, 'Role Obligations', *Journal of Philosophy* (1994: 333-63), p. 336.

35. For a similar case, see that of 'Fred Simmons', in N. Kolodny, 'Love as Valuing a Relationship', *Philosophical Review* 112 (2003, 135-89), pp. 144-5.

36. Contingency itself is not objectionable, of course. My promise to you may be a contingent matter. But that — if there is an ultimate duty to keep promises — makes my duty to you to fulfil that promise grounded and non-arbitrary in a way that Titania's alleged partial reason is not.

37. It may be suggested by a defender of a broadly 'internalist' view of reasons that Titania's concern for Bottom grounds a reason of partiality (see B. Williams, 'Internal and External Reasons', repr. in his *Moral Luck* (Cambridge: Cambridge University Press, 1981), 101-13). It is unclear how such a version of internalism can answer the racial analogy challenge.

38. Some might claim that what happens to Titania is especially objectionable since her will is dominated by another person. A version of the story could then be told in which the juice happens to drip as sap from an overhanging branch.

39. For a good defence of this view as applied to romantic love, see S. Keller, 'How do I Love Thee? Let me Count the Properties', *American Philosophical Quarterly* 37 (2000: 163-73); For a helpful critical account of the view in general, see Kolodny, 'Love as Valuing a Relationship', pp. 138-42. The role of attachment to what is impersonally valuable in creating meaning is elucidated in J. Raz, *Value, Respect, and Attachment* (Cambridge: Cambridge University Press, 2001), p. 19.

40. 'A Critique of Utilitarianism', in J. Smart and B. Williams, *Utilitarianism: For and Against* (Cambridge: Cambridge University Press, 1973, 77-150), pp. 113, 116; 'Persons, Character, and Morality', repr. in

*Moral Luck* (Cambridge: Cambridge University Press, 1981, 1-19), pp. 12, 14, 16. See S. Wolf, 'Morality and Partiality', *Philosophical Perspectives* 6 (1992): 243-259.

41. Kolodny, 'Love as Valuing a Relationship', pp. 135-6, 162-3; Which Relationships Justify Partiality? General Considerations and Problem Cases', pp. 182-4. See also Brink, 'Self-love and Altruism', p. 143; 'Eudaimonism, Love and Friendship, and Political Community', *Social Philosophy and Policy* 16 (1999, 253-89), pp. 266, 270; 'Impartiality and Associative Duties', *Utilitas* 13 (2001, 152-72), pp. 159-64; N. Delaney, 'Romantic Love and Loving Commitment: Articulating a Modern Ideal', *American Philosophical Quarterly* 33 (1996: 375-405), p. 96.

42. *Methods*, pp. 259-61.

43. The case is adapted from P. Abelard, *Ethics*, in *Peter Abelard's Ethics*, ed. D. Luscombe (Oxford: Clarendon Press, 1971), 48.13-30.

44. My argument against gratitude in this section is analogous in certain ways to what Scheffler calls 'the distributive objection' to the claim that we have certain special responsibilities to others (see e.g. *Boundaries*, pp. 83-6). But my suggestion is not that priority based on gratitude is unfair, since this is consistent with there being a pro tanto reason to give such priority, but that the notion of gratitude is internally undermining to the point of practical irrelevance. I am relying on a broader version of what Adam Smith calls the 'equitable maxim', according to which blameworthiness and praiseworthiness depend on a person's intentions, not on irrelevant factors over which they have no control (see *The Theory of the Moral Sentiments*, ed. D. Raphael and A. Macfie (Indianapolis: Liberty Fund, 1982), II.iii.intro.1-5). The maxim I have in mind applies to rewards other than praise, and is a matter not of equity or justice, but of reasonableness. It seems plain unreasonable to give someone priority over another merely because, by accident, she has succeeded in benefiting one. Here we see the same arbitrariness and contingency as in the Titania cases above. (The problem for partiality of differential luck is well stated by Rachels, 'Morality, Parents, and Children', pp. 214-16.)

45. 'Freedom and Resentment', repr. in Gary Watson (ed.), *Free Will* (Oxford: Oxford University Press, 2<sup>nd</sup> edn., 2003, 72-93), p. 83.

46. *Boundaries*, p. 42.

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