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**Authority and Self-Knowledge**

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**Authority and Self-Knowledge**

by

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**Report**

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# **Authority and Self-Knowledge**

by

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Philosophers have long thought that practical authority is morally problematic. The most familiar explanation is that exercising authority (for example, by the giving of commands) interferes with a subject's responsiveness to the reasons that apply to her; in this sense, authority is thought to be *irrational* or somehow inconsistent with autonomy. This explanation of the problem presupposes an account of what it is to exercise authority: to exercise authority over a subject is to intentionally change the reasons that apply to that subject. In this paper, I begin to develop a new account of authority's problematic nature by focusing on the relation between the content of authoritative directives and an agent's intention in obeying. In cases of personal authority, the issuing of a command involves the giving of an intention to act to the subject; I argue that this breaks down the self-other asymmetries which theorists of self-knowledge assume exist with respect to the 'privileged access' one is said to have of one's own mind. This understanding of the problem is missed if we think about authority primarily in terms of reasons and reason-giving, as in the case of Raz's service conception

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## Introduction

The starting point of philosophical reflection on authority<sup>1</sup> has been the acknowledgement of two persistent and dissonant thoughts. One is that authority is in some sense a *necessary* part of human life. No one would deny, for example, that the authority relations exhibited in teaching (and learning) are at least sometimes justified; and thinkers as diverse as Aquinas and Hobbes have thought that the exercise of political authority is necessary and justified under certain circumstances.<sup>2</sup> The other thought, however, is that authority, in particular the very act of submitting oneself to it, or the very state of being subject to it, is somehow *problematic*. The problem is thought to be deep: it isn't enough to point to various abuses of authority, or the bad ends that institutions of authority have served, by citing, for example, the rise of the Nazis or other atrocities committed under the guise of authority.<sup>3</sup> Rather, it is thought that authority *by its very nature* is problematic; perhaps the high water mark of philosophical skepticism about

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<sup>1</sup> The topic of this paper is *practical* authority, that is, authority concerning what to do, which is often contrasted with 'theoretical' or 'epistemic' authority, or authority concerning what to believe. All of the following are examples of the phenomena under discussion here: A mother tells her adolescent child, "Do your homework!" A police officer tells a curious citizen at the scene of an accident to move along. God commands Abraham to sacrifice his son. A piano teacher says to her student, "Back straight, wrists up!" A court orders a school board to racially integrate its schools. A state agency requires a corporation to file quarterly financial reports. A lieutenant orders the platoon to hold its position.

<sup>2</sup> Of course Aquinas and Hobbes have both different accounts of authority and what it means to say that it is necessary. Hobbes thinks that political authority is an (instrumentally) necessary means to individual survival; Aquinas thinks it serves the common good in a more substantial sense. For some remarks on the necessity of authority in teaching, see Anscombe 1962.

<sup>3</sup> As was the fashion among many writers following the holocaust. See, e.g., Simon 1962 and various essays by Hannah Arendt in the post-war period. See also Glover 1999, Chapter 9.

authority came a quarter century ago when Wolff argued that the concept of legitimate authority is 'vacuous'.<sup>4</sup>

My concern here will be with the second of these two recurring thoughts: that authority is problematic. While 'solutions' to the problem have varied, it is striking that most philosophers and political theorists have conceived of the problem itself, at least in general terms, quite consistently for decades, and perhaps longer. Countless writers have referred to the problem of authority as one about the subject *surrendering to, subjecting herself to, or substituting her judgment with* the (practical) judgment of an authority about what that subject is to do. Richard Flathman remarked thirty years ago that "there has been a remarkable coalescence of opinion around the proposition that authority and authority relations involve some species of 'surrender of judgment' on the part of those who accept, submit or subscribe to the authority of persons or a set of rules" and that most scholars agree that "the directives that are standard and salient features of practices of authority are to be obeyed by B irrespective of B's judgments of their merits."<sup>5</sup> Hart agrees and says that in a typical authority relation "the commander characteristically intends his hearer to take the commander's will instead of his own as a guide to action

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<sup>4</sup> Wolff 1998: 19: "Hence, the concept of a *de jure* legitimate state would appear to be vacuous, and philosophical anarchism would seem to be the only reasonable political belief for an enlightened man." Of course Wolff's argument specifically targeted the idea of legitimate *political* authority but he gives us no reason to think his argument does not extend to less momentous instances of authority, e.g., in pedagogical contexts. His argument as applied in those other contexts is deeply implausible, and this should on its own give us sufficient reason to doubt its plausibility in the political case.

<sup>5</sup> Flathman 1980: 90.

and so to take it in place of any deliberation or reasoning of his own.”<sup>6</sup> And Raz, in his most recent writings on authority, continues to see the problem of authority in similar terms: “the moral question [about authority] is how can it ever be that one has a duty to subject one’s will and judgment to those of another?”<sup>7</sup>

There has been some variety, however, in explanations of why a putative subject’s “surrender of judgment” to authority is so problematic. Some writers have thought that authority is *morally* problematic, such that submission to it is *immoral* and, on some accounts such as Wolff’s, necessarily so. Others have thought that authority is more broadly *rationaly* problematic, such that obedience is at least *prima facie* irrational, whether or not it is immoral. While the former account got the debate going,<sup>8</sup> there has developed a consensus that the latter idea is the heart of the matter.<sup>9</sup> It is generally agreed that the metaphors of ‘substitution’, ‘surrender’, or ‘subjection’ seem to amount to this: that authority – or, more precisely, authoritative directives – interferes with, or preempts, the ability of a putative subject to recognize and respond appropriately to the reasons that apply to her independently of those directives. It is often thought that an authority interferes with a subject’s response to reasons in two ways. First, when A exercises authority over B, A decides that B should (or ought to)  $\phi$ , presumably by

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<sup>6</sup> Hart 1982: 253.

<sup>7</sup> Raz 2009: 135.

<sup>8</sup> See Wolff 1998 (originally published in 1970), and Raz 1990 for discussion.

<sup>9</sup> The consensus is particularly clear among political and legal philosophers, many of whom follow Raz’s initial account of the problem (1979: 1-17). I don’t wish to take sides on this issue, except simply to observe this consensus; indeed, the argument that follows attempts to establish that authority is problematic in a way that doesn’t fit comfortably on either side of this distinction.



assessing B's reasons for and against  $\phi$ ing, and thereby coming to the conclusion that B  $\phi$ . But, it is thought, assessing the reasons whether B should  $\phi$  is for B to do, not A. The point is often put in narrower terms than need be, that A *preempts B's deliberations* as to whether B should  $\phi$ .<sup>10</sup> But I think we can settle for a broader idea in terms of responding to reasons, since an agent may respond to a reason without engaging in deliberation, e.g., by habit or instinct.<sup>11</sup> So the idea is therefore that exercising authority necessarily involves one agent (the authority) responding to the reasons that apply to another and issuing practical directives based on that response, and since responding to the reasons that apply to one is part of what it is to be a person, i.e., a being who takes responsibility for her actions,<sup>12</sup> and authority thwarts reason-response, then authority intrudes on or thwarts the very agency of the subject.

The second way in which authority is said to interfere with a subject's ability to respond to reasons that apply to her is that (genuine, legitimate) authorities have the power to actually *change* the balance of reasons a subject has to act, such that there are cases in which simply by exercising authority (by, say, issuing a command) the one in authority can *thereby make it the case* that a subject now has sufficient (or even decisive) reason to do as commanded. Some cases are less problematic than others. For example, consider the case in which the balance of reasons are such that one has about as much

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<sup>10</sup> Hart, in the above quote, opts for this narrower formulation. One way this narrower idea has been expressed is that authority plays a peremptory role in an agent's practical reasoning. See, e.g., Burton 1989. But on Raz's view, for example, authoritative directives do not preempt *deliberation*, but only acting for reasons that are excluded by the directives.

<sup>11</sup> See Raz 1999: 72 for the idea of acting on a reason 'automatically'.

<sup>12</sup> See Wolff 1998: 8.

reason to  $\phi$  as not to  $\phi$  and the authoritative command tips the balance in favor of one or the other.<sup>13</sup> This is presumably less problematic, or less obviously so, than a case in which one clearly has reason not to  $\phi$ , or perhaps even overwhelming reason not to  $\phi$ , but an authoritative directive nonetheless makes it the case that one has sufficient reason to (and therefore should)  $\phi$ . In any case, the idea remains that, necessarily, authorities interfere with a subject's ability to respond to reasons that apply to her by affecting the balance of reasons as she sees it – that is, by creating, by an act of will, a new reason – and an exercise of authority can thereby make an action that isn't supported by reasons supported by them. But, we might plausibly think, what we have most reason to do simply can't be affected in this way; to think that one person can make it the case that another ought to  $\phi$  or has most reason to  $\phi$  just by commanding it is deeply counter-intuitive about the reality of reasons. What we have reason to do should not be affected by the potentially arbitrary commands of an alleged authority.<sup>14</sup>

The thought that authority is problematic because it interferes with a person's ability to respond to the reasons that apply to her, in one or both of these ways, has dominated philosophical discussion of authority for decades. This general way of conceiving of the problem in fact rests on a view about *what it is* to exercise authority, according to which exercising authority essentially involves the *assessment and creation of reasons* for a putative subject; this theoretical model of authority has been in currency

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<sup>13</sup> This is often the case when political authorities attempt to solve coordination problems.

<sup>14</sup> Complaints have often been made against the more general idea of the creation of reasons by acts of willing, a view usually referred to as 'voluntarism'. For discussions of voluntarism and its problems, see Cohen 1996, Schroeder 2005, and Chang 2009.

since at least Hobbes, and is accepted by most writers of authority right up to the present day.<sup>15</sup> For example, the most influential theory of authority of late, Raz's service conception, quite explicitly explains authority and its exercise in terms of the assessment and creation of reasons. Raz thinks that all that is normative "consists in the way it is, or provides or is otherwise related to reasons," (1999: 36) and since authority is normative, authority is explained in terms of reasons. Raz understands authority as a normative power – roughly, the power a person has to change the 'normative situation' of another, i.e., to change the reasons that apply to them. On his view, exercising authority consists in an authority assessing the reasons that apply to her subject(s), issuing directives on the basis of them, and then her subject(s) recognizing those directives as both a reason to act in accordance with the directive and a reason to exclude some or all the reasons which count against acting as the directive requires.<sup>16</sup> The theory is more complicated than this, but the details need not detain us here. All I note at this point is that one explicit desideratum of Raz's theory is to explain how submitting oneself to authority does *not* thereby interfere with one's ability to recognize and respond to the reasons one has to act; Raz's theory is meant to show that, despite initial appearances, authority is not incompatible with our rational nature, i.e., our ability to recognize and respond appropriately to the reasons that apply to us.<sup>17</sup>

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<sup>15</sup> I argue for this claim elsewhere.

<sup>16</sup> Raz 1986 and 2009. Raz discusses the idea of a normative power in Raz 1990.

<sup>17</sup> See Raz 1985: 8-9.

The enormous influence of the service conception over the last thirty years has continued to inspire recent writers on authority to think of their topic almost entirely in terms of reasons, and the problem of authority as one about hindering or interfering with a subject's responsiveness to reasons.<sup>18</sup> In what follows, I hope to come to a new understanding of why authority is so problematic by focusing on an aspect of exercising authority that has gone overlooked: the idea that the giving of an authoritative directive is not only the giving of a reason to a subject, but also involves the identification of an action that the subject must understand himself to perform if (and when) he obeys. While the issuing of an authoritative command may be the giving or creation of a reason, it is also the supplying of an intention to act by the commander to the commanded.

Once this aspect of exercising authority is fully explained and appreciated, I argue that we are then able to see why submission to authority is so troublesome, indeed puzzling, and deeply so. I consider here only cases of *personal* authority,<sup>19</sup> and try to make salient one of its most problematic aspects, one which is not even recognized, much less addressed, by reasons-centered theories of authority. I argue, in short, that a consequence of one person exercising authority over another is that the person in authority acquires knowledge about the mind of the subject in a way that eliminates the

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<sup>18</sup> See, e.g., Shapiro 2002, Estlund 2008: 117-135, Herskovitz 2003, Christiano 2004, and Green 2003.

<sup>19</sup> Authority is personal just in case the locus of authority is either an agent or that agent's acts (usually, speech acts). Non-personal (or derivative) authority is exercised through some non-personal instrument such as a text. A common assumption among theorists of authority is that personal authority is the central case; a stronger assumption is that all authority is reducible to, or should be understood in terms of, personal authority. See Marmor 1995, Wolff 1998: 6, and Laird 1934 on the primacy of personal authority, and Raz 2009: 323-372 for discussion of this issue with respect to constitutions and their authors. It isn't necessary that I take a view on this issue here. I discuss non-personal authority and its problems in a separate essay. See also note 30 below.

‘privileged access’ the subject has to her own mind, the kind of access which many philosophers have thought to be important to the rationality and integrity of a person, and on some views, even partly *constitutive* of personhood. Since the practical directives issued by a legitimate authority necessarily specify actions for a subject to perform, and an obedient subject will at least intend to perform the actions specified, then the authority, simply by issuing a directive, can acquire knowledge of at least one of the mental states of the subject, her intention to perform the action the performance of which would constitute obedience, without employing the usual means of doing so (e.g., engaging in ordinary interpretation of the subject’s behavior).

I think the account that follows offers a better explanation of why personal authority has been thought so problematic (and, on some accounts, intrinsically so), one better than the traditional account which gives center stage to the idea of a reason, and the aspect of reason-responsiveness as the relevant explanans. The account given here locates the problem not in the interference of an authority with a subject’s ability to respond to reasons but rather, as a necessary consequence of submission to authority, with the breaking down of certain self-other asymmetries concerning the relation a subject bears to her own mind, asymmetries which contribute to the personhood of the subject. Also, my hope is that this account given here of exercising authority and its

problems will help us develop new understandings of related issues in legal philosophy and important doctrines in agency law.<sup>20</sup>

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<sup>20</sup> For example, in a future project, I hope to show how the account of authority given here can provide a coherent rationale for the doctrine of *respondeat superior* and other cases of vicarious liability in tort law. I also think my account helps us make better sense of a persistent thought in analytic jurisprudence, that the concept of law is a hermeneutic concept, one through which people understand themselves. (See Raz 1994: 237, Perry 2001: 324, Leiter 2007: 172-175, 186-190. Leiter remarks that the idea that law is a hermeneutic concept is “endorsed by every legal philosophy of the last hundred years, with the exception of the Scandinavian Realists” (2007: 173).) In a separate essay, I give a novel interpretation of that claim based on the account of authority here, and try to better explain the sense in which it is true.

## Ideal Normative Theory

Before I begin, I should say something about the general approach I will take in the discussion of authority that follows. I essentially start with a conception of what a perfect or idealized authority relation between two agents would be like, then make some observations about what exercising authority would be like under those conditions, and then go on to argue for some further consequences of this phenomenon to show why authority is problematic. This way of idealizing in philosophy, and particularly moral and political philosophy, is nothing new, and is not the sort of idealizing that has recently been subject to sustained criticism.<sup>21</sup> At the beginning of *A Theory of Justice*, Rawls states his approach to theorizing about justice in a similar way. He says that his discussion of justice will

examine the principles of justice that would regulate a well-ordered society. Everyone is presumed to act justly and to do his part in upholding just institutions. Though justice may be, as Hume remarked, the cautious, jealous virtue, we can still ask what a perfectly just society would be like. Thus I consider primarily what I call strict compliance as opposed to partial compliance theory.<sup>22</sup>

Rawls acknowledges that issues in “partial compliance theory”, e.g., the theory of punishment, the doctrine of just war, and the ways of opposing unjust regimes, are indeed important. However, “the reason for beginning with ideal theory is that it provides, I believe, the only basis for the systematic grasp of these more pressing problems.”<sup>23</sup>

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<sup>21</sup> See Enoch 2005.

<sup>22</sup> Rawls 1999: 8. Cf. Rawls 1999: 216: “Viewing the theory of justice as a whole, the ideal part presents a conception of a just society that we are to achieve if we can.”

<sup>23</sup> *Ibid.*

Similarly, in the discussion that follows, I begin with ideal – or, as we might call it, *utopic* – authority, so that we may arrive at a better grasp of the problems associated with it. And so I imagine a situation in which the alleged authority is in fact legitimate (whatever that ends up amounting to), the putative subject recognizes the authority as such, the subject is perfectly obedient, is fully justified in obeying, and so forth.<sup>24</sup>

It may nonetheless be objected that approaching the topic in this way is not useful because utopic authority relations are not, or are not often, instantiated in the real world and so offer us no insight into real authority, as it is practiced, however imperfectly, by real persons. This is in fact a common complaint registered against Raz's service conception: on that account most governments of the world, for example, don't meet the conditions required for legitimacy, or that they are legitimate but only to a very limited extent. On that basis, it is objected that the account doesn't adequately account for the phenomena; a more accurate concept would take better account of how political authority is actually practiced.<sup>25</sup>

A full reply to these worries would take us well beyond the present discussion, but I will make two brief points here. First, I think that utopic authority, at least as I've so far described it, *does* actually occur in practice. Consider, for example, cases of pedagogic authority, e.g., the authority exercised by a teacher over a student in the teaching of, say, a practical skill. It is quite common for teachers to exercise legitimate

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<sup>24</sup> I discuss in more detail the idealized authority relation I have in mind in the next section.

<sup>25</sup> I have heard many distinguished philosophers of law pose this objection in discussion. For probably the earliest complaint in print of the "highly abstract" character of Raz's work, which is "only occasionally...enlivened by concrete examples," see Fitzgerald 1971.



practical authority over their students in these cases by issuing directives (e.g., a master carpenter instructing his apprentice in the many steps of building a house), and common for there to be committed students who are both motivated to obey and will in fact consistently obey those directives. Whether or not the consequences I will eventually draw from observations of such cases do in fact follow is indeed a further question; but I hope that one can acknowledge ‘perfect’ authority relations in the relatively minimal sense I have indicated as not too unrealistic to be the object of worthwhile philosophical reflection.

Second, I think we should follow David Estlund in his response to, as he calls them, ‘utopophobes’ in normative political theory, those who insist that a good political theory should not try to set moral standards which are unlikely to be met by persons as they actually are.<sup>26</sup> This should be distinguished from the objection that a normative theory is flawed because it sets moral standards that are *impossible* to meet by persons as they actually are. As Estlund points out, this latter sort of theory *is* objectionable in that it violates the widely accepted ought-implies-can principle. But as I just mentioned, I don’t think the discussion of authority that follows sets standards that are impossible to meet; indeed they are met often enough. On the other hand, the former sort of theory need not be objectionable. The claim that a standard is not likely to be met is not a consideration against its truth. The fact that most people will not live up the standard that lying is wrong is not a reason for moral philosophers to reconsider theories that support

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<sup>26</sup> See Estlund 2008: 12-15 and, as concerns normative democratic theory, 258-275.

or entail the truth of that principle.<sup>27</sup> Similarly, if it were true that people are rarely in the kind of authority relation I describe below, that would not count against the claim that that relation is part of the nature of authority, or that it reveals some important truths about it. Therefore we should not worry about how often (or not) authority is practiced in the manner described below. Whether thinking about authority in this way is justified is determined by whether doing so helps us better understand authority and its problematic nature. I hope to show that it does.

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<sup>27</sup> Estlund 2008: 12-13.

## Utopic Authority

I should take a moment, then, to describe in more detail the kind of case I will be using as the basis for my discussion. The primary senses in which the cases of authority I consider are ‘utopic’ is that I wish to put aside any issues concerning both *legitimacy* and *efficacy*. So for instance I will assume, first, in speaking of A having authority over B, that A is in fact a legitimate authority, i.e., both that A has a ‘right to rule’ over B in some practical domain and that B has a ‘duty to obey’ A with respect to directives issued about action in that domain; that is to say that, among other things, when A requires that B  $\phi$ , A is justified in requiring that B  $\phi$  and, further, that B both understands, correctly, that A is justified in so requiring it of him and sees himself, correctly, as justified in  $\phi$ ing on account of A’s requiring it.<sup>28</sup> Note that for my purposes it makes no difference *how* A’s authority is justified. B may be obligated to obey A’s directives in virtue of consenting to A exercising authority over him,<sup>29</sup> or because B is in a quasi-fraternal social practice with A that entails B having a duty to obey A’s directives,<sup>30</sup> or as an expression of gratitude for the benefits A confers on B by exercising authority over him,<sup>31</sup> or because A’s directives solve ongoing coordination problems that B faces,<sup>32</sup> or any number of other

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<sup>28</sup> We may even add to these conditions that A has a ‘duty to govern’ over B as well, an aspect of authority emphasized in Finnis 1980. See Green 2007 for discussion of Finnis’s views.

<sup>29</sup> See, e.g., Beran 1987.

<sup>30</sup> Dworkin 1986: 195-215.

<sup>31</sup> See Green 2002: 528-529.

<sup>32</sup> Raz 1990b: 195.

considerations.<sup>33</sup> The approach of the next section is to investigate what a standing, idealized authority relation is like, regardless of the reasons for which one is in it, to see whether there is anything problematic about it, *regardless* of how the justificatory burden is met.

The second utopic condition is that I will assume that A's directives are fully efficacious, i.e., B is *perfectly obedient*. Now, in the discussion that follows, I will be making substantive claims about what it is for a subject to obey an authority and the problematic consequences of it, and of course I do not intend to beg the question concerning the truth of those claims at this stage. We should distinguish between being obedient and obeying. Obeying essentially involves acting with a particular intention. That is, whenever A requires B to  $\phi$ , B obeys A by  $\phi$ ing with the intention of doing what A said to do. Being obedient, on the other hand, primarily consists in a *disposition* to obey; if B is obedient vis-à-vis A, then B is disposed to obey A's directives. We may further elaborate the idea by saying that B is obedient only if B has a desire, perhaps even an overriding desire, to do as A says. But this or any other elaboration should be unnecessary for a general assumption to be granted that B is perfectly obedient – that B has a fully formed and, other things being equal, fully realizable disposition to do what A requires of him. Under these (admittedly rare) conditions, I will make further observations about authority and its exercise which I think helps explain why it is indeed so problematic.

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<sup>33</sup> See Raz 1986: 75 for an additional (and heterogenous) set of considerations often used to justify authority.

Two further qualifications of the discussion that follows require mention. First, the cases I consider are examples of *personal* authority, cases in which it can truly be said that A, a person, *has authority over* another person, B, and that when A exercises the authority she has over B, B recognizes the authority of the *directive* only in a derivative sense, i.e., in virtue of the fact that it has its origins in A's mind. B understands A's directives as expressing A's will, desire, or intention, and that fact lends authority to the directive.<sup>34</sup> Second, I focus on cases of exercising authority which are central in virtue of another aspect: those which are carried out by the giving of commands. It is an important issue, but one which I cannot take up here, whether authority can be exercised by means other than commanding or some similar speech act, e.g., manipulating a subject's non-normative circumstances such that the subject is required to  $\phi$ .<sup>35</sup> But theorists of authority have been primarily preoccupied with commanding, and perhaps for good reason. Historically, the two instances of authority of most interest to philosophers, the

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<sup>34</sup> A common assumption made in the authority literature is that all authority is personal authority. Raz clearly assumes this in the most extensive discussion of the service conception (1986: 56): "It will be noticed that the normal justification thesis identifies the case that must normally be established to show that *a person* has authority. It is not a matter of showing that *he* is entitled to authority, but that *he* has it, that *he* is in authority, with all the consequences which follow from this fact" (my emphases). See also Marmor 1995, Wolff 1998:6, and the essays in Adelman 1974, in which this assumption is clearly made throughout. Cf. note 20 above. I consider cases of non-personal authority in a separate essay.

<sup>35</sup> See, e.g., Enoch (unpublished) for some suggestions on how this latter idea might be importantly different from generating a practical requirement by commanding. Drawing on research in the behavioral sciences, Thaler and Sunstein 2008: 72-102 have introduced the idea of 'nudging' by means of 'choice architecture' in designing a person's choice environment, which rarely involves anything like commanding; it is an interesting question, for example, whether political authority can be exercised by engaging in 'choice architecture'. I leave the question open here.

authority of God and that of the state, are traditionally understood as involving the use of commands.<sup>36</sup>

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<sup>36</sup> Divine command theory has of course a long, venerable history; see Murphy 2002 for a sophisticated version which is much indebted to Raz's service conception. Conceiving of the authority of law in terms of commands also has a long history, particularly in the positivist tradition. Bentham, Austin, Hart, and Raz all explicitly conceive of the exercise of authority as a matter of issuing commands. See Greenberg (unpublished) for a characterization of the 'command paradigm' of law to which many positivists subscribe; see also Postema 2001 for the history of this paradigm beginning in the early modern period.

## Authority, Obedience, and Commanding

With these qualifications in mind, let us proceed to the argument. If A has practical authority over B, and B is a conscientious, obedient subject, then it may seem plausible to think that when A tells B to do something (i.e., commands B to do it), B will do it. But in fact this is too fast; while we may imagine a 'utopic' authority relation between two agents, as far as it goes, we need not imagine a utopic world. If A commands B to  $\phi$ , there may be cases in which B is prevented from  $\phi$ ing due to circumstances beyond his control. So if, for example, A commands B to make amends with C, and C unexpectedly dies of natural causes, B will fail to do as commanded.<sup>37</sup> However, there is an important truth in the vicinity here; insofar as A has commanded B to  $\phi$ , and B is an obedient subject, B will at least *commit* to  $\phi$ ing in some minimal sense. This is best put in terms of acquiring an intention:

**(I) If A has authority over B, then (if A commands B to  $\phi$ ,  
then B intends to  $\phi$ ).**

I should note right away that one may accept (I) without being committed to any particular theory of intention or intentional action. One may think that to intend to  $\phi$  is to desire to  $\phi$  and believe that by  $\psi$ ing one will  $\phi$ ,<sup>38</sup> or that it is to have a practical attitude distinct from both belief and desire that plays an important role in, among other things,

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<sup>37</sup> A further question is whether we may justifiably think of B as *disobedient*. But this is an issue for, in Rawls's term, 'partial compliance theory' and thus is not my concern here. See pp. 9-10 above.

<sup>38</sup> Davidson 1980.

the coordination of cross-temporal and interpersonal plans,<sup>39</sup> or that it is to have a future-directed belief about what one will do,<sup>40</sup> or many others,<sup>41</sup> and still be able to give a plausible interpretation of (I). Whatever intention turns out to be, (I) captures one intuition about an ideal authority relation between persons.

The plausibility of (I) is in part based upon observations about what it is for one person to obey another. The core, and presumably uncontroversial, idea is that if A commands B to  $\phi$ , then in order for B to obey A, B cannot then do just anything: B must  $\phi$ . And, we may add, B must  $\phi$  non-accidentally; that is, B must act with the intention to  $\phi$ . It is often said that in order for B to obey, B must  $\phi$  *because* A commanded it; that is, B must recognize A's command as a reason to  $\phi$ , and to act on that reason (the reason: that A commanded B to  $\phi$ ). Indeed, this is part of the familiar idea of the content-independent nature of authoritative directives.<sup>42</sup> But, again, this much discussed idea brings us back to explanation of the phenomena in terms of reasons, and I want to constrain that urge for now, so that we may see if there is something else to be said. The point is that, regardless of the reason(s) for which B  $\phi$ s upon being commanded to do so, B's action can't count as one of obedience unless B  $\phi$ s with the intention of  $\phi$ ing. A fuller elaboration of the claim I make about obedience is somewhat more complicated

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<sup>39</sup> Bratman 1987.

<sup>40</sup> Velleman 2000 and 2007.

<sup>41</sup> See Setiya 2010 for a survey of other theories of intention.

<sup>42</sup> On content-independence, see Hart 1982, Raz 1986, Green 1988, Himma 2000, and Markwick 2000. For critical discussion, and a recasting of the distinction between content-dependence and content-independence along explicitly Gricean lines, see Sciaraffa 2009.



than I have stated it. It may be that in order for B to obey, B need not intend to  $\phi$  - or, as it is sometimes put by philosophers of action, B need not 'act under the description' of  $\phi$ ing<sup>43</sup> - but rather may perform some other action,  $\psi$ , which is reasonably describable as  $\phi$ ing, or is a constitutive means to  $\phi$ ing, or bears some other necessary relation to  $\phi$ ing. But an important point to make about this kind of case is that in order to count as obedience, B must at least *recognize* that the relevant internal relation obtains between the action he actually does perform (if he doesn't perform the action commanded) and the action commanded. Otherwise, B would, in  $\phi$ ing, accidentally or unknowingly obey; but this is incoherent. One cannot *obey* a command accidentally, though one may accidentally conform to it, or satisfy it.<sup>44</sup>

These brief reflections on obedience point us to a further claim about 'utopic' authority, one which is the key to understanding its problematic nature in cases of personal authority. If we take up the phenomenon of obedience from a different point of view, that of the commander, then we may consider an interesting but rarely discussed idea: that A's self-understanding as a practical authority, and understanding of B as an obedient subject, is such that upon commanding B to  $\phi$ , A is *justified in believing*: "B will  $\phi$ ."<sup>45</sup> In favorable circumstances, perhaps this is true; for if A had good reason to believe

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<sup>43</sup> See Anscombe 1981 and the references there.

<sup>44</sup> Cf. Raz's (1999: 90-94) distinction between an agent *complying with* and *conforming to* a reason that applies to her. Raz's analogous claim would be that an agent can unwittingly conform to, but not comply with, a normative or 'guiding' reason.

<sup>45</sup> Murphy 2002: 14-15 invokes in passing the idea of the "self-understanding" or "self-image" of a personal practical authority vis-à-vis his subject and the commands he gives to that subject, though he does not develop the idea in any detail. Murphy's only point is that, by issuing commands (or "dictates")

B would be unimpeded by factors outside of his control, then perhaps A *is* justified in some belief about what B will do upon being commanded to  $\phi$ . But, again, the point can be stated more cautiously, and fruitfully, in terms of what B will *commit* to doing, or what B will *intend* to do upon being commanded. For, as I have already said, if A has authority over B, and A commands B to  $\phi$ , and B is an obedient subject, B will at least *intend* to do whatever is commanded of him. And *in so far as B is perfectly obedient*, then we may even want to say that A *knows* that, upon commanding B to  $\phi$ , B intends to  $\phi$ .

**(O) If A has authority over B, then (if A commands B to  $\phi$  then A knows that B intends to  $\phi$ ).**

But, even more cautiously, we may restate the thought as that A is justified in believing that B intends to  $\phi$  correlative to the extent to which B is obedient to A's commands.

And to the extent that B is fully obedient, in the sense I specified above, A knows that B will always intend to act as A commands him to act, upon being so commanded.<sup>46</sup>

Before trying to show why any of this should be problematic, it is important to understand and establish why (O) is true; we can start by noticing *how* A knows what B intends upon being commanded, i.e., whether A knows what B intends, say, inferentially,

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an authority understands himself to generate reasons for action for his subject within a given domain. The point of the present argument is to suggest that Murphy did not explore thoroughly enough the "self-understanding" of authorities; this is no doubt due to the fact that he adopts, with Raz, a thoroughly reasons-centered approach to the topic.

<sup>46</sup> Again, it may seem plausible to think no person is ever perfectly obedient. But it may be that a subject is closer to 'perfectly obedient' under some circumstances and not others, or, perhaps for idiosyncratic psychological reasons, more obedient in some domains of actions than others. Both of these are often exhibited in (attempts at) parenting.

non-inferentially, empirically, a priori, or some other way. We arrive at an answer by noticing certain features of commanding itself, specifically those which explain the relation between a command given by A and A's mind. Austin claimed that if A commands B to  $\phi$ , then A *desires* that B  $\phi$ , or that A desires for B to  $\phi$ , and that the command in some sense *signifies* that desire; earlier, Bentham thought that if A commands B to  $\phi$ , then A *wills* that B  $\phi$ , and that the command *represents* a corresponding volition.<sup>47</sup> While I think there is an important truth here, emphasizing only an authority's *desire* or *will* concerning his subject's behavior may blind us to the significance of the explicit content of a command and its relation to what constitutes obedience.<sup>48</sup> Murphy has observed that

*commanding that p* is an attempt to do something with language, to realize some state of affairs by the performance of a speech-act. It is, in particular, a *directive* act: the aim internal to a commanding act is that of having the addressee or addressees carry out the action represented in the proposition that is the object of the command (2002: 24).

From this he infers that "in performing a directive act one invariably implies that the party addressed has a reason to perform the directed act," and further argues that for a performer of a directive act to deny this claim would be 'paradoxical' (2002: 24-25).

Here again, we are invited to think about the nature of commanding (as the primary way of exercising authority) in terms of reasons and reason-responsiveness. But we should

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<sup>47</sup> Bentham defined law as "an assemblage of signs *declarative of a volition*" of a sovereign (1970: 1, my emphasis), and Austin (1995: 21) thought that a command was the "expression or intimation" of a wish, or the "signification of desire."

<sup>48</sup> Cf. also Bratman's worry (1987: 6-7) that Austin's view amounts to a reduction of future-directed intentions to beliefs and desires.

see if there is something to be said about the nature of commanding without the employment of these concepts.

And indeed there is, if we return to the general idea from Bentham and Austin, that commands are representative or *expressive* of a mental state of the commander. There is of course an obvious sense in which Austin is right in claiming that a command is the expression of a desire of the commander. It would indeed be paradoxical, for example, for the commander himself to deny that claim. (Imagine A saying to B, “ $\phi$ ! But I don’t want you to.”) But we can understand Austin’s idea more clearly by saying that if A commands B to  $\phi$ , then A has a desire which has a determinate propositional content, i.e., *that B  $\phi$* , and by commanding B to  $\phi$ , A is expressing his desire for B to make that propositional content *true*.

However, it seems to me more plausible to follow Bentham and say that a command is both expressive of and a specification of an *intention* to act, rather than a desire.<sup>49</sup> On the one hand, a command is an expression of an intention of the commander. If A commands B to  $\phi$ , then in some sense A intends that B  $\phi$ ;<sup>50</sup> a command is expressive of A’s intention that something be done, and done by an agent other than A, i.e., the agent referenced in the command.<sup>51</sup> Moreover, the *action* specified in the

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<sup>49</sup> It is worth pointing out that the argument that follows can be recast in terms of desire rather than intention and, for present purposes, focusing on either sort of mental state is sufficient.

<sup>50</sup> If this is right, this is a peculiar (but common) sort of intention, one which refers to an agent performing an action other than the bearer of the intention, and not one discussed in the intention literature.

<sup>51</sup> Cf. a point made by Hart 1994: 21, that the “standard form” of a law is that it is general in the two respects I’ve mentioned, i.e., with regard to the action type it refers to and the class of agents who is to

command forms part of the intention *A* has as well, namely the intention expressed by the command itself: that *B*  $\phi$ . On the other hand, while the content of a command is the description of an action, the observations made above concerning obedience should make it clear that from the point of view of the subject, the description is also the content of the *intention* *B* must have if *B* is to successfully obey.<sup>52</sup> A command provides what the addressee of a command must do, and therefore intend to do, in order to obey. A command must contain, either implicitly or explicitly, the description or identification of an action which *B* must perform in order to obey. As Murphy puts it, there must be an “action represented in the proposition that is the object of the command.”

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perform it (or refrain from performing it). Additionally, I put aside the question of whether one can coherently command oneself to act. See Darwall 2006 for discussion.

<sup>52</sup> This is subject to the caveat mentioned on p. 15, above.

## Authority and Self-Knowledge

Recall that we wanted to know *how* A knows that B intends to  $\phi$  upon being commanded to  $\phi$ . But given that the identification of B's intention to  $\phi$  is a part of A's command that B  $\phi$ , and A's command is itself expressive of A's intentions or desires, then we should first determine how A knows his own intentions or desires. Anscombe once suggested that one's intentions constitute a special kind of practical knowledge in that one knows them in a way that others do not.<sup>53</sup> As she puts it, when we perform an action intentionally, we know what we do 'without observation', though what she meant by this obscure phrase was never made clear.<sup>54</sup> Her stock example of this sort of knowledge is proprioception, the knowledge we have of the position of our limbs. The point is that in order to know, for example, the current position of my right leg, it isn't necessary to either *look* at my leg or to use certain *sensations* as criteria from which to *infer* the current position of my right leg. There is a sense in which the knowledge we have of the position of our limbs is *groundless* in that we don't need observation or in fact *any* evidence to make judgments of this kind. She claims that knowledge of our intentions, the knowledge of what we do when we act, is of the same sort. She gives the example of writing something with one's eyes shut.<sup>55</sup> One can say what one is writing without observation of what is actually written. Even if one's pen runs out of ink, or

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<sup>53</sup> Anscombe 1958: 13-15, 87-90.

<sup>54</sup> The best discussion of what Anscombe may have meant is Moran 2004.

<sup>55</sup> Anscombe 1958: 51-53.

one's pen trails off the page, Anscombe maintains that the first-personal judgment 'I know what I write' is nonetheless true, and so isn't made on the basis of those observations.<sup>56</sup> Sometimes, of course, we fail to execute or realize the intentions we have; but that does not change the fact that at least some of the intentional descriptions of our actions, the descriptions 'under which' we act, determine, and in part constitute, what we do.

To understand Anscombe's insight, it will be useful to introduce a distinction, familiar among self-knowledge theorists, between two sorts of psychological claims, *avowal* and *attribution*.<sup>57</sup> Avowal is thought to be the phenomenon of authoritative, non-inferential self-ascription, and is characterized by the following three distinct features. First, avowals are *groundless* in the sense that one inappropriate response to an avowal is to ask for reasons (evidence) in support of it (e.g., in response to "I am in pain" or "I want ice cream", one asks, inappropriately, "But how can you tell?"). Second, avowals display a kind of *transparency*; it seems there is no room for uncertainty or ignorance with respect to them (e.g., "I have a headache" or "my feet are sore").<sup>58</sup> Third, avowals are

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<sup>56</sup> More precisely, her view seems to be that the first-personal judgment about *what* one is writing is the relevant one: "I am writing my name" rather than, say, "I know I am writing my name", the latter of which she would consider 'speculative' or 'theoretical' (i.e., propositional) knowledge, and not the special sort with which she is concerned.

<sup>57</sup> Here I draw on the presentation in Wright 1998 and Bar-On and Long 2001.

<sup>58</sup> The transparency supposed here is thus of a Cartesian sort, and should not be confused with the notion of transparency recently introduced by Richard Moran (2001: 60-61), which concerns the relationship between whether I hold a certain attitude and the object of that attitude (e.g., the relationship between "do I believe that *p*?" and "is it the case that *p*?"). See Boyle 2009 for discussion of Moran's idea.

thought to be epistemically *authoritative*.<sup>59</sup> There are at least some avowals – what Wright calls “phenomenal avowals” – that are *strongly* authoritative in the sense that if a person is disposed to sincerely make such a claim, then its truth is guaranteed.<sup>60</sup> Others which he calls “attitudinal” avowals (content-bearing states like beliefs, intentions, and desires), while they do not exhibit the same strong authoritativeness of the phenomenal kind, have weak authority nonetheless. While there may be cases of self-deception or confusion, a normal attitudinal avowal will still provide “empirically assumptionless justification for the corresponding third-person claims.”<sup>61</sup> Indeed, avowals seem to capture the “essentially first-personal character”<sup>62</sup> of self-knowledge which distinguishes them from *attributions*, psychological claims which lack these three features and are essentially third-personal. To be sure, while I may make claims about my own mind in the form of both avowals (“I am in pain”) and attributions (“MS is in pain”), it is only the former which share these peculiar features.

With the distinction between avowal and attribution in hand, Anscombe’s view can be understood simply as the idea that intentions are avowals: that intentions are known groundlessly, transparently, and authoritatively. *Practical knowledge*, as she calls it, is in some important way *unassailable* by what actually happens in the world. It is

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<sup>59</sup> The claim is therefore not that avowals are *practically* authoritative, and so shouldn’t be confused with the topic of this paper. Theorists of self-knowledge seem to use a notion of epistemic ‘authority’ that involves some claim about warrant or justificatory force. Moran seems to employ a similar notion; see note 77 below.

<sup>60</sup> Wright 1998: 14. Anscombe’s proprioceptive examples seem to form a subset of Wright’s ‘phenomenal’ avowals, in addition to claims about emotions, moods, and bodily condition (“I feel sick”, “I’m tired”).

<sup>61</sup> Wright 1998: 17.

<sup>62</sup> Burge 1994: 76.



worth noting that one implication of Anscombe's view is that one's practical knowledge – one's knowledge of what one is doing at a given time – is also unaffected by the knowledge others may have about what one does. An implication of the view seems to be that A can't have practical knowledge of what B does, since practical knowledge is known 'without observation,' and in order for A to know what B does, A must *observe* what B does. My knowledge of what I do is therefore arrived at in a fundamentally different way than how others know what I do, as well as how I know what they do.

It would be outside the scope of this discussion to take sides in the various debates about the special way in which we know our own intentions, or our own mental states more generally.<sup>63</sup> All that is required here is the acceptance of certain assumptions which I think are shared by all except (now-extinct) behaviorists like Ryle who are skeptical of the very idea of a distinctive conception of self-knowledge.<sup>64</sup> All that needs to be granted is that there are certain 'self-other asymmetries' with regard to the relation that I have to my own mind and the relation I have to the minds of others, for example that "the claim to credibility of what I say about myself is not always grounded in the evidence about my behavior, whereas any awareness I may have of another person's thoughts depends on what I can garner from seeing them in action" and that the possibilities of error and correction are not the same in the two cases.<sup>65</sup>

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<sup>63</sup> The literature on the nature of self-knowledge is large and growing, but see Gertler 2003, Wright et al. 1998, and Cassam 1994 for many of the important contributions.

<sup>64</sup> See Ryle 1949.

<sup>65</sup> Moran 2001: 156.

Let us now return to authority. If A's command is an expression of A's intention or desire that B  $\phi$ , and intentions or desires are the sorts of things known 'without observation', or known asymmetrically vis-à-vis agents other than the one whose intention or desire it is, then A knows his intention that B  $\phi$ , i.e., *what he commanded*, in this special way. A can think to himself, "I know what I command" without having to observe what B does *qua* obedient subject, in the very same way as in Anscombe's example, one can say "I know what I write" without having to observe what is written. But if A's command specifies an intention that B is to have if B is to obey and, if (O), above, is true about utopic authority relations, then it seems that *A knows B's intention* in this special way as well. That is, it is difficult to see how the 'self-other asymmetries' that Moran describes can be maintained *with respect to B's intention to  $\phi$* . It seems that if A is to exercise authority over B, in the way I've described, then A will bear the very same epistemic relation to B's intention to  $\phi$  as B does. This is because A's command, which contains a specification of an action B is to perform, is the *source* of B's intention. That is, when B acts with the intention to  $\phi$ , B forms that intention *in virtue of or because of* A's command that B  $\phi$ .<sup>66</sup> On the other hand, A also knows that B, an obedient subject, intends to  $\phi$  in virtue of knowing what A commanded B to do, which itself is known non-observationally by A. It is this fact which seems to abrogate B's *privileged* access to her own mind, and so to break down the self-other asymmetries of B's self-knowledge – at

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<sup>66</sup> Again, it is plausible to think that at least one of the *normative* reasons for B intending to  $\phi$  is the fact that A commanded B to  $\phi$ . But here I mean merely that that fact plays the role of an explanatory reason of B so intending.

least with respect to her intention to  $\phi$ , the intention with which B must act in order to perform the required action. It looks as though both A and B know some part of B's mind (B's intention to  $\phi$ ) in the very same (first-personal) way.

We can put the point more clearly, again, by employing the concept of an avowal.

In criticizing a particular Cartesian account of self-knowledge, Wright remarks that

the problem is that the kind of authority I have over the avowable aspects of my mental life is not transferable to others: there is no contingency – or, none of which we have any remotely satisfactory concept – whose suspension would put other ordinary people in a position to avow away on my behalf, as it were.<sup>67</sup>

The view I have been developing claims that just such transference of (epistemic) authority over avowable aspects of the subject's mind occurs in ideal practical authority relations. The 'contingency' that is 'suspended' in this case is B's exercise of the capacity to author his own intentions within some range of action, and instead to intend to do just what is commanded by A. When A commands B, a fully obedient subject, to  $\phi$ , A authors the intention with which B must act in order to obey (namely, an intention *to*  $\phi$ ) – and thereby avows B's mind. If an authoritative directive provides an intensional context which identifies an action that an obedient subject must perform if he is to obey, and if the directive itself constitutes at once an avowal of the mind of the authority, and the action identified in the directive is the intensional context of the intention B adopts in obeying, and intentions are avowals, then A has avowed B's mind with respect to

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<sup>67</sup> Wright 1998: 24.

intending to  $\phi$ . Wright conceives of the phenomenon of one person avowing another's mind on the model of telepathy, and consequently finds it mysterious:

In particular, I do not think that we have any satisfactory concept of what it would be to be in touch with others' mental states *telepathically*. I do not mean, of course, to rule it out that someone might prove, by dint of *his own* occurrent suspicions and afflictions, to be a reliable guide to the states of mind of another. But that possibility falls conspicuously short of the idea that a subject might share direct witness of another's mental states.<sup>68</sup>

It's not clear what Wright has in mind when he speaks of "occurrent suspicions and afflictions," perhaps conjectures based on sophisticated psychological testing or simply gut-level intuitive judgments about a person's dispositions. But the argument I have been making about the nature of practical authority relations does not rely on such judgments, or such study. An authority is in touch with – is the 'direct witness' of – the mental states of his subject in virtue of the fact that the authority is the author (or the 'source') of the content of at least some of those mental states, namely, some of the subject's intentions. By A being the author or source of the content of an intention, A is more than simply the cause of the intention. By commanding, A makes the intention what it is by supplying the identity of the action, in all its particulars, which B must adopt in order to obey. Of course, the extent to which A is a 'direct witness' of B's mind will correspond to the extent of the substantive reach of his authority; the more vast the domain of action, or the greater number of domains, in respect to which A is an authority over B, the more direct 'witnessing' of B's mind A will engage in.

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<sup>68</sup> Wright 1998: 24 n 11.

One additional point can be made. If B does in fact successfully obey, and therefore  $\phi$ s, A does not need to engage in the usual interpretation of B's behavior, i.e., to use B's behavior as evidence in order to *figure out* what B is doing when B obeys. Rather, A may rightly think, "B is doing what I said to do" and of course "what A said to do" refers in part to the content of one of A's desires (expressed by A's commanding B to do something), to which A has privileged access as an item in his own mind. But, again, it may be the case that for a variety of factors outside the subject's control, a subject may fail to do as commanded. But even in that case, as I've argued, A still knows what B *intends* to do upon being commanded.

## The Role of Obedience

One may object to my account of exercising authority, and in particular the truth of (O) as I have interpreted it, along the following lines. It may be thought that A in fact doesn't know B's intention in the same privileged way in which A knows his own mental states ("without observation") once we fully appreciate the role of the 'utopic' background conditions I put in place at the beginning. Recall that the two primary idealized conditions were ones of full legitimacy (e.g., A in fact has a 'right to rule' over B) and efficacy (that B is perfectly obedient). The assumption of these conditions, and particularly the stipulation that B is (perfectly or completely) obedient, may be thought problematic in two ways. First, these conditions provide *evidence* by which A can *infer* B's intention. It may be thought that A knows that B intends to  $\phi$  upon A's commanding B to do so in virtue of A's (*ex hypothesi* true) belief that B is a perfectly obedient subject. On this view, A knows B's intention *deductively*, i.e., by being able to construct a line of reasoning of the following form: B is a perfectly obedient subject; so, if I command B to  $\phi$ , B will intend to  $\phi$ ; I command B to  $\phi$ ; therefore, B intends to  $\phi$ . And if A knows B's intention deductively, then A doesn't know B's intention "without observation", in the first-personal non-evidential way Anscombe first suggested. If this is right, then the self-other asymmetries with respect to B's knowledge of B's mind are preserved. A must *reason* his way to knowledge of B's intentions, contrary to what I have argued.

This objection assumes a particular interpretation of the practical knowledge I've claimed is characteristic of the first-personal awareness we have of our own intentions, according to which it is to be contrasted with knowledge that is arrived at by reasoning (or, perhaps more specifically, by *inference*). Practical knowledge is on this view a species of non-inferential knowledge. One may be lead to this view by Anscombe's own presentation of the idea, for she says that for example proprioceptive awareness is possible *without* observation, by which she seems to mean something like *not inferred from* (an) observation: "It is without observation because nothing *shews* him the position of his limbs; it is not as if he were going by a tingle in his knee, which is the sign that it is bent and not straight."<sup>69</sup> But as it turns out having practical knowledge of *x* is perfectly compatible with (also) knowing *x* by inferring it from, say, empirical considerations. More on this in a moment.

A second and perhaps stronger objection does not focus on the fact that A must infer knowledge of B's intention from the background conditions of complete obedience and efficacy, but rather on the claim, presupposed in the first objection, that in order to know B's mind, A must *know* the background conditions obtain. The objection is that A's knowledge of those background conditions is itself an empirical matter, or in any case not immediate and first-personal. For example, for A to know that B is obedient requires considering instances of B's past behavior, which are clearly not known 'without observation'. And so if knowledge of the premises from which A is to infer B's intention

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<sup>69</sup> Anscombe 1957: 13.

in a particular case does not share the marks of practical knowledge (i.e., an avowal), then A's knowledge of B's intention is not itself an instance of practical knowledge of B's mind, and so not an instance of A 'avowing on behalf of' B.<sup>70</sup> The asymmetry between A and B as to knowledge of B's intentions is thus restored.

Both of these objections, however, miss their mark. But they force us to consider the *role* of A's knowledge of B's obedience in knowing B's intentions in the immediate, first-personal way I claim. I can imagine two ways in which the fact of B's (perfect) obedience may appear in A's reasoning about what B intends. One line of reasoning is that which would establish B's obedience in the first place. If the kind of evidence A may appeal to are instances of B's behavior after being commanded, then the reasoning would take the form of an inductive generalization. A could reason thus:

1. When I commanded B to  $\phi$ , B  $\phi$ 'd at  $t_1$ .
2. When I commanded B to  $\psi$ , B  $\psi$ 'd at  $t_2$ .
3. When I commanded B to ..., B ...'d at  $t_n$ .
4. Therefore, B is obedient.

From (4), A could come to a conclusion concerning any present or future directives he may issue to B as follows:

5. If B is obedient, B will intend to do as I command.
6. Therefore, B will intend to do as I command. (From 4-5)

But A coming to believe (6), however justified it may be, does not amount to A having privileged access to B's mind; that is, (6) is quite clearly both inferential *and* based on

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<sup>70</sup> I thank David Enoch for pressing this objection.



straightforwardly empirical claims about B. However, (6) is not *what* I've claimed A knows first-personally about B's mind. (6) expresses merely a *de dicto* belief A may have about B. The knowledge I have attributed to A in the preceding section about B's intentions is *de re*.<sup>71</sup> So consider a second line of thought A may engage in:

1. B will intend to do as I command.
2. If I command B to  $\phi$ , B will intend to  $\phi$ .
3. I command B to  $\phi$ .
4. Therefore, B intends to  $\phi$ .

Unlike the conclusion of the first line of reasoning, the one here is a belief *de re* about *what* B intends upon being commanded, i.e., the content of B's intention. What further distinguishes this second line of reasoning from the first is that at least one of its premises is known by A first-personally: premise (3). What is expressed by (3) constitutes an avowal of A's mind. It is not as if A notices that someone commands B to  $\phi$ , and that person happens to be him. That A commands B to  $\phi$  is known by A first-personally and as an avowal – groundlessly, authoritatively, and transparently. But (3) is precisely what allows the inference from (1) to (4). It allows the inference because it supplies the intensional content of one of B's mental states about which one can have a *de re* belief. But this content is precisely the content of A's avowal of commanding.

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<sup>71</sup> See Schwitzgebel 2006, Section 2.3, for the *de dicto/de re* distinction in belief attributions. Roughly, the distinction is between beliefs with propositional contents which are *referentially opaque* and those which are not.

A worry may still remain that if knowledge of B's obedience plays *any* role in A's knowing B's intentions, then the claim about the breakdown of self-other asymmetries with respect to access to B's mind must be false. But in fact having empirical knowledge about certain features of the world, even those that relate quite directly to what one does when one acts, is perfectly compatible with knowing intentions first-personally.<sup>72</sup> Moran states the crucial point this way:

Observational aids and the general cooperation of the world will be necessary for the agent to be in a position to have practical knowledge of what he is doing, and when these fail then the claim to knowledge must fail as well. But this dependence does not by itself mean that the knowledge in question must really be observational after all, any more than the dependence of one's mathematical knowledge on the good working order of a calculator or a teacher or one's own brain means that such knowledge is really empirical and not *a priori*.<sup>73</sup>

The claim that empirical knowledge is both compatible and in many cases is even a necessary condition for avowing our intentions, can best be illustrated by considering an ordinary case of A knowing his own intentions. Suppose that A intends to illuminate the room, and with that intention walks over to the wall and flips the light switch with his finger. The claim is that in order for A to have this intention ("to illuminate the room"), A must know a wide range of empirical facts: that by flipping the switch he will

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<sup>72</sup> See especially Anscombe 1958: 50-57 and Moran 2004.

<sup>73</sup> Moran 2004: 61. See Burge 1993 for discussion of this point regarding mathematical knowledge. The point is missed in Teichmann's discussion of the role of observation in Anscombe's views (2008: 12-13). Teichmann thinks that if knowledge of what one is doing is *in any sense* 'based on' observation, then that knowledge cannot be 'practical' and thus at least partly constitutive of a person's intentional action. Thus, on Teichmann's view, knowledge that in any way depends on what one has been taught in the past (e.g., about the workings of one's body or a piece of machinery) cannot be of the sort relevant to Anscombe's argument. But this is at odds with Anscombe's stated position in 1958: 50-51, where she acknowledges that empirical knowledge of the consequences of one's action is compatible with non-observational knowledge of our intentions; indeed such empirical knowledge normally *makes it possible* to intend certain actions (ones which have certain consequences).

illuminate the room, that by moving his finger in a particular way he will flip the switch, that his fingers and arm are in good working order (that he's not a paraplegic for example, or that his arm is not asleep), and many others. But A's knowing these facts empirically is perfectly consistent with his knowing that he intends to illuminate the room non-observationally and first-personally. The empirical knowledge about how the world (and even his own body) works help A *carry out* his intention to illuminate the room (as "observational aids"), and it would be absurd to claim for example that A must *infer* that he intends to illuminate the room from such facts. Similarly, none of this commits us to saying that in light of A's empirical knowledge of facts about his arm, fingers, and various facts about the behavior of circuits and electrical currents, we should conclude that A knows his own intentions empirically as well. A's relevant empirical knowledge about the world merely helps him realize his intentions, i.e., to help him get the world to 'fit' his intentions, and thus do not serve as premises in a line of reasoning the conclusion of which specifies what A does intentionally, or what A intends to do in acting.<sup>74</sup>

A's empirical knowledge of B when exercising authority over her plays exactly the same role in A knowing some of B's mental states immediately, groundlessly, and so on. Facts such as "B is obedient" or "B will do as I command" are indeed known empirically, but they function in A's knowledge of B's intention in the very same way as empirical knowledge functions in A's knowledge of A's intentions: as "observational aids." Just as A's (admittedly empirical) knowledge that his arm will rise and his finger

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<sup>74</sup> See Humberstone 1992 for an account of how the 'direction of fit' of intentions differs from that of belief.

will move if he wills it, or that the room will be illuminated if the switch is flipped, is presumed or presupposed in A's intending to illuminate the room, while it is nonetheless the case that A knows his own intention (to illuminate the room) by avowing it, so too A may know that B is (perfectly) obedient, or that B will reliably at least intend to do whatever A commands, while it is nonetheless the case that A knows what B intends 'without observation' in the relevant sense. Thus, the facts that (e.g.) A's arm is in good working order (vis-à-vis intending to illuminating the room) or that, as it were, B is in, as it were, good working order, by being perfectly obedient (vis-à-vis commanding B to  $\phi$ ), are on the same epistemic par *with respect to both* A knowing A's intention (in the first case) *and* B's intention (in the second).

While I think the objections concerning the epistemic role of the background conditions I put in place ultimately fail, they force a certain clarification of (O) that is important to my account. The truth in the objections is that A *can* make some deductive inference to *conclude* that it is true of B that B is in a certain mental state, that is, that B intends to  $\phi$ , just as A may infer what he is doing from his behavior if, for example, he forgets what he's doing.<sup>75</sup> But this proposition, *that B intends to  $\phi$* , is *not* in fact the relevant object of A's knowing, and admittedly does not cause the breakdown of any self-other asymmetry with respect to B's mind. What I'm claiming is that A knows non-observationally *what B intends*, and it is plausible to think that while the contents of

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<sup>75</sup> Cf. David Velleman's (2007:15) famous example of walking up Fifth Avenue and suddenly realizing you don't know what you're doing.

intentions are conceptual, they are not propositional; rather they constitute only action descriptions which an agent is able to perform (“mow the lawn”, “pump the water”, etc.).

So we may revise (O) this way:

**(O') If A has authority over B, then (if A commands B to  $\phi$ , then A knows what B intends).**

Thus, to the extent that what A knows isn't propositional,<sup>76</sup> A cannot *infer* it by constructing some deductive bit of reasoning.<sup>77</sup> A knows the content of B's intention vis-à-vis A's command in the very same way B knows it, which is explained by the fact that A knows his own desire, a desire which serves as the basis of A's command to B. And of course a constituent of the propositional content of A's desire is the object of knowledge in question: the content of the intention B is to have if B is to obey. Thus, the self-other asymmetry with respect to B's mind *is* partially broken down; A need not engage in ordinary interpretation of B's behavior to *figure out* what B intends. A knows what B intends simply by commanding B to perform a particular action.

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<sup>76</sup> The question of whether the conceptual or semantic contents of intentions are propositional in character is one not often discussed among philosophers of mind or philosophers of action. In the wide-ranging discussion of propositional content in Schiffer 2006, for example, the nature of the contents of intentions is not even mentioned.

<sup>77</sup> One explanation of A's knowledge of B's intention is that A knows it *by acquaintance*. That is, A knows what B intends, and that knowledge is a constituent of the ground of further propositional knowledge: in this case, *that B intends to  $\phi$* . For a sophisticated account of knowledge by acquaintance which is not vulnerable to objections against the old Russellian view, see Fumerton 2008.

## The Importance of Privileged Access

Suppose the argument up to this point is correct, and that utopic authority relations are as I claim. Why should authority be thought problematic in light of these observations? The answer lies in the importance of the existence of self-other asymmetries with respect to how a person stands to her own mental states and how others relate to them. Moran, for example, claims that there is ‘broad agreement’ among theorists of self-knowledge that

whatever ‘self-knowledge’ of the relevant kind is, it should be something we can understand as having a special *importance* to the person, an importance beyond the usefulness of having some way of knowing, for example, one’s own parentage or tax bracket. There is broad agreement, that is, that the capacity for first-person awareness does somehow matter to the overall rationality of the person, that its absence would not be just the lack of one particularly efficient avenue to knowledge of a particularly relevant and interesting person (Moran 2001: 136).

While, as Moran observes, many theorists of self-knowledge assume the fact of this importance, they rarely have given an explanation of it.<sup>78</sup> Some theorists, like Moran, claim that these asymmetries figure substantively into any account of what it is to *be* a person. Moran argues for a broadly Kantian construal of the importance of self-knowledge, and argues that the asymmetries exhibited in self-knowledge explain how it is possible for an agent to *constitute* her own mind by means of ‘avowing’ one’s mental states, or reflectively endorsing them, or by some such mechanism, rather than merely attributing them to oneself in a third-personal way.<sup>79</sup> Moran argues for an account of

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<sup>78</sup> But see McGinn 1982 and Shoemaker 1996.

<sup>79</sup> Moran 2001: 100-151.

first-person authority<sup>80</sup> which takes account of several aspects of first-person statements of beliefs and other attitudes (including, presumably, intentions), and which is intended to make salient the value of being able to make such statements for a person's rationality or 'psychic health'.

First, there is the "epistemic authority of the report" arising from the relation of the person to the (psychological) facts reported in first-personal statements such that "the person making the report is in a superior position to know [the reported facts]". Second, there is the relation of the person to the report itself; the relation, he claims, is one of authorship. "[I]t is not just the *report* that the person is author of, but also, in a central range of cases, the person can be seen as the author of the state of mind itself, in the sense of being the person who originates it and is responsible for it."<sup>81</sup> It is of central importance for a person to have the capacity to make up her own mind, in the quite literal sense Moran argues for, because, he claims, this capacity makes it possible for the person to 'rationally control' her beliefs and other attitudes, i.e., to make those attitudes sensitive to demands of justification and consistency. First-personal awareness of (and specifically in Moran's sense, *avowing*) a given attitude necessarily implicates the idea of the person being *responsible* for that attitude.

Beliefs and other attitudes, on the other hand, are stances of the person to which the demand for justification is internal. And the demand for justification internal to the attitudes involves a sense of agency and authority that is fundamentally

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<sup>80</sup> I should make clear that Moran typically uses the term 'authority' in a purely epistemic sense, to suggest warrant or justificatory force, which is *not* the main topic of my discussion here. See above, note 1.

<sup>81</sup> Moran 2001: 113.

different from the various forms of direction or control one may be able to exercise over some mind or another (2001: 114).

If my argument of the preceding section is cogent, then at least in the context of personal practical authority, the contrast drawn here between the ‘agency and authority’ exercised over oneself and over another simply does not hold.

Moran’s theory gives us the resources to describe the problematic nature of authority as I’ve described thus far rather clearly. For it should be clear by now that A’s commands are in fact the kind of first-personal statements Moran is concerned to explain; that is, A’s commands are *authoritative avowals* of A’s states of mind (*qua* expressions of desires for B to do as commanded, and to make the propositional content of those desires true) and thereby play a role in constituting A’s mind as “stances of the person to which the demand for justification is internal.” But that is not all. For if my preceding account of exercising authority is right, then A’s commands play the *very same role* in constituting B’s mind as they do with respect to A’s mind. That is, to the extent that B is an obedient subject of A’s commands, then A’s avowal of his desire that B  $\phi$ , in the form of a command, will *also* serve as an avowal of one of B’s mental states, namely the intention to  $\phi$ . By being an obedient subject, B essentially gives up the relation of authorship with respect to an entire range of mental states, namely those which are intentions to perform actions which fall within the domain in which A is a practical authority. In this sense, B fails to constitute her own mind with respect to that range of mental states; and the deleterious effects of this on B’s status as a person are not hard to



see. In obeying authoritative commands, B does *not* take a “stance...to which the demand for justification is internal” with regard to the intentions B must form in order to perform the actions she must understand herself to perform in order to obey; she thus renders herself insensitive to ‘rational control’ with respect to those intentions. Indeed, in the utopic conditions I envisaged earlier, ‘rational control’ over B’s intentions has been given entirely over to A. The result, it seems, is that as one approaches being in a state of perfect obedience to an authority, one becomes the author of fewer and fewer mental states, thereby diminishing one’s status as a person.<sup>82</sup> If the argument of this paper is sound, then it is difficult to imagine how it could ever be rational to be an obedient subject; indeed, within Moran’s framework, the idea of an *obedient subject* is nonsensical. For to the extent to which one is obedient to authority, to that extent one ceases to be a person at all.

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<sup>82</sup> An historical example which illustrates the point is Hannah Arendt’s characterization of the notorious Nazi, Adolf Eichmann: “Much of the horribly painstaking thoroughness in the execution of the Final Solution...can be traced to the odd notion...that to be law-abiding means not merely to obey the laws but *to act as though one were the legislator of the laws that one obeys*” (Arendt 1963: 137, my emphasis). The oddity of the notion is surely due to the fact that, strictly speaking, one can’t act in obedience to laws as though one is the author of the laws one did not author.

## Conclusion

I have sketched the beginnings of a very different (and I think more accurate) articulation of the traditional problem about authority than the one I mentioned in the introduction, about how authority interferes with a person's ability to respond to reasons about what she ought to do. I have left many important issues here untouched, ones which deserve their own independent discussion. For example, it is an open question whether Raz's service conception, the dominant theory of authority of the last thirty years, can take account of this problem, just as it did with respect to the problem described in Wolff 1970. For reasons I give elsewhere, I not only think the service conception does not have the resources to solve or explain away the problem; I think it doesn't even have the resources to *recognize* the problem. Raz's excessive reliance on the concept of a reason in explaining the relevant normative phenomena doesn't allow him to even recognize a problem about the breaching of self-other asymmetries with respect to self-knowledge, or to even consider an authoritative directive as expressive of propositional content, some part of which bears a peculiar and problematic relation to the constitution of a subject's mind.

Thinking about authority generally in terms of responding to reasons by a subject forces us into conceiving the problem as one about the 'surrendering of one's judgment' about what one has *most reason* to do, or what one *ought* to do, that is, a problem about denying a subject the ability (or need) to reason, to deliberate on the merits of a case for action. But if the above observations are correct, an authority is not (only) a potential

source of *reasons* in virtue of its utterances or directives, as the reason model has it, but an authority is also a source of 'practical knowledge' for its subjects, a source of the content of a particular mental state. And so it's not (just) that when A commands B to  $\phi$ , B is justified in believing "that I ought to  $\phi$ ", etc. The knowledge he gains is the knowledge of *what she does* when she obeys. So while it is indeed true that a subject 'surrenders her judgment' to that of an authority, the sense in which that is true is very different than has often been thought. The problem that arises then is: when are we ever justified in giving up the self-other asymmetries with respect to the knowledge we have of our own intentions? This conception of the problem of authority will be attractive only if one accepts the (widely accepted) idea concerning the connections between self-knowledge and its importance for the rationality and identity of a person, but I think there are good arguments for these claims – arguments which I've merely given in outline, but which also deserve their own independent discussion.

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