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The Moral Obligations of Trust

1.

This paper has two main targets. The first is Stephen Darwall's claim that moral obligation is essentially second personal. The principal conclusion of the paper will be that it is not – or that it is not, as Darwall says of testimony, second personal 'all the way down'. Moral obligation cannot be fully second personal because what we are morally obliged to do depends fundamentally and irreducibly on facts about the situations we find ourselves in; that is, moral reasons are at bottom state-of-the-world-regarding or third personal in character. The second target of the paper is Benjamin McMyler's second personal theory of testimony and trust. The other main conclusion reached is that one cannot give a second personal theory of either testimony or trust; although both are second personal up to a point, neither are so 'all the way down'. As a consequence, or so I argue, neither are the moral obligations that are generated by trust. From this it follows that moral obligation cannot be essentially second personal in character.

This paper begins as follows. In the next three sections I outline Darwall's second person account of moral obligation, and then McMyler's second person theories of testimony and trust. The sections after explain first why testimony cannot be second personal 'all the way down', then why trust cannot equally be so, before arguing that this conclusion tells against Darwall's account of moral obligation.

2.

Let me start with an example that is close to one Darwall is fond of. Suppose that I box your car in so that you cannot move your car without me moving mine first. When you ask me to move my car, you make a demand of me, and part of this demand is that I move my car because you asked me to – not because of your inconvenience, or because the regulations say that I must – but because, and this is 'Pufendorf's point', I recognise that you are in a position whereby you can legitimately make this demand of me. In recognising this, I then take your request to give me a particular reason for acting, what Darwall calls a *second personal reason*.¹ Moral obligation is then

¹Second person reasons are agent relative: only the person addressed has them. The reason provided by your inconvenience is third person agent neutral: any person with access to my car keys has this reason to move my car and let you go home. While the reason provided by the regulations is third person agent relative: it is my parking in the way I have that is prohibited, but the rules apply to all users of the car park.

essentially second personal because (a) of its connection to moral responsibility and second person reasons and (b) the fact that second personal reasons identify a “closed circle of concepts”.² Consider (b) first.

Not every form of address gives a second personal reason. A threat doesn't. “A second personal reason”, Darwall says, “is one whose validity depends on presupposed authority and accountability relations.”³ The concepts that form a closed circle are then: the *authority* to make a demand; a *valid* (or *authoritative*) demand; a *second personal reason* for acting as demanded; and *responsibility* (or *accountability*) to someone for acting as demanded. A circle can be started at any point, start this one with your asking me to move my car, and represent this schematically as ‘X makes the valid demand that Y ϕ ’. The circle is then: ‘X makes the valid demand that Y ϕ ’ implies ‘X has the authority to demand that Y ϕ ’. In demanding that I move my car you presuppose that you enjoy the authority to make this demand, and invite me to recognise that you have this authority. In this respect, second person address comes with, as Darwall says, “an RSVP”.⁴ ‘X makes the valid demand that Y ϕ and has the authority to demand this’ then implies ‘X gives Y a second personal reason to ϕ ’. In recognizing that you are in a position to ask me to move my car, I thereby recognize that your asking me gives me a distinctive reason to move my car – a reason that I have by virtue of your addressing this request to me. Finally, ‘X gives Y a second personal reason to ϕ ’ implies ‘Y is responsible to X for ϕ -ing’. If I ignore your request, I fail to take responsibility for doing what I have a reason to do, and you will rightly resent me for this. Your resentment then expresses the view that I wrong you in ignoring your request, and a propensity to feel this is a way in which the demand that I move my car can be implicitly addressed.

Suppose it is acknowledged that one can address a valid demand if and only if one has the authority to do this. And acknowledged that in demanding things of one another we presuppose that we have this authority and that our demands are valid. It may nevertheless be asked what makes this presupposition true, or where this authority comes from. The short answer to this question is that to be an authority is just to be recognized as such. In recognizing the legitimacy of a demand, and so the authority to make it, one recognizes that one has a second personal reason for acting. Pufendorf's point was that seeing things this way is necessary for a demand being moral rather than coercive, Darwall adds the claim that it further suffices for it (and a divine origin of the demand is thereby unnecessary). Morality, as Darwall says, “is second personal all the way down” resting on no more than a “common competence ... to enter into second-personal relations of reciprocal address”.⁵

² Darwall (2006), pp.11-12.

³ Ibid., p.8.

⁴ Darwall (2007), p.54.

⁵ Darwall (2006), p.59

A longer answer to the question of the source of moral authority is then a statement of what is needed for any form of second-personal address.

What, then, are *the presuppositions of second-personal address*? Continuing with the car parking case and its schematic representation as ‘X makes the valid demand that Y ϕ ’, this presupposes the following. That Y has the capacity to acknowledge the demand and recognise the reason that it gives him for ϕ -ing. That Y is rational and so responsive to reasons. And that Y is free and so has the liberty to ϕ . So in asking me to move my car you presuppose that I can hear and understand your request, that I can see your request as a reason to move my car and am rational, and that I have the liberty to move my car. Second personal address then further presupposes – and again this is Pufendorf’s point – that Y can recognize X’s demand as valid, and so hold himself accountable to X for ϕ -ing. So in asking me to move my car you presuppose that I can see your request as giving me a non-coercive reason – a second-personal reason – such that you will feel rightly resentful if I fail to comply. The conjunction of these presuppositions Darwall calls *second person competence*.⁶ Second personal address presupposes mutual second person competence. Where there is mutual second person competence, authority follows from its endorsement.

The statement of how moral obligation is second personal is then completed with (a): an account of its connection to moral responsibility and second person reasons. The connection to moral responsibility, Darwall argues, is analytic: “what we are morally obligated to do is ... what we are warrantably held responsible for doing”.⁷ And moral responsibility is one of the closed circle of second personal concepts. To be responsible for ϕ -ing is to be the object of reactive attitudes of resentment and blame were one not to ϕ ; and to hold another responsible for ϕ -ing is to be subject to reactive attitudes were they not to ϕ . The reactive attitudes then involve an expectation of someone, which is a demand for certain behaviours; and these expectations, and so the demands they express, are put forward as justified, and hence second personal.

3.

Having sketched Darwall’s second personal theory of moral obligation, in this section I outline how Benjamin McMyler applies it to the case of testimony.

Second personal reasons are not coercive reasons. If you ask me to move my car and then add ‘or else you’ll get towed’, I gain a further quite different reason for action: fear of the sanction that would follow ignoring

⁶ Ibid., p.21.

⁷ Darwall (2010), p.221.

you. You give me a third person, though agent relative, reason for action.⁸ This distinction between second and third person reasons is a distinction respectively between *commanding* and *counselling*.⁹ To offer counsel is to advise. If X counsels Y to ϕ , X lays out the considerations that support ϕ -ing and then leaves it up to Y to decide what to do. If X commands Y to ϕ , then X does not similarly leave it up to Y to decide what to do, rather Y should ϕ and should ϕ just because X demanded it. This particular distinction, McMyler then argues, applies to testimony: it is the distinction between *arguing* and *telling*. In arguing for p , a speaker X presents reasons for an interlocutor Y to believe that p , but leaves it up to Y to make his own mind up. But in telling Y that p , X seeks to direct Y's belief: X's expectation is that Y believe him and so believe that p just for the reason of his telling.

There are, thereby, two important points of parallel between commanding and telling. First, both introduce a distinction between right and wrong reasons. Suppose that X commands Y to ϕ (or, as we say, tells Y to ϕ). The right reason for Y to ϕ is that X demanded it; if Y ϕ s only because he decides to, then Y fails to treat X's command as a command, or authoritative demand, even though he does what X commands. Thus if your polite request that I move my car merely reminds me that I stand to be towed if I don't and I move because of this anxiety, then I do not respond to your request even though I do what you ask. Similarly, when X tells Y that p , the right reason for Y to believe that p is merely that X told him it; if Y believes that p only because he judges that X is reliable in these matters and so that X's telling is evidence for p , then Y fails to treat X's speech-act as telling him that p even though in treating it as a bit of evidence he comes to believe that p on its basis nevertheless. This distinction, I think, is supported and illustrated by Coady's case of the master criminal who has hypnotized X to tell Y that p .¹⁰ If Y knows of the master criminal's scheme, he might believe that p on the basis of reasoning that X's saying what he does is evidence for p , but he would not believe X. (In Coady's terms, X's utterance fails to be an act of testifying.)

Second, both have the same deference patterns. Suppose that Y ϕ s and is then challenged, why did you do that? If Y ϕ -ed because X commanded him to, the challenge can be simply deferred to X, and so to the authority that X has to make this demand. Similarly, if Y's belief that p is challenged when Y formed this belief on the basis of X telling him that p , any challenge to Y's belief can be deferred to X, and so to the authority that X has to tell Y this.

It is this deference pattern, McMyler claims, that defines testimony as a source of knowledge. Testimonial beliefs, *by definition*, are beliefs that are

⁸ Darwall is clear that there can be both kinds of reason for the same action, see Darwall (2007), p.60.

⁹ Darwall (2006), p.12.

¹⁰ Coady (1992), p.45. And see Faulkner (2011), p.25.

justified by appeal to authority. “An item of knowledge is testimonial”, McMyler says, “just in case it is ... justified by appeal to the authority of the speaker”.¹¹ And to appeal to an authority just is to manifest these deference patterns; it is to defer justificatory challenges to the person who was the source of one’s belief, and who one takes to be authoritative. Being told something then functions to provide an *epistemic right of deferral*.

The best explanation of the fact that an audience is entitled to defer certain challenges to her testimonial beliefs back to the original speaker is that, in testifying, a speaker is assuming epistemic responsibility to meet such challenges.¹²

So in telling Y that *p*, X demands that Y believe him and presents this demand, and so his telling, as justified. Were Y to take up the right of deferral that X’s telling gives him through a disposition to defer, Y would thereby acknowledge X’s epistemic authority, and hold X accountable for meeting any justificatory challenges he, Y, might encounter. Thus X’s telling Y that *p* gives Y, McMyler claims, a distinctively *second personal reason for belief*. It does so because it is “a consideration that justifies belief in virtue of relations of authority and responsibility existing between an addresser and an addressee”.¹³

4.

In addition to a second personal theory of testimony, McMyler also gives a *second personal theory of trust*, or at least of that kind of trust appropriate in response to a speaker’s telling. Thus McMyler distinguishes between ‘X trusting Y to ϕ ’ and ‘X trusting that Y will ϕ ’.¹⁴ The former kind of trust is *second personal* and the latter *third personal*. There are three key differences between these kinds.

First, trusting Y to ϕ is a *second personal attitude* and these attitudes, which include believing someone and resenting someone, “implicitly call for a kind of reciprocal responsiveness from their addressee and thereby presume upon an interpersonal relationship between the subject of the attitude and the personal object [in this case Y].”¹⁵ Take the car parking case: in asking me to move my car your attitude could be one of trusting me to move it, and if it were so, your attitude, like the demand implicit in your request, would invite

¹¹ McMyler (2011), p.59.

¹² Ibid., p.68.

¹³ Ibid., p.94.

¹⁴ McMyler correctly observes this distinction is that between what I term, respectively, *affective* and *predictive* trust, *ibid.*, n.6, p.119 and Faulkner (2011), ch6§2. Although, we disagree, as will become clear, as to whether ‘X trusts Y to ϕ ’ implies ‘X believes Y will ϕ ’.

¹⁵ McMyler (2011), p.122.

a certain recognition on my behalf. This is not the case in merely trusting that Y will ϕ . For instance, if you threaten me, ‘move your car or I’ll get it towed’, you do not invite any “reciprocal responsiveness”, you merely want me to appreciate, and act on, your threat.

Second, in trusting Y to ϕ , X renders himself susceptible to various reactive attitudes were Y not to ϕ . A characteristic of reactive attitudes, Darwall observes, is that the demand they implicitly address is put forward as justified. So McMyler suggests that it is not merely that in trusting Y to ϕ , X is susceptible to resent, or feel betrayed, were Y not to ϕ , it is further the case that in trusting one becomes “entitled to adopt second-personal attitudes like resentment.”¹⁶ And this is because if I trust a person “there is a sense in which she is responsible to me for doing what I trust her to do”.¹⁷ None of this is true in the third person case. If I do not respond to your threat, at most you will feel frustrated and angry, and there is no sense in which I owe it to you to respond to your threat.

Third, while both ‘X trusting Y to ϕ ’ and ‘X trusting that Y will ϕ ’ imply ‘X believes that Y will ϕ ’ – trust *generally* is a *cognitive attitude* – these kinds of trust differ in the grounds the subject has for this belief. The grounds in the third personal case, in trusting that Y will ϕ , are the evidence X has for this belief. When you trust that I move my car because you threaten me, your grounds are your reasons for thinking I will be moved by your threat. By contrast, the grounds in the second personal case, in trusting Y to ϕ , are second personal reasons for this belief. These reasons are clearest when the second personal attitude of trust is one of trusting a speaker for the truth because then the reasons are the second personal reasons generated by the speaker’s telling and its accompanying assumption of responsibility. However, the second personal trust found in testimony is paradigmatic in that what holds here, holds generally: in trusting Y to ϕ , X’s reasons for believing that Y will ϕ are second personal in that they are based on “the ongoing interpersonal relationship existing between truster [X] and trusted [Y]”.¹⁸

5.

A central challenge to assurance theories of testimony is explaining how the interpersonal dimension of a testimonial relationship adds anything to the epistemic standing of an audience’s testimonial belief.¹⁹ A version of this worry then exists for the second personal theory of testimony: epistemic

¹⁶ Ibid., p.127.

¹⁷ Ibid., p.127.

¹⁸ Ibid., p.136.

¹⁹ This challenge is pressed forcefully by Lackey (2008), ch.8. I address it in Faulkner (2011), ch.6§5. Nickel (2012) and Fricker (2012) also provide responses.

authority seems, at root, to be third personal, or depend “fundamentally on a person’s relations to facts and evidence”.²⁰ Thus Darwall observes the following.

As recent discussion of testimony have brought out, there are cases in which doxastic reasons are at least superficially second-personal. Someone can give you a reason to believe something not just by pointing to evidence, but also by simply telling you it is so. When you believe something for this reason, you give the person whose testimony you trust a kind of second-personal authority in your own reasoning about what to believe. But this authority is not second-personal *all the way down*. It ultimately depends upon and is defeasible by epistemic authority.²¹

It depends upon epistemic authority in that a condition on someone’s telling giving a second personal reason for belief would seem to be that one believe the person to be an epistemic authority.²² And this is just the same challenge that assurance theories face: given that this belief is sufficient for having a reason, what does the second personal reason add?

McMyler’s response to Darwall’s worry is essentially twofold. First, he concedes that some judgement that a speaker is epistemically competent is necessary for an audience’s possession of a second personal testimonial reason. In this respect, telling is like counsel rather than command; “both testimony and advice typically generate reasons for an audience only if the audience judges the speaker to be relevantly competent with respect to her testimony and advice.”²³ But then, second, he asserts that this concession has no impact on the claim that tellings provide second personal reasons.

While it is true that the kind of reason for belief provided by a speaker’s telling typically requires that the audience see the speaker as standing in a position of authority with respect to the facts ... [t]he competence and reliability of the speaker is simply a background condition that must be in place if the speaker is to be in a position to herself generate the reason for belief provided by her coming out and telling the audience that *p*.²⁴

This might be true: being *in fact* competent and reliable with respect to *p* might well be necessary for a speaker being able *genuinely* to give an audience

²⁰ Darwall (2006), p.12.

²¹ Ibid., p.57, my italics.

²² Darwall continues, p.57, “Someone can address reasons for belief, therefore, only if we take him to have some epistemic authority, or, at least, only if we don’t take him to have none.” But this second disjunct is too weak: the claim that a believed lack of epistemic authority can undermine the second personal reason a telling provides does not challenge the idea that such a second person reason suffices for warrant, other things being equal.

²³ McMyler (2011), p.159.

²⁴ Ibid., p.161.

a second personal reason to believe that *p*. However, this is not the issue. The issue is that if an audience must *believe* a speaker to be competent and reliable in order to possess this second personal reason, there is then a worry that this second personal reason fails to add anything epistemically because this belief in competence and reliability itself suffices for the audience to be justified in believing what the speaker says.

Again, I think, this criticism can met. But I want to question McMyler's first concession, namely that a belief in the speaker's competence is necessary; this is a concession that he should not make. In telling an audience that *p* a speaker's expectation is that the audience believe that *p because the audience believes him*. As audiences we can then cause affront both through disbelief and through believing for the wrong reasons. The wrong reason to believe that *p* is to believe it on the basis of assessing the evidential value of the speaker's telling, of regarding the telling merely as a piece of advice to be deliberated over. With so much McMyler would agree. But then to require that the audience first believe that the speaker is competent and reliable with respect to *p before* believing the speaker is to require that the audience first assess the evidential value of the speaker's telling – where this manifests the desire for epistemic autonomy, McMyler might say – and this is to fail to believe the speaker. Belief in the speaker must come first, and the presumption of competence and reliability must follow from this.

The mistake, I think, is made in McMyler's account of second personal trust, which takes trust to be fully cognitive. So trusting a speaker for the truth as to *p requires* believing that the speaker will tell the truth as to *p*. This then implies the belief that the speaker is competent, reliable and so on. A consequence of this is that trust is unavailable in situations of doubt and uncertainty. However, it is precisely the availability of trust in these situations that can be of such importance. Thus consider the case of the good shopkeeper who knowingly employs someone convicted of theft. It might be that the shopkeeper's grounds for thinking that her new employee is telling the truth are quite equivocal. It might be that her reasons for thinking that he desires to reform at best no more than off-set her knowledge of his history. But she can still trust him with the till, and when he tells her it balances at the end of the day. This is an option because in trust one can put doubt to one side. And one can do this only insofar as trust does not require belief.²⁵

Now McMyler gives two arguments for a belief requirement. First, he observes that “[w]e typically trust the people we have most reason to trust, and hence our ordinary practice of trusting others seems to track

²⁵ This case also illustrates why trust does not *entail* belief. The shopkeeper can bracket her beliefs that raise a doubt as to her employees trustworthiness, in order to trust, but she could not bracket these beliefs in order to believe her employee trustworthy. I discuss this case further in Faulkner (2011), p.117.

trustworthiness quite closely”.²⁶ This is true: trust is normally coincident with belief, but this in no way implies that one cannot trust without belief. Second, McMyler gives a couple of cases where one tells an audience something out of the ordinary or something that matters much to the audience and then demands the audience’s trust. Of these cases he says, “your trusting me doesn’t seem to merely *result* in your believing what I say but to positively *require* your believing what I say. Imagine what would happen if you informed me that you didn’t actually believe [what I said] ... but that you would rely on my goodwill nevertheless. I might quite naturally respond, ‘What, don’t you trust me?’”²⁷ This argument rests on an equivocation in ‘require’. Certainly it is true that if you didn’t believe me, but merely acted as if you did, I would be affronted if I learnt this. But when trust *results in* belief this is not what happens. To trust a speaker just is to believe them. And if *precondition* of trust were belief, then it could not be demanded, as it is in these cases.

‘X trusts Y to ϕ ’ does not require that X believe Y will ϕ , it rather involves X having the *expectation of* Y, namely that Y will be moved to ϕ by X’s need that he do so. Thus X will be prone to distinctive reactive attitudes were Y not to ϕ , or to ϕ for other reasons. This expectation, held in a situation where X’s dependence on Y ϕ -ing is salient, then generates the presumption in X that Y will ϕ . Suppose trust is understood thus – that is understood as *affective* rather than cognitive – trust itself thereby generates no requirement of belief. And if one can trust a speaker without believing the speaker to be competent and reliable, there seems to be no epistemic constraint on possessing second-personal testimonial reasons. In this case, how is it that these testimonial reasons fail to be second personal ‘all the way down’? I explore this question in the next two sections.

6.

The second personal domain is defined by a closed circle of concepts (see section 2). One person making a purportedly valid demand on another is a starting point on this circle and a description of what happens in testimony. Consider the testimonial situation wherein a speaker X tells an audience Y that p , and the audience Y (affectively) trusts the speaker X for the truth as to whether p – and call this *the testimonial situation*. Here both speaker X and audience Y place demands on each other. In telling Y that p , X will be susceptible to the reactive attitude of resentment were Y not to believe him. The susceptibility to this reactive attitude makes an implicit demand of Y that Y believe him. And in trusting X for the truth as to whether p , Y will equally be susceptible to the reactive attitude of resentment, and to feelings of

²⁶ McMyler (2011), p.114.

²⁷ Ibid., p.132.

betrayal, were X not to tell the truth as to whether *p*. The susceptibility to these reactive attitudes equally makes an implicit demand of X that X tells Y the truth as to whether *p*. In this section, I want to focus on these speaker and audience demands in order to show how telling and trust are *partly* second personal. In the next section, I argue that they are *only* partly so, and thereby fail to be second personal ‘all the way down’.

Consider first the speaker demand. The case for this demand being second personal has already been made, but briefly to reiterate: this demand is second personal in two respects. First, the demand is addressed to a specific person (or persons) and purports to be justified. “It is an insult”, Anscombe observes, “and it may be an injury not to be believed”.²⁸ The possibility of this affront engenders a susceptibility to resent any disbelief. This proneness to resentment places a demand on Y that Y believe X when X tells him that *p*. Belief is not subject to the will, so X cannot demand that Y believe that *p*, but the demand is rather that Y *believe him*, where this is a matter of *trusting him for the truth*.²⁹ And provided trust is interpreted non-cognitively – and so to require merely the presumption that Y can look at the testimonial situation in a certain way – X can demand this of Y. This demand is then put forward as justified: the presumption is that Y *ought to* look at things this way, and trust X.³⁰ Second, there is an entailment relation between this demand and Y’s having a second personal reason to believe that *p*. The demand is that Y trust, and if Y does so then Y will take a positive view of the intentions constitutive of X’s act of telling him that *p*. In telling Y that *p*, X intends that Y believe that *p* and believe that *p because* he intends this. To take a positive view of X’s telling is to take X’s telling in this way and so as providing such a reason to believe that *p*. It is thereby to view the telling as an assumption of responsibility, and the positive view is then of X standing behind what is told ready to justify or source the justification for what is told. So in demanding that Y believe him, and so believe that *p*, X demands that Y see his telling as giving this distinctive reason to believe that *p*. A reason, as McMyler observes, which “justifies belief in virtue of relations of authority and responsibility”.

Consider next the audience demand. In trusting X for the truth as to whether *p*, Y will resent, even feel betrayed by, any deception or undue carelessness on X’s part. This proneness to resentment places a demand on X that X respond in a trustworthy way to Y’s need to know whether *p*; that is, on the assumption that this need is ordinary and non-intrusive, that X see Y’s need to know whether *p* as a reason to tell Y whether *p* and be moved by this reason. This audience demand is then second personal for the same two reasons as the speaker demand. First, the demand is addressed to a specific

²⁸ Anscombe (1979), p.150.

²⁹ This also follows Anscombe who says, “we can see that believing someone (in the particular case) as trusting him for the truth – in the particular case”. Ibid., p.151.

³⁰ Where this is true, in my view, because there are *norms of trust*. See Faulkner (2011), ch.7§3.

person (or persons) and purports to be justified. Thus in the testimonial situation, the presumption is that X *ought to* look at things this way, this ought to be X's reason for telling Y that *p*, and since X would be trustworthy, were this so, this is to say that X ought to be trustworthy.³¹ Second there is an entailment relation between this demand and X's having a reason to tell Y whether *p*. Indeed, there are two ways of making out this entailment. First, in trusting X for the truth as to whether *p*, Y expects X to view the testimonial situation in a certain way; that is, Y expects X to see his need to know whether *p as a reason* to tell him whether *p* and, other things being equal, expects X to be moved by this reason. Suppose X does view things this way. Then X will see Y's *need* to know whether *p* as a reason to do what Y expects. There is then an entailment from Y's demand to X's having this reason that comes by way of common cause: what explains Y's having the expectation that Y has in trust is the existence of norms of trust whose internalization leads X to see Y's informational dependence in the way Y expects. Second, in recognizing Y's need to know whether *p*, X would ordinarily also recognize the trusting attitude that Y takes to depending on X for this information. That Y *trusts* X for the truth as to whether *p* – that is, that Y takes this particular attitude – then gives X a further reason to tell the truth, or at least it gives X a reason to do this insofar as X cares not to be the object of the various reactive attitudes that Y would be prone to, were X not to do this.³² Given that there are two ways of supporting the entailment from Y's demand to X's having a reason, and that this entailment is a defining feature of second personal reasons, this reason might thereby be regarded as second personal.

7.

The testimonial situation, I argued in the last section, is characterized by there being two putatively valid demands. These demands entail the existence of reasons for doing what is demanded. So it is possible to make the claim that telling and trust are at least partly second personal. In this section, I want to argue that each is only partly so and that neither is second personal *all the way down*. The strategy for arguing this will be to claim these purportedly valid demands entail neither the supporting authority to address them, nor the right to hold the other partly accountable for meeting them. And without authority or accountability the case for the reason for doing what is demanded being genuinely second personal is undermined.

Consider first the demand implicit in a speaker's telling. This is the demand that the audience Y believe X in the testimonial situation where X tells Y that *p*. The speaker X does not have the authority to demand this of Y

³¹ See note 30.

³² See Pettit (1995).

because by believing him Y will thereby believe that p , and in matters of belief there is the rational demand that Y be responsive to epistemic considerations – that is, matters of evidence. Now it is, I think, a fundamental feature of trust that we have some scope to choose to trust. And this introduces some distance between trust and evidence. This distance is manifest on those occasions when we give a person the benefit of the doubt – as in the shopkeeper case. However, distance is not divorce: while there is some scope for bracketing the evidence, this scope is limited. This limitation is then manifest in the fact that trust is not always possible, even for those who have a trusting disposition. Moreover, as audiences we *rationally ought to be sensitive to the evidence*, and it is this rational demand that undercuts speakers’ authority to demand belief. Thus consider two cases. In the epistemically simple case, the testimonial situation is characterized by Y having ample background evidence for X’s trustworthiness and so for the truth of p , when this is what X tells Y. Simple cases are common, as McMyler notes: a case where X and Y are close friends might be one. In the epistemically complex case, the testimonial situation is characterized by Y having equivocal evidence for X’s trustworthiness such that p might be as likely false as not, when this is what X tells Y. The shopkeeper case is such a complex case. In both cases, X might demand that Y believe him. And in both cases this is the demand that Y believe *because of trust*. In the simple case, this demand is that Y come to believe that p because of trust *rather than* because of the evidence. In the complex case, that Y come to believe that p because of trust *despite* the evidence. However, in neither case does X have the authority to demand that Y ignore what it is rationally demanded that he respond to. Trust is something that is given; speakers can invite trust but do not have the authority to demand it.

For the same reason that X does not have the authority to demand that Y believe him, and so believe that p , Y is not accountable to X for this. That is, Y cannot be so accountable because, in the complex case at least, the evidence can *compel* Y to believe not- p . This is to agree with Darwall: the reason for belief that telling gives is only “superficially second personal”.³³ It is not second personal *all the way down* because it does not have the necessary conceptual ties to authority and accountability needed to be so. This failure of the second person theory of testimony comes out, I think, in its failure as an account of testimonial knowledge. There are two questions for any theory of testimony: what justifies an audience’s testimonial uptake? And what explains the audience’s possession of testimonial knowledge? Trust can only address the first question. Thus in considering a case where I believe testimony to a theorem from a mathematician who has proved the theorem, McMyler observes “[t]he mathematician’s testimony appears to be what justifies my

³³ Darwall (2006), p.57.

belief in the truth of the theorem, not the proof itself.”³⁴ Yes, it is the telling that justifies, in the manner described, my believing the theorem. But no: it is the existence of the proof that explains why this believing is an instance of knowing the theorem.

Consider now the trusting side of testimonial relation, and the demand implicit in an audience’s trust. This is the demand, placed in trusting X for the truth as to whether p , that X tell Y whether p – that is, tell Y the truth as to whether p . In some situations, Y can have the authority to demand this: the courtroom is one such situation. However, in the courtroom, Y’s authority to make this demand comes from the legal proceedings; it is not contained within the testimonial situation as characterised. The reason that Y does not have this authority is that insofar as there is a demand on X that X tells Y the truth as to whether p or be trustworthy, this demand is generated by Y’s *need* – or the fact of Y’s dependence – it is not generated by Y’s *attitude* of trust. This might be illustrated by a case of trust and error. Imagine a hot parched land and Y arriving thirsty at X’s homestead. He asks X for water from the well that stands in front on X’s house, and X responds by telling Y that he can’t have that water and then goes inside closing the door on Y. In fact X has gone to fetch Y some clean water from the tank at the back of the house, the water in the well being poisoned by livestock that fell into it and died at the start of Spring. Not knowing this, Y will resent X’s refusal to give him water from the well. But the fact of Y’s resentment, which articulates the demand that X give him water from the well, does not imply that Y has the authority to demand that X do this. In the situation as described, this would be the wrong, and the untrustworthy, thing to do. For the same reason that Y does not have the authority to demand that X does this, X is not accountable to Y for doing what Y demands.

This point is made and developed by Knud Ejler Løgstrup in his discussion of trust.

The other person’s interpretation of the implication of the trust offered [that is, the trusting party Y’s interpretation] ... is one thing, and the demand which is implicit in that trust ... which I must interpret is quite another thing.³⁵

Responding to trust cannot be “merely a matter of fulfilling the other person’s expectations and granting his or her wishes”.³⁶ This is because, in the trust situation, such as that of the poisoned well, “what we are speaking of is a demand for love, not for indulgence”.³⁷ Thus the demand on the trusted – what Løgstrup calls the *radical ethical demand* and might be called the demand

³⁴ McMyler (2011), p.90.

³⁵ Løgstrup (1997), p.21.

³⁶ Ibid., p.21.

³⁷ Ibid., p.21.

that X *be trustworthy* – is generated by the fact of the trusting party’s dependence. That is to say, in the poisoned well case, what X should respond to is Y’s needs, not Y’s expectations, which might be mistaken in various ways. In this respect, Løgstrup observes that this demand “is contained – unarticulated – in the fact that in trust *or in mistrust* the other person’s life has to a greater or lesser degree been delivered into our hands”.³⁸ This is to say, given that it is the fact of dependence that generates the demand to be trustworthy, that the other party trusts is *inessential*. Let me call this *Løgstrup’s Point*.³⁹

Løgstrup’s point, I think, applies equally to trust as it is found in the testimonial situation. To illustrate and argue this, consider the case of an affair. Suppose X and Y are friends, Y’s partner is having an affair, X knows this, and this is a case where there is no question of it being best that Y know it too. Now suppose, his suspicions aroused, Y asks X whether X thinks his partner is being unfaithful, and trusts X in asking this. Why should X tell Y what he knows? On the second personal view, it is because Y asked, in asking trusted, and in trusting implicitly placed a demand for the truth. This seems right: Y’s asking X for information does determine a reason for X to tell Y what he knows. Løgstrup’s point can then be presented as the claim that *this is not the fundamental moral reason*, which is that X should tell Y what he knows because Y needs to know this, and Y’s trust in this case merely makes salient Y’s need. That this is the *right reason* for telling Y the truth can then be brought out by imagining a variation on the case. Suppose now that, although his suspicions are aroused, Y asks nothing of X and X tells Y nothing. Later Y discovers the affair and that X knew about it all along. In this case, I conjecture, Y would be liable to resent X’s silence. X should have told him about the affair given that it was clearly best that he know. And the content of Y’s resentment then makes it clear that right reason for telling Y about the affair in the previous case where Y did trust X for the truth in this matter starts not from Y’s trust but the need that this trust makes obvious.

In sum, in trusting X for the truth as to whether *p*, Y implicitly demands that X tell him whether *p*. However, Y does not have any authority to make this demand. “To trust”, Løgstrup observes, “is to lay oneself open.”⁴⁰

³⁸ Ibid., p.110, my emphasis.

³⁹ Things are slightly more complex. What generates any obligation X has to ϕ is Y’s need that he do so. However Y’s trusting X can generate this need. To take an example of Løgstrup’s: if John has lent me a book, my reason for returning it should just be that John needs it. But John might only need that I return his book because he trusted me with it in the first place. But then if trust generates the need, why doesn’t it generate the obligation? The answer, I think, is that trust merely alters the non-normative facts that determine what the trusted has moral reason to do – in David Enoch’s terms, trust is ‘triggering reason’ rather than a ‘robust reason’, see Enoch (2011). Y’s attitude of trust doesn’t itself X give a moral reason to ϕ , but it might give X an instrumental reason to do so (see the second entailment described in §6).

⁴⁰ Løgstrup (1997), p.9.

In trusting X, Y is *dependent* on X, and to be dependent is not to be in a position of authority. Moreover, the demand that the trusted be trustworthy, which is implicit in Y's trust, is keyed to Y's dependence not the attitude of trust that Y has to this dependence. It follows that X is not accountable to Y for doing what Y expects in trusting him. Thus the trusting side of testimonial relation, like the telling side, fails to be second personal *all the way down*. The demand implicit in trust does not have the necessary conceptual ties to authority and accountability needed to be so.

8.

As we have seen, it is not possible to give a second person theory of either the telling or trusting dimensions of a testimonial relationship. Although both telling and trusting implicitly place demands on another party and give this party reasons, the ties to authority and accountability, necessary for these reasons being fully second personal, are lacking. It follows, I think, that moral obligation cannot be fully second personal either, since if it were so, the moral obligations generated within the trust situation would be so. But, if Løgstrup's point is correct, these are not. What the trusted should do in the trust situation is determined by how things are in the world rather than by the attitudes of the trusting party.

Return to the car-parking case. Darwall acknowledges that in such a case the anti-social driver might have a number of reasons for moving his car. In addition to the second personal reason generated by the boxed-in driver's demand that he move his car, he can have third personal reasons for so doing (and here Darwall identifies two).⁴¹ Løgstrup's point is then that if the anti-social driver has to wait to be asked, he demonstrates no care for the boxed-in driver. He is not moved by the reason that should move him. In a trust situation, or more precisely a situation where another party *depends* in some way on one's doing something, the fundamental reason that the one has for acting is *that the other party depends on one in some way*. This is a third person or state-of-the-world regarding reason. That this state-of-the-world is the locus of the moral reason is then made clearest by cases of error.

Darwall's response to such error possibilities would, I think, be to say that second personal reasons are determined by the expectations of the *moral community*.⁴² That is, in a situation where X depends on Y ϕ -ing – moving his car, getting off his foot, giving him water, telling him about his wife's affair,

⁴¹ See Darwall (2013), pp.136-8.

⁴² This is the response Darwall gives to Wallace who raises a parallel objection: there can be obligations even when no demand is addressed. Yes, says Darwall, because it would be addressed by the moral community. See Wallace (2007), p.26 and Darwall (2007), p.64.

etc. – what Y has reason to do is determined, most fundamentally *not* by X's demands but by what the moral community would demand of Y.

More cautiously, as far as the concept of moral responsibility is concerned, it is tied to responsibility to those with the authority to hold responsible (moral community).⁴³

Thus when we do make a demand of another, “we make a demand on her conduct not as individuals but *as representatives of the moral community*”.⁴⁴ So in the situation where X depends on Y ϕ -ing, there is no worry about X misconceiving this situation because it is the moral community, not X, that holds Y responsible. Moreover, this is built into Darwall's presupposition of second personal competence: the reason that authority follows endorsement – that the taking of another's demand as valid is enough for it to be authoritative – is that in being second personally competent an agent functions properly as “an equal member of the moral community”.⁴⁵

The problem with this response, I think, is that it faces a dilemma. On the one side, suppose that the moral community is non-idealized – like actual communities. In this case, the problem is that the community could be just as much in error as X with respect to the question of what, if anything, X's dependence on Y gives Y a reason to do. The possibility of error follows from the claim that such a situation of care generates a state-of-the-world regarding obligation. In this respect, Løgstrup observes that social norms “serve as a guide” to the radical ethical demand, so of what Y has reason to do.⁴⁶ But this is merely an epistemic claim: what Y, first and foremost, has reason to do is not equivalent to what is socially demanded; and must rather simply be figured out using “insight, imagination and understanding”.⁴⁷

On the other side, suppose that the moral community is idealized – not like any actual community, and so not susceptible to these failings. This seems to be Darwall's suggestion.

[T]he moral community as I understand it is not any actual community composed of actual human beings. It is like Kant's idea of a ‘realm of ends’, a regulative ideal that we employ to make sense of an ethical thought and practice.⁴⁸

⁴³ Darwall (2006), n.6, p.68.

⁴⁴ Darwall (2010), p.223.

⁴⁵ Ibid., p.221.

⁴⁶ Løgstrup (1997), p.58.

⁴⁷ Ibid., p.22. Similarly, Wallace observes that a downtrodden individual could further “have the misfortune of living in a community which nobody else can get exercised about those indignities either”. Wallace (2007), p.27.

⁴⁸ Darwall (2007), p.64.

However, in this case, a couple of difficult problems are raised for a second personal account of moral obligation. First, the issue of the authority that we *actually have* to make the demands that we put forward as purportedly valid becomes problematic. Take the case where X trusts Y to ϕ and, with the expectation distinctive of trust and its accompanying propensity to the reactive attitudes, thereby implicitly demands that Y ϕ . The question of whether X has the authority to demand this now becomes the question of whether an idealised moral community would hold Y responsible for ϕ -ing. But, and this is the first problem, answering this question seems no easier than, or indeed different to, answering the question of whether, in the dependence situation created by X's trust, God would demand Y ϕ . Second, in addition to this epistemological problem, there is a metaphysical problem. If it is the judgement of the idealised moral community that defines whether Y has, first and foremost, a reason to ϕ , this reason seems to be no different in character to third personal reasons. For this shifts the locus of authority *away from X* and in doing so it is no longer true that Y is accountable *to X*. Thus the conceptual relations that would make any reason that Y has to ϕ second personal are no longer present. The reason that Y has to ϕ , if Y has any such reason, is no different in character to the reason that Y would have if God demanded this.

9.

Løgstrup's ruminations on trust are part of a sustained criticism of Kantian moral theory, which he thinks pays insufficient attention to the needs of others. For example, Løgstrup gives a case of borrowing a book from a friend John with the promise to return it by noon. The right thing to do is return the book by this time. And, importantly, the right reason for doing this is just the thought "John needs the book".⁴⁹ Only with this thought is one's attitude towards John not indifference. And, Løgstrup continues, "if the motivating reason for my returning the book to John at the promised time is not one of consideration for John but my resolve to live in accordance with the general principle that promises should be kept, my act is not moral but moralistic."⁵⁰ As such, any moral theory that puts duty above a particular concern for the people to whom duty is owed to – such as Kant's – is 'moralistic', which "is morality's way of being immoral".⁵¹ This paper has then attempted to follow a parallel trajectory. A consideration of the testimonial trust situation reveals something about right reason for action. These reasons, I've argued following Løgstrup, are not second personal. This then tells against both McMyler's

⁴⁹ Løgstrup (2007), p.103.

⁵⁰ Ibid., p.105.

⁵¹ Ibid., p.103.

second personal theories of testimony and trust, and Darwall's second personal theory of moral obligation.⁵²

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