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DEMANDING SOMETHING

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Summary
Stephen Darwall thinks that moral obligations are second-personal, demands that are addressed to others. But what is it that is addressed to others when we demand of them certain things? It will be argued that there are different forms of demanding things. Some but not all demands have normative force. None of these forms of demands, however, can help us to understand Darwall's idea of moral obligations as second-personal demands. Rather it remains unclear how moral demands could be conceived of as second-personal addresses.

It is a central idea of Stephen Darwall's second-personal ethics that there is a conceptual link between moral obligations and demands we can address to each other. Moral obligations, he puts it, "conceptually involve addressable … authoritative demands. When we violate moral obligations, we violate legitimate expectations and demands that we have and can make …" (Darwall 2013, 61). If a person is under a moral obligation to do x, doing x can be demanded of her. Moral obligations, Darwall thinks, do not have to be demanded to be obligations. They "do not depend on being made by anyone with the individual authority to make them" (Darwall 2013, 35). But they can be demanded. And they can be demanded by those to whom the person who has the moral obligation is accountable. According to Darwall, obligations are genuine demands.

What does this tell us about the nature of moral obligations? Darwall thinks that moral obligations are second-personal, demands that are addressed to others. But what is it that is addressed to others when we demand of them certain things? That is: What are demands? This question needs to be answered if we want to get a grip on the idea that moral obligations have to be conceived of as genuine demands. Darwall talks of "valid demands". They presuppose, as he thinks, "the authority to make it and that the duly authorized claim creates a distinctive reason for com-

pliance (a second-personal reason)" (Darwall 2006, 11). This authority also involves the authority to hold the other person responsible: If you're authorized to demand of someone to do x, you are also authorized to hold her or him responsible (see Darwall 2006, 11). This is the way Darwall conceives of demands and this is also all he says about the concept. This does not answer the question of what we are doing when we are demanding things. I will argue that there are different forms of demanding things. None of them can serve, I will argue, as a plausible explanation of what it means to be under a moral obligation.

I will argue that some, but not all demands have normative force. Those that have normative force do change the normative properties of a situation. Some of them, it will be argued, create moral obligations; others just change the reasons for action people have by putting pressure on these people. Some demands have no normative force at all. They just make the normative set up of a situation explicit. They, for instance, are just making it clear to other persons that they are under a moral obligation that obtains independently of having been made explicit. None of these forms of demands, it will be argued, can help us to understand the idea of moral obligation Darwall has in view when he talks of moral obligations that do not depend on being demanded by anyone with the individual authority to make them. Most moral obligations belong to this category of obligations. One ought not, for instance, kill, torture, degrade, or betray others regardless of whether this is demanded by the person concerned. Darwall also thinks that we ought to do certain things regardless of whether these things are actually demanded of us. But the question is whether this view is compatible with Darwall's view, according to which legitimate moral demands are *second-personal*. I will argue that this is not the case, because only actual demands create second-personal reasons. Moral demands are, as also Darwall agrees, not actual demands. But if this is the case, it is not clear how moral demands could be conceived of as second-personal addresses. This is the point I want to make in this paper.

1. *The normative force of demands*

Let us first have a closer look at Darwall's understanding of moral demands. Take Darwall's example: I step on your feet. I fail to appreciate the reasons not to do so. You could demand of me to take my foot off your foot: "I'm sorry, but that's my foot you're stepping on, you might say to me …"

(Darwall 2013b, 67). You would address me second-personally, by making a claim on me. Demanding is addressing yourself to another person. Doing so creates second-personal reasons. Thus, according to Darwall, addressing yourself to others has normative force.

> When a sergeant orders her platoon to fall in, her charges normally take it that the reason she thereby gives them derives entirely from her authority to address demands to them and their responsibility to comply … The sergeant's order addresses a reason that would not exist but for her authority to address it through her command. (Darwall 2006, 12pp.)

The reason to comply has been created by the sergeant's command. "Similarly", Darwall adds, "when you demand that someone move his foot from on top of yours, you presuppose an irreducibly second-personal standing to address this second-person reason" (Darwall 2006, 13). I step on your feet. I ought to take off my foot, and I'm obliged to do so, as Darwall thinks, for various reasons. There is first the pain I cause; but then, in addition, there is your legitimate demand that I take off my foot. That is, I ought to take it off also because you *can* demand this of me. I do not have this obligation because you actually demand it of me, rather because you could rightly demand it of me. Darwall's idea is that legitimate demands are providing people with reasons for action. They do this in addition to the other reasons persons have to do certain things. But it is the demand itself that binds me to take off my foot, because doing so "violates your right, that is, on the current analysis, your legitimate demand of me as an individual person" (Darwall 2013b, 67).

It is important to note that your *actual* claim on me ("I'm sorry but that's my foot") has no normative force. It is not the case that I ought to take off my foot *because* you addressed me second-personally. I would be obliged to do so even if you said nothing. Thus, it is not the actual act of demanding that carries the normative force in this case, it is rather the *possible legitimate* act of demanding that provides me with additional reason. Darwall understands demands as moral rights. Moral rights are things that can be claimed, but they do not have to be claimed to be rights that have to be respected by others. Rights in the moral sense are, as Darwall thinks, legitimate demands that can be claimed by those who have them. "Our moral rights are what we have the authority to demand of one another *as individuals*" (Darwall 2013, 67).

What exactly does it mean to demand of others certain things? Darwall thinks that by demanding we are addressing claims to each other second-personally ("I'm sorry, but that's my foot"). There are ways of addressing claims to each other, other than demanding. We also address claims to others by requesting things. "Could you please help me writing this paper?", a colleague could ask me. Requests are second-personal: they are addressed to others. They share this feature with demands. What then distinguishes requests from demands?

John Searle thinks that they just differ in strength (see Searle 1976, 1–23). They are all attempts to get others to do certain things. Requests according to Searle put less pressure on others than demands in order to reach the envisaged end. However, I think that demands differ from requests not by the degree of pressure they put on others. Requests and demands are different ways of addressing yourself to others second-personally. Requests and demands have, as Lance and Kukla argue, different "normative outputs": "The output of a successful imperative is an obligation … The output of a successful request is that the target now has a specific sort of reason to do what was requested …" (Lance/Kukla 2013, 460).[1] Requests create reasons for doing something that remains to be an option, not an obligation. A request according to this would be: "It would be nice of you if you helped me writing my paper, but you do not have to do this". Requests, then, are normatively not neutral by creating reasons for action. If the person the request has been addressed to does not respond to these reasons, she does not act the way she should. But she cannot be blamed, because requests do not create obligations. Requests grant options: The reasons they are providing people with are not silencing the other reasons they have. My colleague has reasons to help me writing my paper, but she has at the same time reasons to do other things. Demands, on the contrary, do not grant options. If I demand of you to take your foot off my foot, you do not have options. To take off your foot is something you must do.

Demands bring about obligations, requests reasons for action, both however only if they are successful. When are they successful? In both cases one must have the authority to request or to demand something. Only if I have the authority to ask the target person to help me finishing

1. Lance and Kukla talk of imperatives and not of demands. I take them to have the same meaning.

my paper, my request creates reasons for action for her. I do not have, for instance, the authority to ask the vice-chancellor of our university to help me—if I asked him, this would not create reasons for him to do so. Of course, he might have independent reasons to help me (he wants his colleagues to be academically successful). But my request does not create additional reason for him to act accordingly. Our relation is, I assume, not such that I could address him second-personally in this way. I do not have the authority to make successful requests. The same holds for demands. One must have the authority to demand something of someone to have an obligation as a normative output.

And when requests or demands are successful, different reactive attitudes are warranted when the target persons do not act the way they were supposed to act. If the other person does not do what I requested her to do, I could rightly be disappointed. She does not seem to be the good colleague I thought she was. This might not just change my view of her, but also my relation to her. If the other person does not do what can legitimately demanded of her, I'm justified in blaming her. I might, of course, also be disappointed; but I'm in addition to this justified in putting blame on her. She has not done what to do she had an obligation. She can be blamed for that, which is not true in the case of a request.

3. *The act of demanding*

Demands, if successful, have (at least in certain cases) a certain normative output. But what are we doing when we demand something of others? This is still unclear. One could believe that acts of demanding are attempts to put other people under obligations, as requests might be understood as attempts to provide others with certain reasons for action. Take the case of a thief who wants me to hand over my money. He does not want to grant me further options ("it would be nice if you gave me your money, but you don't have to"), he wants to make it a must for me to do so. So he threatens to kill me if I don't hand over the cash: "Now give it to me". He intends to leave me without options; still he does not intend to put me under a moral obligation. He would not blame me if I refused to give him my money. He would be angry and would possibly kill me, but he would not think that what I did was morally wrong, a violation of a moral obligation. Thus, demanding is not necessarily an attempt to put another person under a moral obligation.

But what are we doing then when we demand something of others in the moral sense? Demanding is, as Darwall emphasizes, conceptually linked to blaming. Thus, we have demanded something of others, one could argue, if we blamed her if she did not do what we demanded of her. "I'm sorry, but that's my foot you're stepping on", A tells B. Is this a demand or just a request? Does this depend on whether A will blame B if he refuses to take off his foot? Can we hence only know whether it is a demand when we know whether or not A is going to blame B in case of B's non-compliance? But blaming is in any case not what A is doing when she demands of B to take off her foot. A is demanding something of B simply by saying, "Take off your foot". What then turns this into a demand?

Is it the pressure on the target person that turns the utterance into a demand? A could threaten B by raising his arm or other gestures. But there are demands that are without doubts demands where no pressure is exercised. The head of department might write me a letter telling me to replace a colleague as an examiner next week: "I expect you to act as examiner next Tuesday at 2 p.m., room 214". She does not threaten in case of defiance, she just tells me to act as an examiner. And this puts me under an obligation, provided she has the authority to demand this of me. I could be blamed by her, and I might even be sanctioned if I did not act as an examiner without having a good excuse.[2]

What is going on here? Provided that what the head of department tells me is meant as something I must comply with, it is an act of demanding. Demanding in this case is not just creating reasons for me to act, it is putting me under an obligation, which I did not have if the head of department did not demand of me to act as an examiner. I think that the head of department creates this obligation by exercising a normative power she has over me. She has the right to tell me that I have to examine philosophy students, because she has the duty to organize the examinations at our department. Due to the latter, she has the authority to demand of me to act as an examiner. And because she has this authority, she is able to put me under the moral obligation to act as an examiner by telling me to do so. It is her authority that puts me under an obligation. More precisely, it is her exercise of the normative power she has over me as head of department ("I expect you to act as an examiner…") that puts me under an obligation. Thus, demanding can be understood as exercising the norma-

2. It is not necessarily the case that she is justified in sanctioning me. This is at least not implied by being under an obligation.

tive power one has over others. This is also what the sergeant does when he demands of one of his soldiers to dig a hole or what the chief editor of a newspaper does when he tells one of the journalists to write an article on the Arab revolution.

When, however, the thief wants my money, he is not exercising a normative power. If what he does is nevertheless demanding, it is a different form of demanding. Unlike the forms of demanding we have considered above, it has no normative force. It is neither providing others with reasons for action nor is it putting them under an obligation. The thief behaves as if he had the required normative power over me. But because he does not have it, he is not successful in putting me under an obligation. He might, however, be successful in another way, namely in actually getting my money. This is not due to his demand; this is rather due to his putting me under pressure by threatening me. So we have two different forms of demanding: the one which is the exercise of a normative power and the other which is just putting pressure on others. The former creates obligations; the latter fails to do so or does not even intend to do so. Thus, demands come in many varieties. They differ in particular with regard to their normative force: some have normative force, others do not. A demand is not necessarily the exercise of a normative power.

4. *Making it explicit*

Let us come back to Darwall's claim that moral obligations are legitimate moral demands. The question is whether the things we've just said about demands are compatible with Darwall's understanding of moral obligations as demands. Darwall thinks that people have the authority to demand of each other certain things. And he holds that "no moral obligation period can exist unless *non-discretionary* demands exist that do not depend on being made by anyone with the individual authority to make them or not" (Darwall 2013, 35). Darwall's idea is that there could be no moral obligation if there were no legitimate demands to be made. Is a legitimate moral demand understood this way as an exercise of a normative power?

Let us have a look again at the "stepping on your foot" example. I step on your foot. I have an obligation to take my foot off your foot. You are, of course, entitled to demand of me to take off my foot. But your saying "I'm sorry, but that's my foot you're stepping on" would not put me under

an obligation to take off my foot. I'm obliged to do so, independently of your saying this to me.

Demanding as an exercise of a normative power, in contrast, changes the normative property of a situation. I ought to act as an examiner if the head of department demands of me to do so; and I would *not* have to do if she did not demand this of me. It is the exercise of her normative power over me that brings about this normative change, from something I'm not obliged to do to something I'm now obliged to do. Your demand to take off my foot, in contrast, is not an exercise of normative power, because it does not change the normative properties of the situation. I'm obliged to take off my foot, even if you said nothing. By saying so you are reminding me of having this moral obligation. Your demand is legitimate, but it does not change the normative properties of the given situation.

You could change the normative properties this way: You could say, "Stepping on my foot is fine with me; you do not have to take your foot off". If you did this, you would waive your right not to be stepped on your foot. This is not demanding anything of me. On the contrary, this is the waiving of a demand you are entitled to make. Demanding of me to take off my foot is neither the exercise of a normative power nor is it a failed attempt to exercise a normative power. That is, it is not the case that you aim at a normative output you do not succeed in bringing about. The latter holds when you did not have the normative power to demand of me to take off my foot. But you do have the normative power to waive your right not to be stepped on. You are entitled to demand this of me, but your doing so does not create a reason to comply with the obligation. The normative properties of the situation are not subject to any demands, only to acts of waiving your entitlements. If so, the demands are not second-personal the way Darwall understands demands as being second-personal. As he puts it:

> A second-personal reason is one whose validity depends on presupposed authority and accountability relations between persons and, therefore, on the possibility of the reason's being addressed person-to-person. Reasons addressed or presupposed in orders, requests, claims, reproaches, complaints, demands, promises, contracts, giving of consent, and so on are all second-personal in this sense. (Darwall 2006, 8)

The validity of the reasons the demands of the head of department provide me depend on the exercise of her normative authority. As concerns moral obligations, this is not the case. The reasons one has to comply with them

are prior to the demands and also prior to the authority to demand. They are the reasons why people have this authority in the moral case.

5. *Demands and obligations*

Obligations *can* be the normative output of demands: of exercises of normative powers people have. They presuppose that certain normative relations obtain between people: A has the normative power over B's doing x: A's demand of B to do x creates an obligation on B's side. Most moral obligations we have, however, are not of this kind: The duty not to cause pain or the duty not to kill are simply there to be fulfilled. People are entitled to demand of others not to cause pain etc., provided the others are obliged not to do so. There, hence, is a difference between demands creating obligations and demands that make obligations explicit. The former have normative force, the latter are normatively inert.

Darwall thinks that there could be no moral obligations period "unless non-discretionary demands exist that do not depend on being made by anyone with the individual authority to make them or not" (Darwall 2013, 32). What Darwall seems to mean here is this: A is morally obliged to do x means that others are authorized to demand of A to do x. If they were not authorized to do so, A would not be obliged to do x. But does being obliged to do x mean that doing can be demanded by others?

I do not think that this is what follows from what above has been said about demands. The demand in Darwall's account is something that is justified by a moral obligation. What is justified here is a demand understood as an utterance that makes the moral obligation explicit. That is to say, one is right in saying, "you ought to take off your foot" because the other person is under a moral obligation to do so. The moral obligation is logically prior to any act of making it explicit. It is simply what is made explicit by the demand. This is a problem for Darwall's account of moral obligations. It is unclear how moral obligations could be conceived of as second-personal. This is so because moral obligations do not depend on the demand. On the contrary, the legitimate moral demand presupposes the existence of an independent moral obligation. This is the case where demands are acts of making it explicit. It is different, however, from demands that are exercises of normative powers: these demands create moral obligations. My demand creates an obligation, provided I have the required normative power.

These two kinds of demands differ not only with regard to their normative force, they also differ in another respect: If I step on your feet, every one is authorized to demand of me to take off my foot, not only the person who suffers. If she did not say anything, the person sitting next to her could say: "Please take off your foot, can't you see what you're doing to her?" But if I have to write an article just because the head of department asked me to do so, only my boss would be authorized to demand it of me in case I do not follow his demand. It would be none of anyone else's business to demand this of me. Of course, others could tell me that the head of department asked me to write the article, but they were not in a normative position to demand of me to do so. The authority to demand of me to act appropriately would remain with the person who brought the obligation into existence: the head of department. But in the moral case every one was entitled to demand of me to take off my foot, because the reasons to do so exist independently of any exercises of the normative authority people have.

6. *Second-personal?*

Darwall thinks that moral obligations conceptually involve addressable demands. As we've seen, some moral obligations are the result of successfully addressed demands: those that are brought about by exercises of normative powers people have. Most moral obligations are not of that kind. They exist independently of whether they are demanded or not. They could be demanded in the sense that they could be made explicit. But this is not part of what it means to be under a moral obligation. Various things can be made explicit. Everything that is the case, for instance, can be made explicit. I can tell others that the earth is round; in the same way I can tell them that they ought not to humiliate their fellow human beings. We would not want to say that nothing was the case unless it could be made explicit. In the same vein, we would not say that there was no moral obligation unless there were addressable demands. That they can be demanded presupposes that they exist independently of whether they are addressable to others.

Moral obligation involves demands that are addressed to us by the performance of a particular act on a particular occasion. Of course, they can be addressed to us in this manner, but they are not created by a particular act. They are addressed to us, as Darwall puts it, "from the … perspective

of the moral community" (Darwall 2006, 9). And if others address moral demands to me, they do this as representatives of the moral community. What you are obliged to do is what the moral community demands of you. Are the demands issued by the moral community just making my moral obligations explicit or are the moral obligations created by them? Darwall's idea seems to be that the community's demands put me under moral obligations. This presupposes that the moral community has the required moral power the exercises of which create moral obligations. I have to take off my foot because the moral community demands me to do so.

But this is not an act that is performed by real people in the real world. Thus, it is not the exercise of a normative power. The exercise of normative power is an act that is performed by someone. It is an act that the one who has the required normative authority could perform. But this does not apply to the demands of the moral community simply because they are not actually performed. Of course, representatives of the moral community would demand of you what morality requires. But it seems that by doing this they were making explicit the moral obligations we have to fulfil. Exercises of normative powers as acts of demanding in the sense described above are acts that are performed by particular people on particular occasions. What the moral community on Darwall's view does is not of this nature. Thus, their demands are not creating moral obligations. The moral obligations are presupposed by moral demands. They must be conceived of independently of moral demands because they do not depend on the normative authority people have. Darwall writes:

> The sergeant's order addresses a reason that would not exist but for her authority to address it through her command. Similarly, when you demand that someone move his foot from on top of yours, you presuppose an irreducibly second-personal standing to address this second-personal reason. (Darwall 2006, 13)

But the two cases are not similar as concerns the reasons for action. In the first case the reason would not exist without the command, in the second, however, it would. This is the difference for which Darwall does not account.

Let me look more closely at the obligations that exist independently of demands. This is important because Darwall seems not to accept such demand-independent obligations. In order to show that Darwall should accept such demands, we need to sketch how these demand-independent obligations might come into existence.

First of all, Darwall is right, I think, that the concept of moral obligatoriness differs from simply having reasons (see Darwall 2013a, 33). I do not just have reasons to take off my foot from your foot: I'm obliged to do so. This is also a difference in how the others could relate to my taking off my foot: It is not just that they could recommend to do so, they can demand this of me. And because this can be demanded, I'm blameworthy if I don't take off my foot. Those who can demand this of me can blame me for not doing it. Darwall rightly thinks that all who have the representative moral authority can do so.

> (W)hen we blame someone, we add our voice to or second, as it were, a demand that we must presuppose is made of everyone by the moral community or representative persons as such. (Darwall 2013a, 37)

We might criticize people for not paying attention to reasons, but we don't blame them. We blame them only when we think that they violated a moral obligation. Obligations have a binding force. If I'm under an obligation to do x, doing x is not just an option I can choose, it is something I must do.

How can we account for this difference? An option is choiceworthy to the extent that there are reasons to choose the option. There are reasons to do what is obligatory. But if I'm obliged to do x, x is not just something I have reason to do. What then has to be added when it comes to actions that are obligatory?

Take the Darwall's toe case again. Stepping on your foot hurts you and is therefore bad for you. This is a reason not to step on your foot. On Darwall's view there is an additional reason not to perform such acts:

> (A)n act's wrongness provides additional reason not to perform it: the act would violate a legitimate demand and so fail to respect our authority as representative persons. (Darwall 2013, 69)

But why is this something that can be demanded of others? I have a duty not to step on other's feet. They can demand of me not to perform such acts, because it is my duty not to perform them. This is not due to your

demand. It is not the case that your demand creates my duty not to step on your foot. It is my duty not to do so, even if you did not demand of me not to do it. Your demand is just making my duty explicit.

What makes it the case that you have the authority to demand of me not to perform such acts? It's bad for you and thus you have a reason not to want it. Having a reason not to want others to step on your foot does not imply that I have a duty not to perform this act. We have reasons not to do certain things without necessarily having a duty not to do so. For instance, we have reasons to be nice to people without having a duty to be nice; this cannot be demanded by others. But we have a duty not to step on other's feet. Why?

We do not want others to step on our feet. We also want to be able to make sure that others do not perform such acts. We do not want it to be the case that we can only hope that others do not perform such acts. We could think of a world where people could just hope and complain afterwards when others do not behave the way we want them to. We could ask others not to step on our feet. But I think we want to be in a stronger position towards others when it comes to them causing us pain. We have an interest not to be stepped on our feet and in addition an interest in having the normative power to put pressure on others to refrain from doing so. Such an authority is of value to us. It is important to us not to be hurt by others and being authorized to make sure that they will not. We would not want to live in a world where we just have to hope not to be hurt or where we could only ask for not being hurt by others. We want to live in a world where we are authorized to put pressure on others not to perform acts that hurt us.

We are authorized, one could argue, to put pressure on others not to perform such acts, because it is of *value* to all of us to have this normative power. The value of having normative power over certain acts could explain the difference between just having reasons not to perform such acts and being under an obligation not to perform them, a difference Darwall himself thinks does obtain. But is the view according to which normative powers are value-dependent compatible with the idea of moral obligations as second-personal? Darwall writes:

> I argue that the second-personal character of central moral concepts has fundamental implications for the kinds of reasons it takes to justify beliefs and attitudes that involve these concepts … I maintain that it does follow from my analysis … that there is a fundamental conceptual difference between the good and the right, and that considerations showing that an action would be

> desirable … are not the "reasons of the right kind" to establish by themselves the action's deontic status, its being either morally obligatory, prohibited, or permissible. (Darwall 2013, xi)

It is desirable not to step on others feet. Darwall is, I think, right, that this does not put us under a moral duty not to perform such acts. But then it is desirable to have the authority to put other people under pressure not to step on our feet. This is the reason, I guess, to see people under a duty not to perform such acts. It is of value to us that we are authorized to tell others that they are under an obligation to perform certain acts. It is good for us that people do not behave in certain ways. It is also good for us that we can treat them as being obliged to act in these ways. It might be this value that establishes the deontic status of acts; for instance, the deontic status of the act not to step on other people's feet as morally obligatory. We do not want to live in a world where we can only hope that this is not done to us, or where we can only ask others not to treat us this way. We want to live in a world where we can treat people as being under an obligation not to hurt us.

8. *Conclusion*

Darwall thinks that moral obligations are genuine demands we can address to each other. Moral obligations can be demanded by others, without depending on being demanded. But as it has been argued in this paper, obligations are either created by demands or presupposed by them. Demands can have different forms. Demands can be ways of putting others under pressure to do certain things or exercises of normative powers people have. Exercises of normative powers create obligations. These obligations do not exist independently of the people's exercises of their normative power. They are their normative output. Other demands just make obligations explicit. These do not create obligations. Many moral obligations we have, such as the obligation not to kill, not to torture, not to degrade people, are just made explicit by demands. We have these moral obligations not because they are demanded, but rather because we have an interest in taking each other as having such moral obligations. That is to say, we have an interest in being able to bind others to treat us in certain ways, an ability we would not have if we had no right to tell them to be obliged to act in ways they should treat us.

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