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DOI: <https://doi.org/10.1093/oso/9780198846253.003.0002>

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ZORA URL: <https://doi.org/10.5167/uzh-175965>

Book Section

Published Version

Originally published at:

Gläser, Micha (2019). The normative structure of request. In: Timmons, Mark. Oxford studies in normative ethics. Oxford: Oxford University Press, 29-49.

DOI: <https://doi.org/10.1093/oso/9780198846253.003.0002>

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The Normative Structure of Request

Micha Gläser

1. Introduction

Request is curious. A moment's reflection reveals as much. For example, we often say such things as "Can't hurt to ask" and "It's okay to say no," yet we also frequently vex over whether to ask and agonize over saying no, and when we do ask, we often *don't* actually think that it's okay to say no if we're honest with ourselves. How do the former, more easy-going qualities go together with the latter, more high-strung ones? For another example, we sometimes say things like "So-and-so asked me to do such-and-such, so I did it." Normally our audience will be inclined to accept statements of this sort as perfectly good answers to the question why we did what we did, not least so-and-so, who will likely find the answer especially gratifying. A request thus seems to at least potentially constitute a perfectly good reason to do the thing requested. At the same time, we don't generally go around making requests of others without ourselves having good reason to do so, and were we to find out that this is what so-and-so was doing, we may well not take kindly to it. However, if we shouldn't be asking without being "backed" by good reason of our own, then doesn't whatever normative force a request of ours possesses simply derive from the thing that gave us reason to ask in the first place, and if so, how could a request *as such* ever provide reason to do anything? And yet it seems to. While these various curiosities make request a low-hanging fruit for philosophical investigation, there is little literature on the subject, and less still that does them even approximate justice. The present chapter attempts to deliver progress on this front.

2. Normative Effect and Discretion

We might think of request as an interpersonal normative performative. Like an Austinian performative (see Austin 1975), a request purports to be *doing*

something, rather than merely reflecting some state of affairs that holds independently of the act of address itself. More specifically, a request purports to be doing something *normative*. It purports to have a certain normative effect on the requestee. Finally, the normative effect in question must be conceived as somehow internal to the request's being addressed at the requestee. There is a categorical difference between the normative position of the requestee on the one hand and that of a third party merely overhearing the request on the other, say.

What is the purported normative effect of request? As noted above, a requestee's "So-and-so asked me to do such-and-such, so I did it" indicates that she took the requester's request as her reason for performing the act requested. A statement of this sort seems to reflect *success* on the part of the requester qua requester. The requester attempted to get the requestee to act "in conformity with the request from the request," and this is what the requestee did. This suggests that a request presents itself as a reason for action for its addressee qua addressee of a request.¹ An account of request needs to account for its reason-constituting nature so understood. Call this the *normative effect constraint*.

Command, consent, and promising are other species of the genus interpersonal normative performative. The first of these resembles request most closely. Consider a statement parallel to the one above: "So-and-so *told* me to do such-and-such, so I did it." What the commandee is saying here is that she took the commander's command as her reason for doing as commanded. Again, such a statement reflects success on the part of the addressor, which suggests that commands also purport to constitute reasons for their addressees. Where request and command seem to differ is in the *kind* of reason they purport to constitute. Request seems to amount to a normatively "feebler" form of address than command, to use a term of Elizabeth Anscombe's (see 1981, p. 18). In particular, a requester in making her request grants *discretion* to the requestee as to whether to do the thing requested, whereas no such thing is true of commander and commandee. An account of request needs to capture the discretion-granting character of request. Call this the *discretion constraint*.

Everyday life seems to confirm not just the existence but also the interpersonal significance of the difference in "normative grade" between request

¹ The reason in question thus possesses all the trappings of a "second-personal reason" in Stephen Darwall's sense. See his *The Second-Person Standpoint* (2006), especially pp. 5–10.

and command. People sometimes make a point in emphasizing that they weren't trying to command their addressee but instead were merely making a request of them: "I wasn't *telling* you to do such-and-such. I was just *asking*. You don't *have* to do it. Feel free to say no." Statements of this sort are meant to highlight the discretion the addressor grants the addressee in deploying the form of address of request rather than command. People sometimes also make a point in emphasizing that they were doing the opposite: "You misunderstood me. I wasn't *asking* you to do such-and-such. I was *telling* you to do it. You don't have a choice here. You *have* to do it." Or, shorter: "That's an order!"

Similarly, the addressees of putative acts of command sometimes protest their treatment by saying things like: "You don't get to *tell* me anything." Note that what the addressee is taking issue with here is the form of address of command as such, rather than the substance of the command in question, which for all the would-be commandee says might be perfectly unobjectionable were it to be put forward as a request. In addressing the addressee through the form of address of command, the addressor is guilty of "normative overreach" of a specifically interpersonal kind, or so the addressee's rejection of the act of address seems to imply. The familiarity of these sorts of statements suggests that the normative space between request and command is not only genuine but also of genuine concern to us.

3. The Mere Addition Account

The contrast between request and command is the subject of a brief but suggestive passage in Joseph Raz's *The Authority of Law*:

Requesting and ordering... entail intending that the act of requesting or ordering be taken as a reason to perform the act ordered or requested. What then is the difference between them? One such difference is relevant to our purpose. Suppose that a man makes a request and is told in reply that his request was considered, but on balance it was found that the reasons against the action requested overrode those for it including the request itself. He will no doubt be disappointed, but he will not feel that his request was disregarded. He has nothing to complain about. He must concede that whatever his hopes, he intended no more than that the action be taken on the balance of reasons, his request being one of them... This is

not so if he gave an order. A man who orders someone else does not regard his order as merely another reason to be added to the balance by which the addressee will determine what to do. He intends the addressee to take his order as a reason on which to act regardless of whatever other conflicting reasons exist (short usually of an emergency or other extreme circumstances). (2009, pp. 14–15)

Raz's suggestion here is that requests purport to constitute mere pro tanto reasons for their addressees whereas commands claim to impose (what he elsewhere calls) "protected reasons" on them, where a protected reason for some act is a normative compound consisting of a first-order reason in favor of the act and a second-order "exclusionary" reason against acting for other reasons for or against the act (see his *Practical Reasons and Norms* (1999), p. 191). Since on Raz's view protected reasons *just are* obligations, it follows that requests purport to add mere (i.e., pro tanto) reasons to their addressees' balance of reasons whereas commands purport to impose obligations on them. Call this the *mere addition account* of request.²

The mere addition account provides for a straightforward interpretation of the two constraints from above. The purported normative effect of request consists in its adding itself as a pro tanto reason to the requestee's balance of reasons. The discretionary element of request in turn resides in the pro tanto and so non-obligatory nature of the reason a request purports to constitute. By the requester's own lights, a noncompliant requestee merely fails to comply with a particular pro tanto reason applying to her (namely the request). Hence, the requestee enjoys discretion in that her noncompliance as such isn't a failure to do something she is obligated—and in *that sense has*—to do.

² Other for the most part cursory treatments of request occur in David Enoch, "Giving Practical Reasons" (2011) and "Authority and Reason-Giving" (2014); David Owens, *Shaping the Normative Landscape* (2012, see especially pp. 86–7, 98–100, and 228–9); Mark Lance and Rebecca Kukla, "Leave the Gun: Take the Cannoli! The Pragmatic Topography of Second-Person Calls" (2013, see especially pp. 460–3); Margaret Little, "In Defence of Non-Deontic Reasons" (2013, see pp. 131–5); and James Lewis, "The Discretionary Normativity of Requests" (2018). While there are significant differences between these various discussions, they all subscribe to the mere addition account in the point that matters for my purposes, namely that requests create non-obligatory reasons. Since despite its brevity the passage just quoted offers an instructive treatment of the implications of the mere addition account, I will use it as my point of reference throughout. The one exception to the general partiality to the mere addition account of which I am aware is Geoffrey Cupit's "How Requests (and Promises) Create Obligations" (1994). I will discuss Cupit's account—to which I am extremely sympathetic—in slightly more detail in footnote 16 below.

4. Compliance

The violation of an obligation is usually taken to constitute a distinctive kind of normative defect. Specifically, it is generally thought that an agent who acts contrary to some obligation of hers is ipso facto guilty of having committed a *wrong*. Following P. F. Strawson's well-known discussion in "Freedom and Resentment" (2008), a person who committed a wrong is usually taken to be the appropriate object of blame understood as a *sui generis* interpersonal attitude, with its subspecies of ("personal") resentment (on the part of the "wrongee"), ("impersonal") indignation (on the part of third-party members of "the moral community"), and guilt (understood as self-blame on the part of the wrongdoer). An agent's failure to comply with one of her *pro tanto* reasons on the other hand doesn't carry the idea of a wrong in its train, nor accordingly the appropriateness of blame. Crucially, this is often taken to be so not merely when the balance of her reasons speaks *against* whatever the particular *pro tanto* reason in question favors, but also when the two coincide. While failing to act on the balance of her reasons does render an agent liable to rational criticism, such criticism is different in kind from full-blown blame *qua* appropriate response to wrongdoing.³

Given the conceptual connection between obligation and the reactive attitudes, and given that requests purport to constitute mere *pro tanto* reasons, it seems to follow on the mere addition account that it couldn't be appropriate for a requester to resent a requestee for not doing as requested. Yet it is easy to imagine at least apparent counterexamples here. Consider the following case:

Movie Night

Rick and Erica are friends. They live across town from each other. Erica is really good with computers. Rick is not. Rick has a critical deadline coming up the next day at noon. He is having trouble with his laptop. He has already tried fixing the problem himself, to no avail. He is reaching out to Erica to come over tonight to help him. She tells him that, while she feels for him, she would rather stay in and watch a movie.

The appropriate reaction on Rick's part here seems to be something in the register of resentment towards Erica. Rick *does* have "something to complain

³ Darwall states this point in a number of places, most explicitly in "Moral Obligation: Form and Substance" (2013), p. 43.

about,” despite the fact that Erica did consider his request (or perhaps precisely in virtue of *how* she considered his request). However, if resentment is the proper response to the suffering of a wrong, then the intuitive appropriateness of Rick’s resentment towards Erica implies that in turning down his request she in some way wronged him. Yet this is precisely what the mere addition account seems to have to deny. *Movie Night*-style cases thus seem to make trouble for the mere addition account.

The passage from Raz quoted above may seem to provide the materials for a defense of the mere addition account here. Raz there says that the person whose request was turned down has “nothing to complain about” if the action was “taken on the balance of reasons, her request being one of them.” This suggests that, if Erica acted against the balance of her reasons, then perhaps Rick does have something to complain about. Let’s assume that the balance of reasons applying to Erica did speak in favor of helping out Rick rather than watching her movie. Her doing the latter therefore qualifies as acting against the balance of her reasons, the proposal goes, which in turn renders appropriate Rick’s resentment towards her.

One bit of trouble with the proposal is that it puts pressure on the supposed conceptual connection between obligation and the reactive attitudes. What the proposal says is that persons are susceptible to blame not just for failing their obligations but also for failing to do what they have all-things-considered reason to do. The mere addition account so extended thus seems to collapse (mere) rational criticism into (full-blown) blame. Moreover, it is difficult to see what remains of the distinction between (personal) resentment and (impersonal) indignation, given that the appropriate occasion for blame on this picture—i.e., a person’s failing to do what she has all-things considered reason to do—as such doesn’t provide for the distinction between sufferers and mere third parties. But perhaps the distinction here could be understood in terms of the substance of the relevant reasons.⁴ Moreover, someone might reject the distinction between what the balance of a person’s reasons calls for on the one hand and what she is obligated to do on the other altogether and instead hold that to act wrongly—and so contrary to obligation—*just is* to act contrary to the balance of one’s (moral) reasons. Let me therefore set these *prima facie* concerns aside and instead turn to a deeper problem.

⁴ Raz’s own “interest theory” of rights, which grounds rights and their correlative duties in the substantive interests of the right-holder (see 1986, ch. 7), in fact provides the model for such an account.

The problem is that, according to the mere addition account, the *ground* for Erica's blameworthiness would have to be her failure to do what she has all-things-considered reason to do, *rather than* her failure to comply with his request, which—qua mere pro tanto reason—may or may not coincide with her balance of reasons. The mere addition account would have to say that, insofar as Rick blames Erica for her failure to comply with his request, he would be making a mistake similar to that of blaming a shopkeeper whose dishonest dealings lose him business *for his imprudence*. The mistake here is that, while it is true that the shopkeeper is being imprudent in being dishonest, it is his dishonesty that merits blame, not his imprudence. Likewise—the mere addition account would have to maintain—it is true that Erica failed to comply with Rick's request in failing to act on the balance of her reasons, yet blame is due on account of the latter *rather than* the former, so Rick is making a mistake in blaming Erica for her failure to comply with his request *as such*. Yet this seems clearly false. Rick *doesn't* seem to be making a mistake in blaming Erica for her failure to comply with his request here, pace the mere addition account.

Note that the problem carries over to a second possible reply to *Movie Night*-style cases on behalf of the mere addition account, one that leaves intact the presumed internal relation between obligation and the reactive attitudes. According to this reply, what warrants Rick's complaint against Erica is that she has (not merely all-things-considered reason but) an obligation to help him out, where this obligation applies to her independently of his request. Once again, the problem is that, since Erica's failure to comply with Rick's request is merely accidentally related to her failing to do what she is obligated to do on this picture, Rick's complaint that Erica didn't comply with his request comes out as misguided, in the sense that it picks up on something that is merely accidental to the thing for which Erica is *actually* blameworthy, i.e., her failure to comply with her prior obligation. Again, however, this seems false. There doesn't seem to be anything misguided about Rick's blaming Erica for her failure to comply with his request *as such* here.

What I therefore want to propose is a third formal constraint on the concept of request. An account of request needs to explain how it is that compliance with a request *as such* might be obligatory for a requestee, rather than something that merely happens to coincide with what the requestee is obligated to do. I will call this the *compliance constraint*. The mere addition account is unable to account for this constraint. At best it is able explain how it might be obligatory for a requestee to act *in conformity with a*

request—namely whenever the thing she has all-things-considered reason to do or is obligated to do *anyway* also happens to be the thing that is being requested of her—but not how it might be obligatory for a requestee to act *from*, or *on*, a request.

5. Good Reason

The trouble for the mere addition account doesn't end there, however. Note that request seems to carry obligation with it not only on the part of the requestee—as in *Movie Night*—but also on the part of the requester. Consider the following variant of the case:

Easy Fix

Rick and Erica are still friends and live across town from each other; she is still good with computers and he isn't; he still has his critical deadline coming up tomorrow and is reaching out to her for help. However, now Erica agrees to come over, skipping her much-anticipated movie night, only to find that Rick could have disposed of the problem himself with minimal effort. He just couldn't be bothered.

It seems that now *Erica* would appropriately feel resentment towards *Rick*, which in turn suggests that, in putting his request to Erica, Rick somehow wronged her. He *shouldn't have* asked her to come over under these circumstances, yet he did. *Easy Fix*-style cases thus pose a challenge to the mere addition account. It isn't obvious how adding a pro tanto reason to a person's balance of reasons might be the sort of thing that constitutes a wrong against that person.

In reply, a defender of the mere addition account might argue that *Easy Fix* differs from *Movie Night* in that here the appeal of the movie night does outweigh Rick's request in Erica's balance of reasons, so that Erica does have all-things-considered reason to decline to help him and stay at home instead. The defender of the mere addition account might then invoke a principle to the effect that requesters owe it to their addressees to issue only requests which end up belonging to what might be called the "winning coalition" of reasons applying to the requestee,⁵ or at least only requests which aren't going to be

⁵ A request's figuring in the winning coalition of reasons need not involve its tipping the balance of reasons in favor of the act requested. The winning coalition may have won even in the absence of the request.

clearly outweighed, or some such. Applied to *Easy Fix*, it follows that Rick owes it to Erica not to ask her to come help him and so wrongs her in doing so.

There is something suggestive about this proposal. Cases such as *Easy Fix* illustrate that we owe it to others not to request them to do things which we believe they lack (what I will call) “good reason” to do, where a good reason provides a good answer to what following Anscombe we might call the “Why?” question, that is, an answer that renders the thing done *rational*, in a perfectly respectable sense of the word. When a person has all-things-considered reason *not* to do something, then presumably she also lacks good reason to do it and in fact has good reason *not* to do it; this is why the proposal is suggestive. What we have here is therefore a fourth formal constraint on the concept of request. It is incumbent on an account of request to explain why requesters owe it to their requestees only to ask them for things the latter have good reason to do. I will call this the *good reason constraint*.

The trouble with the proposal is that the principle to which it appeals—i.e., to make only those requests that would figure in the requestee’s winning coalition of reasons—is inadequate to the task of explaining the *kind* of wrong Rick is committing against Erica in *Easy Fix*, and so ultimately the kind of wrong to which the good reason constraint makes reference. The point might be brought out by reflecting on the ground of Erica’s resentment towards Rick here. I suspect that Erica will feel as though Rick *led her on*. In his very act of address, he acted as though things were one way, but it turns out that they were really another way. Specifically, in making his request Rick had acted as though Erica had good reason to come over and help him, when in reality she didn’t. The complaint underlying Erica’s sense of anger against Rick is that he is guilty of a form of insincerity towards her.

However, if Erica justifiably feels led on by Rick, then it seems that she was entitled to presume that she did have good reason to come over and help him *simply* in virtue of his making his request of her. What this brings out is that the good reason constraint must be understood as *internal* to the form of address of request. To request something of someone knowing that the person doesn’t have good reason to do the thing requested isn’t to commit a wrong against the requestee that is merely accidentally related to the nature of one’s act of request qua act of request. Rather—and to use yet another term of Austin’s—it is to *abuse* the form of address of request. It is to act in bad faith.

Note that insincerity is only one of two possible forms of bad faith here. The other is what might be called “brazenness.”⁶ Suppose that Rick is unapologetic when Erica takes him to task over his request, or suppose that he already tells her on the phone that he hadn’t put in even five minutes of his own time because, “Why bother if I can get you to do it instead?” Presumably Erica will feel the same kind of resentment here as she would have had he instead led her on in the way described above, even if here she didn’t actually make the trip. This suggests that the cost she incurs in traveling across town in the original description of the case is merely incidental to the ground of her resentment towards him. Rather, it is the bad faith he is exhibiting in both versions of the case.

It is the internal character of the wrong at play here which the present proposal on behalf of the mere addition account fails to capture. Whatever the nature of the wrong captured by the obligation I imagined the mere addition account as proposing in reply to *Easy Fix*, it isn’t the wrong of *abusing* the form of address of request. The wrong of making a “losing” request as the mere addition account has to conceive of it is extrinsic to the normative structure of request. According to the mere addition account, in making her request the requester creates a mere pro tanto reason for the requestee in favor of the act requested. The obligation on which the proposal turns on the other hand concerns the requestee’s balance of reasons, with which the request qua mere pro tanto reason ipso facto stands in a merely accidental relation.

Perhaps the point might be clarified by analogy to how utilitarianism has to conceive of the notion of moral wrongness. Suppose that, instead of aiming at maximal net overall utility, I am tending to some personal, non-optimific project. I am thereby acting wrongly according to at least certain standard versions of utilitarianism. However, the wrong of which I am guilty here *isn’t* that of bad faith. I am not in the very act of pursuing my personal project insincerely or brazenly presenting myself as in the business of maximizing utility. What this shows is that the principle of utility constitutes an external rather than internal standard of action.

The mere addition account is in a position parallel to that of utilitarianism here. The only way in which it could account for the wrong of which Rick is guilty in *Easy Fix* is as one external to the form of request as such. It therefore cannot account for the specific nature of the wrong of which

⁶ The distinction here is, I think, similar to the distinction between insincerity and “shamelessness” Philippa Foot draws in her *Natural Goodness* (2001, see p. 19).

Rick seems to be guilty. Nor does it help the mere addition account to appeal to some independent obligation we owe to other people not to lead them on or the like, of which Rick runs afoul here and which therefore accounts for the propriety of Erica's sense of resentment towards him. The trouble is that the mere addition account lacks the resources to explain *why* Rick's request counts as leading Erica on and as such qualifies as a violation of the obligation in question. To invoke an obligation of this sort in reply to the objection here is therefore to effectively concede the point.

6. Transparency

The problem is fundamental. Recall that the mere addition account has it that the normative effect a request claims for itself is that of constituting a pro tanto reason *next to* and *on a par with* all the other pro tanto reasons applying to the requestee. As such, it purports to constitute a pro tanto reason for doing the thing requested *independently of* those other reasons.⁷ It follows that there *couldn't* be an internal standard governing what one person might ask of another. Any such standard would need to take the form of an external principle, such as the principle entertained in the section right above to only make requests that would belong to the winning coalition of reasons applying to the requestee.

In other words, the mere addition account portrays the requester as a kind of practical King Midas, whose speech has the power to turn anything it "touches" into a reason for action. Whatever moral principles the mere addition account might devise in order to "capture our intuitions" about the cases adduced above are bound to serve as merely external constraints on the requester's exercise of her Midas-like power. Any such constraint would have to be akin to a moral principle telling the actual (i.e., mythical) Midas not to touch other people, say: if he *were* to touch them, he would be turning them into gold just like anything else he might touch; it's just that he's not *supposed* to (or rather, it's *just* that he's not supposed to). But this misdescribes how a good-faithed requester conceives of her own normative power qua requester. A good-faithed requester instead takes the normative force of

⁷ This doesn't mean that the mere addition account couldn't allow for the latter to *outweigh* the request. The point is just that its being outweighed wouldn't derive from anything internal to the request as such but instead would be a function of its (merely external) relation to its normative "environment."

her request to be *transparent* to the normative force attaching to conditions that hold independently of her act of request.⁸ The idea of transparency so conceived provides for further specification of the good reason constraint. For her request to qualify as good-faithed, the requester has to believe that it reflects something that *independently* gives the requestee good reason to do as requested. If her request fails to meet this condition, it fails on its own formal terms.⁹

To make the point more vivid, consider what Rick might say to Erica in making his (good-faithed) request of her in *Movie Night*: “I know it’s a lot to ask, but would you mind coming over to help me fix my laptop tonight? I have this crucial deadline coming up tomorrow, so you would be helping me out here big time here. I’ve already tried to fix the problem myself but wasn’t able to, and I know you’re really good with this stuff, so it’ll probably take you fifteen minutes tops. So: would you mind?” As the mere addition account would seem to have to analyze matters, Rick must be understood as shifting normative gears between the first and second sentence of his little speech and then back again between the second-to-last and last. In, or through, the first and last sentence he is creating a *pro tanto* reason for Erica, whereas in between he is reporting on all the independently existing reasons that apply to her *alongside* his request. However, this seems to be the wrong picture of what is going on here. What Rick is doing in those middle sentences is explaining the rationale *behind* his request—and in doing so establishing its bona-fide nature—rather than pointing to reasons that exist independently of the reason he is creating by uttering the sentences before and after.¹⁰

⁸ For what I take to be related uses of the notion of transparency, see Richard Moran, *Authority and Estrangement* (2001), pp. 60–5, and T. M. Scanlon, *What We Owe to Each Other* (1998), p. 133. The same goes, I think, for A. J. Julius’s principle of “Independence” in *Reconstruction* (2013, see p. 8), absent the language of transparency.

⁹ There is some similarity between my argument here and Raz’s “dependence thesis,” which forms part of his “service conception” of authority and reads as follows: “All authoritative directives should be based on reasons which *already independently* apply to the subjects of the directives and are relevant to their action in the circumstances covered by the directive” (1986, p. 47, emphasis added). Somewhat ironically then, the service conception qua account of legitimate *command* comes closer to capturing the normative structure of request than does Raz’s discussion of *request* in the passage quoted at the beginning of Section 3 above.

¹⁰ By asking twice, is Rick creating two numerically distinct reasons for Erica to help him out? It at least isn’t *obvious* by what resources the mere addition account might avert this—obviously absurd—conclusion.

Or, to make the same point from a different angle, consider a final variation on the Rick-and-Erica situation:

Babysitter

Everything is as in *Movie Night*, except that Erica turns down Rick's request not because she would rather be watching her movie but because she is babysitting her infant niece at her sister's tonight.

Here the appropriate reaction on Rick's part would seem to be something like: "Oh, I didn't know. Never mind then." What this response indicates is that Rick is *retracting* his request in light of what he now knows and that, accordingly, he wouldn't have asked in the first place had he known about her babysitting duties before. Unlike in *Easy Fix*, Erica isn't going to hold his request against him here, but only because he is excused by his excusable ignorance. That Rick is retracting his request reflects his recognition that Erica *doesn't* in fact have good reason to comply with his request. The normative presupposition on which his request was meant to be based thus turns out to fail, from which it in turn follows that by Rick's own lights the request itself is null and void normatively speaking. Suppose that, instead of retracting his request, Rick were to say to her: "Oh, I knew about your babysitting duties. Still, would you mind coming over?" Once Erica were to come to realize that he wasn't somehow confused or speaking in jest, she would presumably be more than a little irritated with him and might in fact find the exchange difficult to look past for the purpose of carrying on her friendship with him, since only someone brazen or—to use an expression of Anscombe's to which I will return below—a "megalomaniac" would be saying this sort of thing with a straight face.

Yet all of this is difficult to make sense of on the mere addition account. As the mere addition account has it, Rick may well admit that Erica's babysitting obligations *outweigh* his request here, but it isn't clear why *retraction* would be in order. A defender of the mere addition account might be tempted to retrieve the proposal from the preceding section and argue that the requester should withdraw her request on account of her duty only to make requests that would figure in the winning coalition of reasons applying to Erica. However, once again the proposal provides the wrong kind of ground for Rick's retraction. It explains the appropriateness of Rick's retracting his request in terms of some merely external principle and so cannot account for the request's *collapsing* or *falling through*. In fact, it already tells against the mere addition account that we have a hard time

envisioning how Rick might even articulate the normative status the theory ascribes to his request with Erica's reply in place. Rick would have to say something like: "Understood. No worries. The request still stands though." But this would be a disorienting thing for him to say here. It is the sort of formulation properly used in the face of an invitation turned down, not as a reply to a request declined.¹¹

7. The Reasonable Harmony Account

I will now turn to my own proposal. My point of departure is a remark of Kant's in the *Doctrine of Virtue*. Kant there says that "All moral relations of rational beings, which involve a principle of the harmony of the will of one with that of another, can be reduced to *love* and *respect* . . . In the case of love the basis for determining one's will can be reduced to another's *end*, and in the case of respect, to another's *right*" (6:488 (1999, p. 600), emphases in original). What I want to suggest is that the normativity of request needs to be understood in terms of the idea of a "harmony of ends" or—adding language from Rawls—a "*reasonable* harmony of ends" between requester and requestee. The idea of a reasonable harmony of ends structures the normative positions of both requester and requestee in a request–response transaction. More specifically, it is an internal standard governing requester and requestee qua requester and requestee that they engage in the joint attempt to realize a reasonable harmony of ends between them. I will call this proposal the *reasonable harmony account* of request.

Let me apply the proposal to the first two examples from above, *Movie Night* and *Easy Fix* (leaving the third example, *Babysitter*, for the next section). Erica's refusal to come over and help Rick in *Movie Night* abuses the form of address of request (here as respondent) because in it she grants her own comfort unreasonable precedence over his need for help and so flouts the "regulative idea" of a reasonable harmony of ends. The same applies the other way around in *Easy Fix*. In asking Erica to sacrifice her evening in order to save himself a minor amount of trouble, he is assigning himself unreasonable priority over her. In his deployment of the form of address of request he is implicitly portraying their relationship as one in

¹¹ Invitation thus seems to amount to an even "feebler" form of address than request.

which her time counts for nothing compared to his. *This* is what her resentment against him picks up on.

What counts as a reasonable harmony of ends is itself a relational matter. It isn't merely a question of balancing the parties' interests and concerns understood independently of the relationship in which they stand. Rather, *which* interests and concerns are the proper subject of the relevant balancing is a question that can only be answered by reference to the relation between requester and requestee. To see the point, return once more to *Movie Night*. The reasonableness of Rick's request that Erica help her with her laptop isn't (or at least isn't *merely*) premised on the independently greater weight attaching to important deadlines vis-à-vis movie nights. Rather, it is only because Erica and Rick are *friends*—that is, are up in each other's lives in a particular fashion—that the question of comparing their needs and concerns for the purpose of determining what Erica has good reason to do arises in the first place. In other words, the relational is prior to the comparative.

Rick's request that Erica help her with her laptop thus presupposes for its "normative felicity" his enjoying a particular standing with her, that of being her friend. Where the requisite standing is absent, the act of request "misfires," to use one more bit of Austinian terminology. Were Rick to make his request of Erica outside of a standing-generating context of this sort, the latter would be entitled to reject Rick's request, not (or again at least not *merely*) in virtue of its comparative excessiveness, but because of its mistaken presupposition that there even *is* a question of comparison here in the first place. In a case like that, were Rick to respond to Erica's refusal to help him with "But don't you agree that, objectively speaking, my deadline matters more than your night of binge-watching?", the proper answer on Erica's part wouldn't be, "You're wrong" but, "You're missing the point."

Of course not all requests depend for their felicity on the existence of a *special* relationship between requester and requestee. Suppose that Rick and Erica aren't friends but strangers standing in the security line at the airport, and suppose that Rick asks Erica for permission to cut in front of her because he would miss his plane otherwise. The situation here is normatively analogous to that in *Movie Night*: were she to turn him down, resentment on his part would be appropriate. Alternatively, suppose that he asks her for permission to cut in front of her because he simply likes sitting in the airline lounge better than standing in line at security. Here the situation corresponds to that in *Easy Fix* normatively speaking: the very request warrants resentment, on account of either its insincerity or its brazenness.

Hence, while the substance of the relationship at play here is different from friendship, its normative structure is the same.¹²

We rarely notice these sorts of complications because we generally have a keen sense of when it is appropriate to ask what of whom. Moreover, where we are less confident, we have instruments at our disposal for expressing our uncertainty, such as qualifying our requests with "... but feel free to say no if it's too much to ask" or the like. "Do you think that you could do such-and-such?" is often at least in part a request for the sort of information that would fill in what a reasonable harmony of ends looks like between the parties. In fact, much of the seeming "easygoingness" of request that made the mere addition account seem appealing in the first place in fact springs from uncertainty of this sort, rather than from the supposed *pro tanto* character of request on which the mere addition account turns. Oversimplifying things slightly, we might say that requests constitute not *pro tanto* reasons but *prima facie* obligations.

8. The Four Constraints Revisited

Exploiting the wider context of Kant's idea of a harmony of ends helps explain how the reasonable harmony account meets both the discretion constraint and the compliance constraint. Kant's *Metaphysics of Morals* revolves around the distinction between two kinds of duties, duties of virtue and duties of right. The distinction has two interrelated aspects. First, duties of virtue are "wide" whereas duties of right are "narrow." The former dictate the adoption of ends, which may possibly be achieved by more than one course of action, whereas the latter require specific actions. Second, duties of virtue are by their very nature unenforceable. The adoption of ends cannot be compelled, not because we lack the technology or the like, but because the adoption of an end by its very nature has to be done freely. The concept of right on the other hand is analytically "connected with an authorization to coerce" (6:231 (1999, p. 388)) according to Kant. This means that duties of right are at least in principle susceptible to enforcement, even if not every particular duty of right is enforceable in a straightforward fashion.

My suggestion is to conceive of request as purporting to impose duties of virtue and command as purporting to impose duties of right and to

¹² I owe the example to Arthur Ripstein.

interpret the discretion constraint in terms of the difference in in-principle enforceability between them. A commander in issuing her command presupposes that it isn't up to the addressee whether to perform the act commanded. Rather, there is a sense in which a commander in her act of command purports to thereby have *determined* the commandee's choice. By contrast, in issuing a request a requester leaves it up to the requestee whether to do perform the act requested. This is the—literal—sense in which a requester grants the requestee discretion: in her request she defers to the requestee's own choice.

It is also what the disclaimer "You don't *have* to do it" is meant to express. It *isn't* meant to suggest that the requestee wouldn't be doing anything wrong—in the sense of violating a duty of virtue—were she to refuse compliance, which is how the mere addition account had to interpret the discretion constraint. Understanding the distinction between request and command in terms of the idea of enforceability makes it easy to see why people put so much stock in whether they are being asked or told to do something. What is at stake is not whether noncompliance would be morally wrong or the like but rather what sort of relationship the addressee shares with the addressor, and in particular whether she is and is mutually acknowledged to be, "her own master," to use an expression of Kant's.

The idea that requests impose duties of virtue explains the sense in which compliance with a good-faith request is obligatory, and so how the reasonable harmony account captures the compliance constraint. The *internal* nature of the wrong of failing to act from the end of realizing a reasonable harmony of ends in turn derives from the latter's status as an internal standard of request. To participate in a request–response exchange while failing to adopt the end of thereby jointly bringing about a reasonable harmony of ends is not merely to do something that is wrong by some standard that is external to the making of and responding to requests. Instead, it is to engage in the exchange of request-giving and -receiving in a way that abuses the very form of address it instantiates.

Note that the internal relation between virtue and the adoption of ends also provides for a more complete picture of what it is for a requestee to comply with a request. Consider Erica's negative response to Rick on account of her babysitting duties in *Babysitter*. While she isn't complying with his request in the *narrow* sense of performing the act he had asked her to perform, she *is* complying with his request in the *wide* sense of adopting the end of bringing about a reasonable harmony of ends; or, more cautiously, nothing in what she says gives him ground for thinking

otherwise. Note here how natural it would be for her to respond with a counter-proposal along the lines of: “I can’t tonight, but how about I come over first thing in the morning?” She would thereby be expressing her bona-fide cooperation in constructing a reasonable harmony of ends between them. Even if tomorrow will be too late for Rick, it would be odd to describe Erica as having *refused* Rick’s request here, not because there isn’t a sense in which we might say she did, but because the term suggests the sort of rupture in their relationship that precisely *didn’t* occur thanks to the good will she showed in the way in which she engaged with his request.¹³

Let me turn to the question of how the reasonable harmony account satisfies both the normative effect constraint and the good reason constraint. The context surrounding Anscombe’s talk of “megalomania” to which I had referred in Section 6 is instructive here. She uses the expression in her “What Is It to Believe Someone?”, where she says that “It would be a megalomaniac who complained of not being believed, when he agrees that the thing that was not believed was, anyway, not true” (1979, p. 150). Anscombe’s argument brings out the structural analogy between testimony and request. Just as a request at least in principle constitutes a good reason for doing the thing requested, testimony at least in principle constitutes a good reason for believing the fact testified to. And yet a person giving testimony has to conceive of herself as reporting on something that holds independently of her act of testimony. If the testifier herself believes that the facts don’t bear out her testimony, then she is guilty of either insincerity or megalomania, and specifically of the megalomania of conceiving of herself as the epistemic counterpart to our practical King Midas from Section 6 above. My proposal is that the same thing goes for request.

The analogy to testimony provides a model not only for the transparency of request but also for the nature of its normative effect. Testimony purports to provide its addressees with a reason for believing the thing to which it testifies. However, it isn’t meant to serve as a piece of evidence alongside whatever other evidence there is concerning the proposition at hand. Rather, it is supposed to provide its addressee with a new *form* of rationally believing the proposition. With the act of testimony in place it becomes possible for her to believe *the testifier* that *p*, rather than believing that *p* “merely

¹³ This doesn’t mean that it is always possible to display good will of the requisite sort without actually performing the act requested. Sometimes the only way to comply in the wide sense is to comply narrowly.

monadically.” In other words, the normative effect of testimony consists in making available *trust* as a rational mode of believing something.¹⁴ Similarly, acts of request don’t constitute reasons for action alongside all the other reasons applying to the requestee, as the mere addition account has it. Rather, through her request the requester makes it possible for the requestee to perform the act requested *on* the requester’s request, and so to act not merely “monadically” but “relationally.” The normative effect of request is therefore not material but formal. Rather than bringing a new normative “object” into existence, it provides the requestee with the possibility of a distinct mode of acting rationally.¹⁵

Statements like “So-and-so asked me to do such-and-such, so I did it” might therefore be understood as expressions of a form of practical trust. Just as in believing the testifier the recipient of testimony exhibits trust in the testifier that there is indeed (independent) good reason to believe the thing to which the testifier testified, in acting on the requester’s request the requestee shows trust in the requester that there is indeed (independent) good reason for her to do the thing requested.¹⁶ It is the implicit extension of trust that explains why so-and-so finds a statement of this sort so gratifying,

¹⁴ My understanding of testimony is indebted to Richard Moran’s writings on the subject—see his “Problems of Sincerity” (2005a), “Getting Told and Being Believed” (2005b), and “Testimony, Illocution and the Second Person” (2013)—Berislav Marušić’s work on evidence and agency—see more or less everything he has written, but especially *Evidence and Agency* (2015)—and A. J. Julius’s “Mutual Recognition” (2016).

¹⁵ I am not claiming that a request could *never* itself act as a substantive reason for doing the thing requested. For instance, perhaps we could imagine a case where the requester derives pleasure from the fact of the requestee’s acting as requested as such, independently of what it is that is being requested. Note that even here it seems to be the requester’s pleasure that is reason-giving for the requestee, for which the request merely serves as the occasion, so I’m not sure whether even this example serves as a proper case in point. Even if it does, however, we could only understand it as parasitic on the primary case, in which request is normatively transparent in the sense described above. Yet the mere addition account would have to view this sort of example not as parasitic but instead as a *pure* case of request.

¹⁶ This is the place to acknowledge Geoffrey Cupit’s subtle and insightful discussion in “How Requests (and Promises) Create Obligations” more properly. *Very* briefly, Cupit argues that requests create obligations because in failing to comply with a request the requestee “makes a fool of” the requester, who in making her request had invested trust in the requestee’s being the sort of person who is capable of acting *on* another person’s request, and so in her being a person capable of a good will. It should be clear that its general direction is extremely congenial to my own account of request, especially in its strategy of analyzing what is normatively presupposed in request qua form of address, as well as in its appeal to the notion of trust. Interestingly, Cupit focuses on the trust the requester invests in the requestee, whereas in my case it is the other way around. However, I take these two appeals to the notion of trust to be mutually consistent and indeed complementary.

not (or in any case not *merely*) because of the material benefit to her that will ordinarily attend it.^{17, 18}

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¹⁷ While I argue for a far-reaching structural analogy between request and testimony here, I do not mean to deny that the parallel between them breaks down eventually, but I lack the space to explore the issue here. For related discussion see Darwall, *The Second-Person Standpoint* (2006), pp. 56–7.

¹⁸ I had the opportunity to present earlier versions of this chapter at the Konstanz–Zürich Kolloquium, the University of Fribourg, the Early Career Conference in Moral and Political Philosophy at the Humboldt University of Berlin, and the Arizona Workshop in Normative Ethics. I am grateful to my audiences at these venues for their constructive criticisms. I have benefited from conversations about these materials with (at least) the following people: Ralf Bader, Jacob Barrett, Sophie Cote, Kyla Ebels-Duggan, Angelika and Eberhard Gläser, Jasmin Johnson Gläser, A. J. Julius, Felix Koch, James Lewis, David Owens, Japa Pallikkathayil, Al Prescott-Couch, Sebastian Rödl, Peter Schaber, Bettina Schöne-Seifert, Mark Schroeder, Houston Smit, Holly Smith, Felix Timmermann, Mark Timmons, Teemu Toppinen, Daniel Viehoff, Juri Viehoff, and Jakub Wrzesniewski. I thank Dan Khokhar, Elodie Malbois, Masakazu Ogami, and Arthur Ripstein, as well as two anonymous referees for Oxford University Press, for their extremely helpful written feedback. The chapter developed out of a portion of my dissertation, so I owe a particular debt of gratitude to Selim Berker, Tim Scanlon, and especially Christine Korsgaard.

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