DEONTIC RESTRICTIONS ARE NOT AGENT-RELATIVE RESTRICTIONS*

By Eric Mack

I. INTRODUCTION

The primary purpose of this essay is to offer a critique of a particular program within moral and political philosophy. This program can be stated quite succinctly. It is to account for agents' being subject to deontic restrictions on the basis of their possession of agent-relative reasons for acting in accordance with those restrictions. Needless to say, the statement of this program requires some further explication. Specifically, two claims require explanation: (1) the reasons individuals have for or against engaging in particular actions are, at least to a very significant extent, agent-relative rather than agent-neutral; and (2) agents' conduct toward others is subject to deontic restrictions. Finally, (3) I need to explain why an agent's possession of agent-relative reasons for performing or refraining from certain actions may be thought to explain that agent's being subject to certain deontic restrictions.

1. To explicate the idea of agent-relative reasons and the contrasting idea of agent-neutral reasons, let us begin with the closely related ideas of agent-relative and agent-neutral value. If a certain condition has agent-relative value, the value of that condition is its value for some particular agent who stands in some special relation to that condition. If, for example, the value of a given agent's integrity is agent-relative, the value of that condition is its value for the agent whose integrity it is. Because the value of the integrity is its value for this particular agent, that value as such provides only the agent for whom it obtains with reason—agent-relative reason—to promote that condition. Other persons can readily acknowledge that this integrity has value for the agent whose integrity it will be and provides that agent with reason to achieve and sustain it, while denying that the value of this condition provides them with any comparable reason for promoting this agent's integrity. If the value of a given agent's integrity is agent-relative, that instantiation of integrity is, in effect, a private good—a good which, as such, provides its prospective subject with reason for its promotion, but does not, as such, provide

* I thank Ellen Frankel Paul for her valuable editorial advice and the other contributors to this volume for their helpful comments.
others with reason to promote that instantiation of integrity.\(^1\) And agents do, it seems, have agent-relative reasons—for example, reasons to attain (their own) sensorial pleasure, reasons to complete (their own) life-defining projects, and reasons to sustain (their own) integrity.\(^2\)

In contrast, if some condition has agent-neutral value, its value is not specifically value for some particular agent who stands in some special relationship to that condition. If an agent’s integrity has agent-neutral value, then its value is not its value for the agent whose integrity it would be. The integrity has, so to speak, value for the universe at large. It has public value that provides everyone equally with reason—agent-neutral reason—to promote it.

If an agent has agent-relative reason for bringing about a certain condition within his life, his having that reason will be consistent with his not having comparable reason to bring about similar conditions in other persons’ lives. For those similar conditions in other persons’ lives directly provide them, but not him, with reason to bring them about. Suppose that instantiations of integrity have agent-relative value and, for this reason, each prospective instantiation specifically provides the agent whose integrity it will be with reason to achieve and sustain it. Then, if an agent is faced with a choice between achieving or sustaining his own integrity and others’ loss of their integrity, he will, everything else being equal, have reason to choose the former course of action. Similarly, if an agent has agent-relative reason to avoid the performance of a certain sort of action within his life, his having reason to see to his nonperformance of actions of that sort will be consistent with his not having comparable reason to see to the nonperformance of similar actions within other people’s lives. If that agent is faced with a choice between avoiding his performance of an action of that sort and preventing others from performing actions of that sort, he will, everything else being equal, have reason to avoid his performance of the action.

2. Deontic restrictions are moral prohibitions against inflicting certain forms of treatment upon others. They are prohibitions that obtain even if violating those prohibitions would have valuable results—because the prohibitions do not acquire their directive force from the value of compliance with them. Consider the deontic restriction against killing the innocent. This is a prohibition that has directive force for me even if killing an innocent person would enhance the balance of agent-neutral value in society, enhance the balance of my agent-relative value, or even enhance the balance of the innocent person’s agent-relative value (as it

\(^1\) The recurrent “as such” is my device for sliding past the various ways in which the promotion of an agent’s agent-relative value can have vicarious value for another agent.

\(^2\) Although I have focused on agent-relative reasons that are reflective of agent-relative value, I have not excluded the possibility of an agent’s having agent-relative reasons for or against performing certain actions without those reasons being reflective of the agent-relative value or disvalue of those actions for that agent.
would if that innocent person would be better off dead). An interesting mark of the fact that the wrongfulness of violating a deontic restriction is not the disvalue of the violation is that, if I am under a deontic restriction, I ought not to violate it even if doing so will decrease the number of violations of that restriction that will occur. If I am deontically bound not to kill the innocent, then I ought not to kill innocent $A$ even if doing so will prevent $Z$ from killing innocents $B$ and $C$. But if it were the disvalue of killing innocents that makes it wrong, then in this special case I ought to minimize that disvalue by killing $A$.

3. We can now see how the program of accounting for an agent’s deontic restrictions in terms of his agent-relative reasons emerges naturally from belief in the existence of agent-relative reasons and deontic restrictions. We can see this most readily by restating more precisely the final sentence of the last paragraph: If it were the *agent-neutral* disvalue of killing innocents that normally makes my killing $A$ wrong, then in the special case I ought to minimize that agent-neutral disvalue by killing $A$. In the special case in which I can prevent two killings by performing one, I will, all things considered, have *agent-neutral reason* to engage in the killing of an innocent. If my reason not to kill is agent-neutral, then I have reason myself to avoid killing only when this behavior minimizes the killing of innocents.

If one presumes that I am, nevertheless, under a deontic restriction not to kill innocent $A$ even when doing so would prevent $Z$ from killing innocents $B$ and $C$, and that, therefore, I have reason not to kill $A$ even in these special circumstances, then it is natural to infer that this reason must be *agent-relative*. After all, it seems natural to say that what I have reason to avoid is my killing of $A$. It is not that my killing $A$ is agent-neutrally worse than $Z$’s killing $B$ and $C$. Other people may very reasonably favor my killing $A$ over $Z$’s killing $B$ and $C$. It seems to be the special disvalue or wrongfulness of my killing that is involved in my being deontically bound not to kill $A$. So, the natural conclusion is that the reason that underlies this deontic restriction—the reason that provides a justifying account of my being subject to this moral restraint—is an *agent-relative reason*. This conclusion launches the project of identifying the agent-relative reasons on the basis of which individuals are subject to various deontic restrictions.

Two points must, however, be made about the inference to this conclusion. The first point is that the inference from a reason’s not being agent-neutral to its being agent-relative presumes that all reasons are either agent-neutral or agent-relative. However, it is not too difficult—at least for someone prepared to accept the existence of deontic restrictions—to envision how there could be reasons that are neither agent-neutral nor agent-relative. All one has to do is to suppose that: (a) an agent-relative reason is one that arises in connection with the directive force of agent-relative value (or disvalue); (b) an agent-neutral reason is one that arises
in connection with the directive force of agent-neutral value (or disvalue); and (c) deontic restrictions do not obtain in virtue of the value of compliance with them (or the disvalue of noncompliance with them). Since the reason for performing (or refraining from) an action that an agent has in connection with his being subject to a deontic restriction does not obtain in virtue of either the agent-relative or the agent-neutral value of compliance with it (or the agent-relative or agent-neutral disvalue of noncompliance with it), that reason will itself be neither agent-relative nor agent-neutral. In short, if “agent-relative” and “agent-neutral” apply only to reasons that obtain in connection with the directive force of some value or disvalue, the premise that an agent’s reason is not agent-neutral will not warrant the conclusion that the agent’s reason is agent-relative.3

The second point is that an agent may have an agent-relative reason to act in accordance with some deontic restriction to which he is subject without that agent-relative reason being the explanation of that deontic restriction. I shall recur to both of these points in the course of my critique of the program of providing a justifying account of an agent’s deontic restriction on the basis of that agent’s agent-relative reasons.

I shall proceed by tracing the emergence of this program and critically examining two attempts to carry it out. Tracing the emergence of this program through important essays by Bernard Williams and Samuel Scheffler provides evidence that it is a mistake to construe deontic restrictions as agent-relative phenomena, while also explaining how this misconstrual has developed.4 A critical assessment of the attempts by Thomas Nagel and Stephen Darwall to carry out the program confirms that deontic restrictions ought not to be thought of as grounded in agent-relative reasons possessed by the subject of those restrictions. I should emphasize that my purpose is to explain why this program ought to be rejected. It is not merely that attempts to carry out this program have been unsuccessful. Rather, it is a misguided strategy for explaining deontic restrictions. While I offer criticism of attempts, such as Nagel’s, to carry out this strategy, I am no less critical of others, such as Scheffler, who see the difficulties faced by this program as undermining the last best hope for accounting for deontic restrictions.

3 This inference is no better than the inference from its not being an agent-relative reason to its being an agent-neutral reason.

4 A similar denial of the agent-relative character of deontic restraints can be found in the later sections of Frances Kamm’s “Non-Consequentialism, the Person as an End-in-Itself, and the Significance of Status,” *Philosophy and Public Affairs*, vol. 21, no. 4 (Fall 1992). In the present essay, I provide a much more extended account of the genesis of this mistaken characterization of deontic restraints. I also suggest how an appeal to agent-relative value may undergird and motivate the invocation of persons’ “status” as ends-in-themselves through which Kamm seeks to account for deontic restraints (see *ibid.*, pp. 386-89). The thesis that deontic restrictions are “victim- rather than agent-focused” (*ibid.*, p. 385) is anticipated in my “Moral Individualism: Agent-Relativity and Deontic Restraints,” *Social Philosophy and Policy*, vol. 7, no. 1 (Autumn 1989), p. 105.
Indeed, I should emphasize that my special interest in the program under examination arises from the fact I have a warm philosophical regard for both agent-relative reasons and values and deontic restrictions—in particular, those restrictions that are correlative to persons’ moral rights. Moreover, I believe that there are important connections between, on the one hand, the agent-relativity of value and of our value-oriented reasons for action and, on the other hand, our possession of rights that are correlative to deontic restraints on others’ behavior toward us. My ultimate complaint about the program under examination, then, is not that it attends to both agent-relative reasons and deontic restrictions or that it attempts to reveal an illuminating connection between the two. Rather, it is that this program attempts to connect agent-relativity and deontic restraints in the wrong way. I hope in the course of my critique to provide some intimations of what the more illuminating connections between agent-relativity of reasons and values and deontic restrictions may be.

Before proceeding, however, I must record a qualification of the thesis expressed in my title. My primary interest is in a certain subclass of deontic restrictions—the subclass of restrictions that are correlative to other agents’ rights. There may be duties that are genuinely deontic but do not involve others’ correlative rights—perhaps because they are fundamentally self-regarding. I am not concerned with such duties here. In particular, I am not concerned with whether such duties, if they exist, can be vindicated in terms of the agent-relative reasons of the agents who are subject to them. My purpose in this essay is to deny the agent-relative character of rights-correlative deontic restrictions. This more focused thesis still has considerable bite because those who have looked for or even advocated agent-relativist explanations of deontic restrictions have taken rights-correlative restrictions as prominent among the restrictions that are supposed to be explained.

II. The Conflation of Partialist and Deontic Objections

The primary proximate source of the program under examination is Bernard Williams’s highly influential essay “A Critique of Utilitarianism.” The

5 Kamm is probably correct to deny that even these “duty-based” restrictions are agent-relative. She says, “I believe that duty-based theories are agent-focused but not agent-relative, in that the constraint supposedly arises from the content of what the agent is doing, not from his (versus others’) doing it” (“Non-Consequentialism,” p. 382).

6 Thus, Scheffler’s search for a rationale for deontic restrictions takes place explicitly within the context of assessing Robert Nozick’s ascription to persons of rights that impose side-constraints on others’ behavior. See Samuel Scheffler, The Rejection of Consequentialism (Oxford: Clarendon Press, 1982), p. 82; and Robert Nozick, Anarchy, State, and Utopia (New York: Basic Books, 1974), pp. 26–33. And, when he introduces the topic of deontic reasons, Nagel speaks of them as stemming from “the claims of other persons not to be maltreated in certain ways” and as a man’s relative reasons “not to maltreat others himself, in his dealings with them (for example by violating their rights, breaking his promises to them, etc.).” Thomas Nagel, The View from Nowhere (Oxford: Oxford University Press, 1986), p. 165.
central theme of that essay is the clash between, on the one hand, integrity, and on the other hand, the demand for impartiality that is at the core of utilitarianism and all kindred doctrines that require agents to promote what is taken to be the impersonally best outcome. Integrity is a matter of adherence to one's own projects and commitments; it is a matter of being true to oneself as the particular person one is in virtue of one's central, life-defining allegiances. Because each person's allegiances significantly determine what his self and life are about, each person has special reason to act in accordance with his own central projects and commitments. But the demand for impartiality at the core of utilitarianism requires that one give equal weight to all projects and commitments of comparable magnitude no matter whose projects and commitments they are. When an agent decides on the basis of such impartiality,

[his own substantial projects and commitments come into it, but only as one lot among others—they potentially provide one set of satisfactions among those which he may be able to assist from where he happens to be. He is the agent of the satisfaction system who happens to be at a particular point at a particular time...]

But such a conception of rational choice ignores who the committed agent is and what his life is about.

It is absurd to demand of such a man, when the sums come in from the utility network which the projects of others have in part determined, that he should just step aside from his own project and decision and acknowledge the decision which utilitarian calculation requires. It is to alienate him in a real sense from his actions and the source of his action in his own convictions. It is to make him into a channel between the input of everyone's projects, including his own, and an output of optimific decision... 

Similarly, it would be absurd for this man or any coalition he might join to demand that any other agent alienate herself from her own life-defining projects and make herself into a channel for the optimal processing of everyone's projects.

Although Williams does not employ the vocabulary of agent-relativity and agent-neutrality, his position can be restated as the contention that each individual's life-defining projects and commitments provide that individual with agent-relative reasons to abide by and promote them. Though each individual must acknowledge that others' projects and com-

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8 Ibid., p. 116.
commitments provide those others with reasons for action, this in no way requires that the agent himself be impartial among all these projects and commitments. Focusing on the importance for individuals of maintaining their allegiance to and fulfilling their projects and commitments, the integrity critique takes aim at the impartialist (agent-neutralist) conception of the good according to which each person's good provides all persons with like reason to devote themselves to its promotion. The integrity critique upholds the rationality of an agent's partiality toward his own projects and commitments by maintaining that these projects and commitments provide the agent with agent-relative reasons for action.

The integrity critique of utilitarian-like doctrines is, therefore, fundamentally distinct from the justice critique of such doctrines. For the justice critique focuses, not on the impartialist conception of the good, but rather on the consequentialist thesis that whatever action produces the greatest good is right. The justice critique challenges this thesis by invoking deontic restrictions that provide agents with reasons against certain ways of treating others even if that treatment yields what, for the sake of argument anyway, is taken to be the greatest good. Although the anti-utilitarian appeal to the rationality of the agent's partiality to his own projects and the anti-utilitarian appeal to the agent's being subject to deontic restrictions are entirely consistent, they represent quite distinct individualist objections to utilitarianism and kindred doctrines.9

Unfortunately, the particular examples that Williams employs, especially his famous example of Jim and the Indians, obscure the line between the two anti-utilitarian critiques: the critique that insists on the rationality of partiality to one's own projects and on the recognition of agents' agent-relative reasons, and the critique that insists that there are deontic restrictions against even optimizing conduct. In Williams's example, Jim, who we must presume is deeply committed to not killing innocents, wanders into a South American village where the evil commandant Pedro is about to kill twenty innocent Indians. In honor of Jim's arrival, Pedro announces that if Jim will himself kill one of these villagers, Pedro will spare the remaining nineteen. And it is clear to Jim that his only options are to kill the one—in which case Pedro will indeed spare the nineteen—or allow Pedro to proceed with the twenty killings. We should note that Williams's view is not that it is clearly wrong for Jim to kill the one. Rather, his view is that Jim's killing the one would be deeply morally problematic and any doctrine that implies that it is clearly right for Jim to kill the one is, for that reason, fundamentally defective.

This renowned example obscures the line between the integrity and justice critiques, because what really renders Jim's killing one of the vil-

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9 Williams announces at the outset that his purpose is to offer a critique of utilitarianism that, instead of dealing with justice, will be "concerned with something rather different, integrity" (ibid., p. 82).
lagers morally problematic is Jim's being subject to a deontic restriction against killing the innocent. At the core of Jim's moral dilemma is the conflict between his belief that in some sense it is better for one person to be killed than twenty and his belief that he is morally precluded from bringing about this better outcome by the deontic restriction against killing the innocent. The example, however, is taken by Williams to reveal the deficiency of any doctrine that requires Jim to be impartial between his own projects and the projects of others and, hence, the deficiency of any doctrine that ignores the agent-relative importance of Jim's projects. We have an example in which the real work in rendering the action morally problematic is done by a deontic restriction and, yet, what is taken to lead Jim astray is his failure to appreciate the rationality of special allegiance to his own projects. The suggestion that emerges is that what explains the morally problematic character of Jim's killing the one villager—what explains what is in fact the deontic defect of Jim's killing the one—is Jim's having agent-relative reasons to advance his own projects.

The implausibility of this suggestion is masked by two features of the situation. First, Jim presumably does have partialist (agent-relative) reason not to kill the one, and second, Jim presumably has this reason in connection with his sense that he is under a normative restraint against killing the innocent. Presumably, Jim has committed himself to abide by the restriction against killing the innocent—he has made a project of compliance with this restraint—because of his sense of the injustice of killing innocents. Jim's resulting project of abiding by this norm may then play an important role in structuring his life and constituting Jim's sense of himself. As a consequence, Jim may acquire strong agent-relative reason to abide by this principle. It may even be true that Jim will be motivated to comply with the restriction only if he has so internalized his affirmation of it. Nevertheless, this agent-relative reason derives its force and its respectability from Jim's prior belief that he is subject to a deontic restraint of justice.

Suppose that Jim's reluctance to kill the one villager is merely reflective of a deep-seated distaste on Jim's part for the gritty task of killing. We would then be drawn to the charge that Jim's refusal to kill the one is merely unadmirable self-indulgence.\(^{10}\) That self-indulgence charge may be dismissed if and only if Jim's aversion to killing innocents derives either from his sense of the agent-neutral badness of innocents' being killed (in which case, Jim should overcome his personal aversion so as better to serve agent-neutral value) or from his sense of the deontic wrongfulness of killing innocents. Jim's possession of agent-relative reason not to kill the one villager should not obscure the prior deontic reason—

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which I would suggest is *neither* agent-relative *nor* agent-neutral—from which Jim’s agent-relative reason derives.\footnote{I have set aside a number of complicating features of the case. Among these are the fact that the one who Jim would kill would be among the twenty Pedro would otherwise kill and the fact that all twenty of the villagers are begging Jim to kill one of them. My guess is that Williams includes the latter feature in order to derail the thought that the key anti-utilitarian consideration is the injustice of Jim’s killing one of the villagers. The problem for Williams is that if we really attend to this stipulated fact, then it becomes pretty clear that Jim ought to kill one of the villagers. His refusal to do so would merely be a matter of self-indulgence. For, given this authorization, the otherwise crucial deontic restriction against killing innocents will no longer apply.}

The derivative, agent-relative reason for Jim’s abiding by the constraining norm takes center stage within Williams’s discussion; there is no acknowledgment of the prior, deontic, justice-oriented norm. This of course has to be Williams’s focus if the intuitive force of the case of Jim and the Indians is to be drafted into the service of the integrity critique rather than the justice critique. Yet the effect of this focus and Williams’s inattention to the underlying deontic norm “Do not kill innocents” is to create the appearance of there being an explanation of the likelihood of Jim’s being bound not to kill the one in terms of Jim’s agent-relative reasons. Williams’s admixture of an example whose anti-utilitarian force in fact derives from deontic restrictions, with his rejection of utilitarianism on the grounds of its failure to acknowledge agent-relative reasons, suggests that such restrictions are in fact agent-relative phenomena.

III. SEARCHING FOR RESTRICTIONS IN ALL THE WRONG PLACES

Samuel Scheffler’s examination of agent-centered restrictions in his *The Rejection of Consequentialism* provides one of the main pillars of the view that, if the claim that an agent is subject to deontic restrictions is to be made plausible, it must be on the basis of identifying that agent’s agent-relative reasons for abiding by those restrictions. Scheffler’s discussion begins with the purportedly paradoxical character of deontic restrictions. This is the fact—readily noted by every advocate of deontic restrictions—that the upshot of an agent’s compliance with such a restriction may be the more extensive violation of that very restriction. For example, the upshot of Jim’s compliance with the restriction “Do not kill innocents” is the more extensive violation (by Pedro) of that very restriction. As Scheffler sees it, if anything about the victims of the violation of a restriction against K-ing makes K-ing wrong, it must be the agent-neutral disvalue of persons being subjected to K-ing. If there is a moral requirement against K-ing, it must be a function of the agent-neutral disvalue of being K-ed. Or it must be a function of “the possession of some allegedly significant property by the victims of violations” in virtue of which “it is undesirable for persons to be victimized.”\footnote{Scheffler, *The Rejection of Consequentialism*, p. 102.} But according to Scheffler, any appeal to
“the disvalue of violations of such restrictions” or to “the victims’ possession of some property” is an appeal to a consideration that simply makes all violations of the restrictions seem equally objectionable, and which thus appears to militate in favour of permitting, rather than prohibiting, the minimization of total overall violations.\textsuperscript{13}

Scheffler’s conclusion is that one ought not to attempt to account for deontic restrictions by focusing upon the victims of violations. Instead, it is better to approach this task by focusing on “the possession of some significant feature by the agents who commit violations.”\textsuperscript{14} According to Scheffler,

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[t]he question is not: what is it about people that makes it objectionable for them to be victimized? But rather: what is it about a person that makes it impermissible for him to victimize someone else even in order to minimize victimizations which are equally objectionable from an impersonal standpoint?\textsuperscript{15}
\end{quote}

This is an extraordinary thought. For surely the central intuition of the advocate of deontic restraints is that some morally considerable fact about other persons precludes one from (mal)treating them in certain ways. While, of course, moral side-constraints apply to one as an agent, it is something about the existence of other persons that imposes those constraints upon one’s agency. But for Scheffler, this extraordinary thought is quite natural. Since deontic restrictions, if they exist, are presumed to be an agent-centred component [in] moral theory . . . it is natural to suppose that the identification of a rationale for them must take the form of a demonstration that they represent a rational response to the agent’s possession of some feature.\textsuperscript{16}

However, Scheffler is quick to discover that he can locate no feature of the agent that subjects the agent to deontic restrictions. The only feature of the agent that has any agent-relative force is the independence of the agent’s personal point of view—the agent’s disposition to view and assess the world through his own desires, interests, and projects. According to Scheffler, this feature provides a rationale for an agent-centered prerogative which allows the agent not to promote the agent-neutrally best

\begin{itemize}
\item \textsuperscript{13} Ibid., p. 103.
\item \textsuperscript{14} Ibid., p. 102.
\item \textsuperscript{15} Ibid., p. 100.
\item \textsuperscript{16} Ibid., p. 102.
\end{itemize}
outcome if doing so would be disproportionately costly to that agent. The prerogative provides the personal point of view of the agent with some modest protection against the demands of impersonal optimality. But does the independence of the agent's personal point of view provide a rationale for deontic restrictions upon that agent? Not surprisingly, Scheffler answers in the negative. Such restrictions would amount to the requirement that the agent always exercise his prerogative against unduly personally costly subordination to the impersonal standpoint. Yet making the exercise of the agent's prerogative mandatory hardly increases, and arguably decreases, protection of the agent's personal point of view. Of course, what is extraordinary here is the idea that if some special protection or value is afforded by an agent's being subject to deontic restrictions, it will be afforded to that agent, rather than to that agent's prospective victims. (Indeed, the focus has so completely shifted away from the victim and to the agent that the restriction considered by Scheffler is one which other individuals would rather not have obtain. For it is a restriction against the agent's imposing costs on himself for the sake of achieving an overall optimal outcome.)

This key argument against deontic restrictions suggests that, if there were an agent-relative basis for such restraints, it would be the agent-relative value of the agent's compliance with those restraints. Perhaps, however, there can be agent-relative reasons for an agent's compliance with deontic restrictions that are not a matter of the agent-relative value of abiding by those restraints. Scheffler does not explicitly differentiate between reasons that reflect relative values and those that are agent-relative because in some other way they reflect the personal perspective of the agent. Nevertheless, he does go on to consider what may be described as agent-relative reasons that do not reflect agent-relative values. In particular, he examines the ideas that "an agent is specially responsible for what he does, and responsible only secondarily, if at all, for what he fails to prevent others from doing," that "human beings have the capacity to directly cause harm to other human beings," and that "people have the capacity to intentionally cause harm to others." However, I will not review his arguments against grounding deontic restrictions upon any of these non-value agent-relative considerations. For a much more explicit and illuminating discussion of this grounding of restraints is offered by Thomas Nagel.

IV. AGENCY AND RESTRICTIONS

In The View from Nowhere, Nagel acknowledges the existence of agent-relative values and reasons. According to Nagel, although some states, such as states of sensorial pleasure, have agent-neutral value and provide

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17 Ibid., pp. 102, 104, and 106.
everyone with reason to promote them, other states, such as my fulfilling my project of climbing Mount Kilimanjaro have (only) agent-relative value and provide (only) agent-relative reason for their promotion. Although I have reason to carry through on this project, others may very well have no reason to assist me. The recognition of such agent-relative values and reasons amounts to something like Scheffler's agent-centered prerogative. Insofar as particular states have significant agent-relative value for an agent, that agent has reason to bring about a world in which those states are more fully realized than they would be in the agent-neutrally best world.\(^\text{18}\) Nagel, however, explicitly treats deontological reasons as a second type of reason that is "relative in form, and whose existence seems to be independent of impersonal values." In contrast to Scheffler, Nagel insists that this second type of reason "stems from the claims of other persons not to be maltreated in certain ways." Considerations of agent-relative value "limit what we are obliged to do in the service of impersonal values. Deontological reasons . . . limit what we are permitted to do in the service of either impersonal or [agent-relative values]." Yet deontic reasons are not neutral reasons. For neutral reasons would mandate that maltreatment be minimized, whereas these reasons mandate that "each individual not . . . maltreat others himself, in his dealings with them."\(^\text{19}\)

Thus,

\[\text{deontological constraints . . . are agent-relative reasons which depend not on the aims or projects of the agent but on the claims of others . . . [T]he relative reason does not come from an aim or project of the individual agent, for it is not conditional on what the agent wants. Deontological restrictions, if they exist, apply to everyone: they are mandatory and may not be given up like personal ambitions or commitments.}\(^\text{20}\)

But this, according to Nagel, makes the idea of deontic restrictions so puzzling as to suggest their nonexistence. On the one hand, they stem from outside the agent, and Nagel presumes that the only thing that can have normative force from outside the agent is agent-neutral value or disvalue. On the other hand, they do not call for the minimization of maltreatment—so these reasons cannot be reflective of the disvalue of the maltreatment.

Nagel attempts to resolve this puzzle by an ingenious, but I think not ingenious enough, melding of the two factors involved—the agent-

\(^{18}\) Nagel's counterpart to Scheffler's prerogative is more than a mere permission. For Nagel, it would be unreasonable for an agent to sacrifice agent-relative value in the single-minded pursuit of the agent-neutrally best. In contrast, Scheffler seems to want to say that it would not be unreasonable to forgo exercising one's prerogative.

\(^{19}\) Nagel, *The View from Nowhere*, p. 165, emphasis added to the pronouns.

\(^{20}\) Ibid., pp. 175 and 178.
neutral disvalue of what befalls the victim, and some property of the agent’s perspective. Imagine that my friends have been seriously injured in a car accident and need medical assistance. I rush to an isolated farmhouse and ask the elderly woman who lives there if I can borrow her car to go for help. My desperate appeal panics her and she grabs the car keys, runs to the bathroom, and locks herself in. But I can get her to open the door and surrender the car keys by painfully twisting the arm of her sweet little granddaughter who is also in the house. Nagel takes me to be under a deontic restriction not to twist the child’s arm. This moral restraint may not be absolute. It may even be overridden in other cases in which my friends more urgently need medical attention or in which two or three carloads of people need medical attention as much as my friends do in the present case. But even if the restraint is nonabsolute and overridden, its existence will be manifest in the fact that my decision will be much more difficult than it would be were the relevant consideration only which of the actions available to me will yield the better results.

For Nagel, the most plausible candidates for deontic restrictions are restrictions against intentionally harming others in one way or another. For it is the intending of a harm that can render its intentional production wrongful even if the agent-neutral disvalue which attaches to that harm is less—perhaps very much less—than the disvalue that would have been prevented by producing that harm. Since the pain of the granddaughter would be my intended means, while the greater harm that the friends will suffer if I do not twist her arm would merely be foreseen, I ought not to twist that child’s arm. I ought not to do so even though “things will be better, what happens will be better,” if I do. But why is it worse to intentionally bring about a relatively small agent-neutral disvalue (the child’s pain) than to allow or even nonintentionally bring about a relatively large agent-neutral disvalue? Nagel’s answer is that, within the perspective of the agent, intention magnifies the (agent-neutral) disvalue of what is intentionally produced.

When I twist the child’s arm intentionally I incorporate that evil into what I do: it is my deliberate creation and the reasons stemming from it are magnified and lit up from my point of view. They overshadow reasons stemming from greater evils that are more “faint” from this perspective, because they do not fall within the intensifying beam of my intentions even though they are consequences of what I do.21

It is not the agent-relative disvalue (for me) of the child’s pain or of my causing the child’s pain that, added to its agent-neutral disvalue, outweighs the disvalue of my friends’ suffering. Rather, what makes the twisting wrong is that the magnified agent-neutral disvalue of the child’s

21 Ibid., p. 180, emphasis added.
pain is greater than the nonmagnified disvalue of the friends’ suffering. Nagel’s imagery of magnification and intensification suggests that, within the agent’s perspective, the disvalue of what is intended gets multiplied and the action in question is wrong if and only if the resulting multiple of disvalue is greater than the disvalue associated with the agent’s alternative action or inaction. (Read somewhat differently, Nagel’s imagery of the intended evil being lit up and overshadowing more faint nonintended evils suggests that intention gives a type of salience or even lexical priority to the intended evil, so that the disvalue of what is intended becomes, within the agent’s perspective, the relevant factor in evaluating the action. This would seem to make the restrictions absolute—not to be violated whatever the nonintended consequences.)

Against Nagel’s magnification account, it is natural to wonder why intention does not similarly magnify good results. Specifically, although if I forbear from twisting the child’s arm, my friends’ lack of medical attention will be merely foreseen, if I do twist the child’s arm, their receiving medical attention will be the intended consequence of my action. So if I were to proceed to inflict that pain as an intended means, shouldn’t the magnified disvalue of the child’s pain be overbalanced by the magnified value of my friends’ getting medical attention? Or if intention bestows salience, shouldn’t the child’s loss and my friends’ gain have equal salience—with the greater original magnitude of my friends’ gain overbalancing the lesser original magnitude of the child’s loss? In anticipation of this sort of objection, Nagel insists that intention is selective in what it magnifies. To intentionally do evil is to swim “head-on against the normative current.” It is to push “directly and essentially against the intrinsic normative force” of your proper goal, to serve and protect the good. This focus on what one is directly doing rather than on what will or might happen is appropriate because each of us is “a particular person with a particular perspective.”

[F]rom the internal point of view, the pursuit of evil in twisting the child’s arm looms large. The production of pain is the immediate aim, and the fact that from an external perspective you are choosing a balance of good over evil does not cover up the fact that it is the intrinsic character of your action.

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22 In either case, Nagel’s account seems to violate his own requirement that deontic restraints “not themselves be understood as the expression of neutral values of any kind” (ibid., p. 177).
23 Nagel does not address the issue of the magnification of the value of intended good ends. But he does deny that intention would magnify the value of an intended means (ibid., p. 181).
24 Ibid., p. 182.
25 Ibid., p. 183.
Unfortunately, none of this seems to explain why intentionally securing medical attention for my friends should not similarly loom large. If it is especially bad within my perspective as a particular agent to swim directly against the normative current, why isn’t it also especially good within that perspective to swim directly with the current—as I would be insofar as the purpose of my behavior is to get my friends that needed medical assistance?

Perhaps a crucial role is supposed to be played by the immediacy of my intentional infliction of pain on the child. Since that is what I am doing, that is what I must evaluate (or what I must give multiplied negative weight in my evaluation). Even though I am also, albeit less immediately, intentionally getting valuable medical assistance for my friends, the reasons that speak on behalf of my doing this cannot overbalance the discrete evaluation of my immediate act of intentionally twisting the child’s arm. Perhaps, then, Nagel’s position is this: actions are differentiated by the intentions they involve; when there is an intended means to an intended end, the agent must discretely evaluate the action that is identified by the intended means and the action that is identified by the intended end; and the agent may not proceed if either of these discrete evaluations is negative. In effect, one may not intentionally do evil even if doing so is a means to intentionally doing greater good. Unfortunately, it is not at all clear why the discrete positive evaluation of my securing that medical assistance should not be weighed against the discrete negative evaluation of my twisting the child’s arm. What is it about having a particular perspective, having an internal point of view, that precludes one’s performing an action with a bad intrinsic character as a means to performing an action that both has a good intrinsic character and eliminates significantly more agent-neutral disvalue than the bad action engenders? Again, this weighing could be allowed and an anti-consequentialist conclusion still drawn, if there were any good reason to think that swimming directly against the normative current is especially bad, whereas swimming directly with it is not especially good. For then the greater good of getting help for my friends would still be overbalanced by the lesser evil of twisting the child’s arm. But there is no apparent reason to believe in this normative asymmetry.

In the present context, what is more fundamentally troublesome about Nagel’s account is that the deontic character of restraints is entirely the creature of the agent’s perspective and seems to have its existence entirely within that perspective. This contravenes the idea that the deontic character of restraints “stems from the claims of other persons” or from something about those persons that grounds these claims. To see how on Nagel’s perspectival account the deontic character of the constraint against

26 Ibid., p. 165.
twisting the child’s arm resides within the agent, consider whether a third party would be justified in forcibly preventing me from twisting that child’s arm.\textsuperscript{27} Surely if what is at stake is the wrongdoing of the child, the infringement upon her rights, then (absent special complicating factors) it must be at least permissible for that prospective defender to forcibly suppress my assault on the child. However, the only cost to the child that can provide any rationale for the third party’s intervention is the nonmagnified agent-neutral disvalue of her pain. And, against this, a Nagelian third party must weigh the far greater agent-neutral disvalue of my friends’ not getting medical assistance. It seems as though, viewed externally, any prospective Nagelian defender must take my twisting of the child’s arm to be for the best. Is there any way in which the defender’s internal perspective can be brought into play? Is there any moral cost, residing within the defender’s perspective, that can overbalance this external assessment? The prospective defender cannot justify her interfering on the grounds that she must interfere in order to avoid suffering her own, perspectivally induced, moral cost. For it cannot be plausibly argued that, in not intervening, this third party would be intentionally bringing about the child’s pain. Nor does it seem that the third party’s allowing the twisting to take place brings the agent-neutral evil of the child’s pain within the scope of that party’s agency— with the result that this evil is perspectively magnified.\textsuperscript{28} So it cannot plausibly be thought that this pain would be magnified or lit up within the perspective of the defender.

Of course, on Nagel’s account, I ought not to twist the child’s arm because of the moral cost to me of swimming directly against the moral current—a cost which we will presume would not be overbalanced by the moral gain of swimming directly toward the value of medical assistance for my friends. However, it is difficult to see why the prevention of that moral cost to me should, in the prospective defender’s deliberations, be more weighty than the agent-neutral gain that will result from my twisting the child’s arm. Suppose, however, that the prevention of that moral cost to me would justify the prospective defender’s intervention against me. It would, nevertheless, be the wrong sort of justification. For the defender’s intervention would not be vindicated as a defense of the child but rather as an act of moral paternalism on my behalf.

One may even wonder whether, on Nagel’s account, the child would be justified in forcibly suppressing or even escaping from my attack. After

\textsuperscript{27} The argument over the next couple of paragraphs assumes that some level of injurious force is justified to suppress an aggressor’s violation of rights. Nagel himself endorses this view—on the very principle of double effect that is central to his account of deontic restrictions. See Thomas Nagel, “War and Massacre,” Philosophy and Public Affairs, vol. 1, no. 1 (Winter 1972), pp. 123-44.

\textsuperscript{28} If it did, then any choice to allow certain benefits to occur that also involved allowing certain evils to occur would involve a magnification of those evils.
all, the child too, as objective self, sees that it would be better that she undergo the pain than that my stranded friends suffer to a greater extent. In what way can the child have more justification for resisting my attack than the third-party defender would? Nagel does assert, almost as an afterthought, that “there is also something to be said about the point of view of the victim.” Indeed, two things can be said. The first is that the victim will have reasons reflective of her agent-relative values for resisting my optimizing action. If I am about to kill someone in order to save the lives of five other people, the person I am about to kill need not accede to my actions as she would have to “on a purely agent-neutral consequentialist view.” Yet this consideration does not provide the target of my optimizing strategy with anything like a deontic objection to my actions; and it provides each of the five prospective beneficiaries of that strategy with their own agent-relative reasons to support my action and suppress the target’s resistance to it. The second thing to be said about the point of view of the target is that she also gets to magnify the disvalue of her loss and to count that magnified disvalue in her evaluation of my action. Why? Nagel’s explanation seems to be that the target is entitled to draw upon her intentional attacker’s magnification of the disvalue of that attack:

The deontological constraint [that] permits a victim always to object to those who aim at his harm . . . expresses the direct appeal to the point of view of the agent from the point of view of the person on whom he is acting. It operates through that relation.  

I cannot myself see why, within the parameters of Nagel’s position, the victim is entitled to this “direct appeal to the point of view of the agent.” What is significant, however, is that Nagel’s need to invoke this appeal is a further indication of his failure to accommodate the idea that the constraints on the agent stem from the prospective victim, that they are reflective of claims of this victim which have some reality outside of the perspective of the wrongdoing agent. The same failure is indicated if we consider optimizing actions, such as the twisting of the granddaughter’s arm, carried out by God or some equally objective saint. Since such an agent will have no particular perspective, will view the world from nowhere, the harm he directly does will not be magnified or lit up. There will be no point of view of the agent for the victim to appeal to, and there will be no perspective for a deontic restriction to reside in. Indeed, on Nagel’s account, the more any agent transcends his subjective self, the less moral inviolability others will possess against that agent’s optimizing

29 Nagel, The View from Nowhere, p. 183.
30 Ibid., p. 184.
impositions. This, again, reveals that, on Nagel’s analysis, the victim’s rights are entirely in the eye of the subjective agent.\textsuperscript{31}

When Nagel does conclude his discussion of deontic restrictions with remarks that suggest that those restrictions are not merely creatures of the agent’s perspective, he seems to go beyond the bounds of his own perspectival account. Thus, Nagel says that

\[t\]he victim feels outrage when he is deliberately harmed even for the greater good of others, not simply because of the quantity of the harm but because of the assault on his value of having my actions guided by his evil. What I do is immediately directed against his good: it doesn’t just in fact harm him.\textsuperscript{32}

Indeed. But this claim seems to have nothing to do with magnification and, even more assuredly, nothing to do with appealing to the point of view of the agent—except in the sense that it is the intentionally harmful act of the agent that is seen as wronging the victim. Here the direction of argument seems to move from the wrongfulness of subjecting the victim to an “assault on his value,” through an intentional harm constituting such an assault, to the conclusion that an intentional harm wrongs the victim and, hence, is a wrongdoing on the part of the agent. And notice that, while this is the direction of argument one wants as a vindicating account of rights-correlated deontic restrictions, it does not at all appeal to the agent’s agent-relative reasons. Similarly, there is no appeal to the point of view of the agent when Nagel contrasts the “appeal” that the five persons who I could save by killing the one can make to me in terms of the agent-neutral value of their lives, with the “protest” that the one can make to me “as the possessor of the life I am aiming to destroy.”\textsuperscript{33}

To make my survey a bit more complete, I will say a word or two about Stephen Darwall’s attempt to provide an agent-relativist account of deontic restrictions in his very interesting essay “Agent-Centered Restrictions from the Inside Out.”\textsuperscript{34} As his title suggests, Darwall seeks a vindicating explanation in the only place he thinks it can possibly be found—in a morality that begins with the agent and his moral responsi-

\textsuperscript{31} I do not mean to suggest that Nagel is unaware of his focus on the agent rather than the victim. He says, “I have concentrated on the point of view of the agent, as seems suitable in the investigation of an agent-relative constraint” (ibid., p. 183). But I do think he fails to connect how this focus—which is dictated by the program of providing an account of restrictions in terms of the agent’s agent-relative reasons—precludes accommodating the intuitions about others’ claims and inviolabilities that largely motivate the deontic disposition.

\textsuperscript{32} Ibid., p. 184.

\textsuperscript{33} Ibid.

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abilities rather than with the intrinsic value of states of the world. The key feature of such a morality is the “duty not to compromise one’s moral integrity.”

The problem is that this duty is second-order; whether this duty will ever give one reason to forgo performing an optimizing action will depend upon whether any of one’s first-order duties have a deontic character. If one’s specific first-order duties all involve maximizing the good or minimizing the bad, then such maximization or minimization will be essential to one’s moral integrity.

The difficulty of making a non-question-begging move from the second-order duty to maintain moral integrity (or moral purity) to first-order deontic norms is almost perfectly stated by Horacio Spector.

[T]he fact—if it is a fact—that an agent sacrifices his moral purity in transgressing a deontological restriction, even though it may be a means of minimizing transgressions of the same type, is due to the existence of moral considerations independent of moral purity that establish the agent-relative nature of the deontological restriction in question: otherwise, why should my moral purity have to be affected if I commit a violation of a deontological restriction and not if I let others commit a larger number of violations of the same sort?

And Darwall grants that “there is a serious question whether any rationale can be mounted from [the premises of the inside-out approach] for any specific theory of right, in particular for a theory of right with specific agent-centered restrictions.” Furthermore, Darwall’s own most-favored route to first-order deontic norms—a Rawlsian approach in the manner of A Theory of Justice—seems ill-suited to yield such a theory of right. For whatever duties appeal to Rawlsian contractors behind a veil of ignorance, those contractors will always favor individuals and/or institutions being bound to minimize violations of those duties rather than their being bound never themselves to violate those duties. (The argument for this is the same as Robert Nozick’s argument for why the contractors will always favor end-state principles over historical principles.)

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35 Ibid., p. 311.

It is clear that no argument [against killing one to prevent the killing of two or more] based on the loss of moral integrity can succeed . . . unless killing the one does actually involve a sacrifice of the agent’s integrity. But if killing the one to save the two is justified—as the [opponent of constraints] believes—then it is no sacrifice of moral integrity for the agent to do so.

V. One Last Misleading Factor

Before concluding with an attempt to draw a positive lesson about the grounds for rights-correlated deontic restrictions, I want to discuss briefly a common motivation for the search for agent-relative reasons for deontic restrictions. This is the idea that it is one thing for there to be a moral requirement—indeed, a deontic restriction—against K-ing; but it is something further for that restriction to have what Spector refers to as an "agent-relative nature." If I must comply with the requirement against K-ing even if my compliance leaves others to engage in more extensive violations of that same restraint, then, as Frances Kamm expresses the idea, it must be because of "some special disvalue or prominence for the agent in his own violation of [that restriction]." 39 Yet what is described as the agent-relative nature of the deontic restraint against K-ing is simply a consequence of its being a deontic restraint. The point is not that all one has to do is declare a requirement to be a deontic restraint and then hit save on one's word processor. Rather, if one has a reasonable argument for some requirement being a deontic restraint—as Nagel and Spector think they do—then one needs no further explanation of why each person should herself abide by that restraint. After all, one's argument has, we are supposing, led one to the conclusion that K-ing violates a moral side-constraint, rather than the conclusion that K-ing is something whose occurrence should be minimized. Each of us is subject to this constraint, in contrast to being subject to a requirement to minimize violations of the constraint. Kamm makes this point nicely when she writes:

[I]t would be simply self-contradictory for it to be morally permissible to minimize violations of the constraint itself for the sake of showing concern for it. . . . The agent’s own act is special only in that it makes him come up against the constraining right.40

In fact, to their credit, authors who describe themselves as offering an account of the agent-relative character of restraints often are doing something else which is more sensible. Thus, Spector cites the fact that we are, each of us, separate agents—beings who act as our discrete selves and not as everyone. "We are separate persons too in the crucial sense that we are separate agents." In pointing to this fact, Spector is not so much explaining "the agent-relative nature of the duties bound up with libertarian rights," as he is indicating the satisfaction of a precondition for our each being constrained by those rights. Similarly, Darwall's focus on respon-

39 Kamm, "Non-Consequentialism," p. 382. As previously noted, Kamm rejects this agent-relativist understanding of deontic restrictions. Note that I exploited this "last misleading factor" in my introductory explication of the program under examination.
41 Spector, Autonomy and Rights, p. 178.
sible agents can more profitably be understood as indicating the presence of apt addressees for deontic restrictions—restrictions which Darwall himself takes to enjoy an independent Rawlsian rationale.

VI. Conclusion

Part of the appeal of the program of providing an agent-relativist account of deontic restrictions is the initial plausibility of the idea that a moral system that rejects (agent-neutralist) consequentialism by denying that people are always obligated to perform (what is taken to be) the agent-neutrally best action will also reject consequentialism by insisting that people are sometimes bound not to perform (what is taken to be) the overall best action. A moral system that holds that consequentialism demands too much of people in the way of service to the overall agent-neutral good will also hold that consequentialism allows too much to be done to people—in ways that violate deontic restrictions—in the service of that purported good. It is obviously desirable to identify some unifying link between these two components of the full rejection of consequentialism. Since the recognition of agent-relative reasons is essential to the first component, it is natural to seek unity in the form of an agent-relativist account of deontic restrictions. We have seen, however, that it is not plausible to construe deontic restrictions upon an agent as reflective of that agent's agent-relative reasons. Deontic restrictions are not, in this way, agent-relative restrictions. And while the agent-relative disvalue for the victim of an agent's violation of the restriction will provide the victim with reason to evade or suppress that violation, this agent-relative disvalue will not provide a reason for the agent to comply with the restriction.42

Does this mean that we cannot connect the two components of systematic anti-consequentialism through the medium of agent-relativity? I want to close by suggesting two ways in which the fact that value is agent-relative, not agent-neutral, or implications of this fact, make the affirmation of deontic restrictions reasonable.

1. The more pervasive agent-relative value is on the normative landscape and the less prominent agent-neutral value, the more robust will be each person's agent-centered prerogative (to use Scheffler's term) to serve her projects and commitments rather than (what might be taken to be) the impersonally best. But there would be something conceptually odd about a normative system that ascribed to each person a robust prerogative and at the same time did not assert any restrictions on interference with persons' exercise of those prerogatives. As Darwall puts it:

42 Any standard appeal to the agent-neutral disvalue of the violation points to the minimization of violations. For nonstandard appeals to agent-neutral value, see Spector, Autonomy and Rights, pp. 152-78; and Kamm, "Non-Consequentialism," pp. 382-89.
The idea of a prerogative suggests the idea of a morally protected sphere of personal action, but without an accompanying restriction on the acts of others, the sphere will not be protected against morally sanctioned interference.  

Indeed, the more robust persons' prerogatives are, the more the point of their affirmation will be defeated, and the more they will be rendered practically nugatory, in the absence of restrictions upon interference with their exercise. Hence, the more robust the prerogatives that are affirmed within a moral system, the more this affirmation requires that restrictions against interference with the exercise of those prerogatives also be affirmed within that normative system.

2. Deontic restrictions on our treatment of others are often said to reflect their status as ends-in-themselves. Since others are ends-in-themselves, it is not reasonable to treat them (as one would treat natural resources) as means to one's own ends—no matter how valuable those ends are. Constraint in our behavior toward others manifests in practice our recognition of them as ends-in-themselves. Here the agent-relativity of value enters into the explication of persons' status as ends-in-themselves and enters into the explanation of why that status yields side-constraints upon, rather than goals for, our conduct. Each person is an end-in-herself because each has in her own life and well-being an end of ultimate value in its own right. A person's own life and well-being can be an end of ultimate value in its own right only if her life and well-being is not one among many ultimate values with anything like comparable directive force for her. And of course it is not that, for each person's life and well-being, there is someone somewhere for whom that life and well-being has special noncomparable directive force. Rather, for each person, the life and well-being which is or may be hers is what has ultimate value in its own right and unique directive force for her. But this can be the case only if the value of each person's life and well-being is agent-relative. So it is because of the agent-relativity of value that persons are ends-in-themselves. Moreover, recognition of the agent-relative character of the value of each person's life and well-being confutes any suggestion that an appreciation of the ultimate value of others' lives and well-being reveals that they are ends that one is bound to promote. The agent-relative value of others' respective lives and well-being provides them with reasons—value-based

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43 Darwall, "Agent-Centered Restrictions," p. 304. Darwall ultimately rejects this argument. His reason is that the agent-relative disvalue for the victim does not provide the agent with reason for noninterference. This is correct but irrelevant to the argument at hand. For this argument focuses on the purported incompleteness of an ethical theory that affirms strong prerogatives but no restrictions that protect the exercise of any of those prerogatives. For a more extended statement of this sort of argument (and the next one to be discussed in the text), see my essay "Personal Integrity, Practical Recognition, and Rights," The Monist, vol. 76, no. 1 (1993).
reasons—for the promotion of these ends; but it is the fact that they are beings with reasons of this sort that makes it unreasonable for me to treat them as means to my own ends.

I have traced the development and offered a critical assessment of the program of explaining an agent’s being subject to deontic restrictions on the basis of that agent’s agent-relative reasons for acting in accordance with those restrictions. Such a program reflects a failure to distinguish sufficiently between two different components of the critique of utilitarianism and kindred consequentialist doctrines—the affirmation of agent-relative reasons and values against impartialist conceptions of the good, and the affirmation of deontic restrictions against the consequentialist doctrine that the optimal promotion of the good is always right.

At the core of advocacy of this program is the following argument.

(a) If \( Y \) is subject to a deontic restriction \( R \) on her behavior toward \( A \), that restriction cannot obtain in virtue of the agent-neutral disvalue of \( Y \)’s violating \( R \) with respect to \( A \).

(b) Nor can it obtain in virtue of the agent-relative disvalue for \( A \) of \( Y \)’s violating \( R \).

(c) Therefore, the restriction must obtain in virtue of some agent-relative reason possessed by \( Y \).

We have seen, however, that no agent-relative reason possessed by \( Y \) can account for \( Y \)’s being under a deontic restriction \( R \). From this we might conclude, as Scheffler does, that \( R \) is unaccountable and that we should resist its intuitive appeal. Or we may believe, as one should antecedently expect of deontic restrictions, that the reasonableness of \( Y \)’s constraining her conduct toward \( A \) is based on neither the agent-relative nor the agent-neutral value of that constraint. What, then, might it be based upon such that the restraint stems from \( A \) or some morally fertile property of \( A \)? I have suggested a couple of ways in which the reasonableness of \( Y \)’s constraining her conduct may stem from the fact that \( A \), the prospective recipient of \( Y \)’s action, is a being with ultimate, agent-relative values of his own and, hence, has the status of a moral end-in-himself.

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