

## Agent and Object

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**Abstract:** If a person has lost all or most of her capacities for agency, how can she be harmed? This paper begins by describing several ways in which a person loses, or never develops, significant capacities of agency. In contrast with other work in this area, the central analyses are not of fetuses, small children, or the cognitively disabled. The central analyses are of victims of mistreatment or oppressive social circumstances. These victims are denuded of their agential capacities, becoming, in an important sense, objects or pseudo-agents. In light of this, the concern of this paper is how further harm to ersatz agents should be understood.

**Keywords:** agency, harm, objectification, personhood

### 1. The Problem of How to Treat Objects

One way in which people can be harmed is by taking away their capacity for agency, or by treating them as objects. In some cases, the diminution of agency is inevitable and natural—for example, cognitive decline at the end of life. In other cases, it is the result of oppression and mistreatment. Once a person has been stripped of agential capacities, can they still be harmed? It can be taken for granted that treating *persons* as if they are objects is morally wrong. But what about treating those who *used to be persons* as objects? Prima facie, much of what is morally wrong with treating persons as objects has to do with their capacities for agency. If they have no such capacities, then they cannot be harmed in as many ways. Of course, one could argue that nothing could strip a person of their personhood; no amount of mistreatment could transform an agent into an object. Then we would have to say that forms of oppression which appear to strip people of agency are not as bad as they seem. They do not result in lasting damage to a person's core capacities. Yet this does not seem correct either because this is exactly what is most deeply wrong with certain forms of oppression. This is a dilemma. Either it is the case that (i) a person cannot lose agential capacity through mistreatment, or (ii) a person can lose agential capacities through mistreatment *and* that person is less harmed by subsequent mistreatment.

This is not a good choice. (ii) looks repugnant. (i) goes against very strong intuitions about the harm of certain forms of oppression. After describing sev-

eral varieties of diminished agency, I resolve this dilemma with a reading of (ii) that pacifies the sense of repugnance. I do this in part by arguing that there is a set of positive obligations compatible with regarding the victims of mistreatment as having lost, in some way, their personhood. To be completely clear, my ultimate objective is not to determine the moral worthiness of continuing to treat anyone as an object. I maintain the intuition that this is, on its very face, largely repugnant. My task instead is to propose a richer and deeper understanding of this category of harm by working through the reasons for our moral obligations to one another.

## 2. Varieties of Diminished Agency

The claim I am considering here is that some forms of mistreatment are harmful precisely because they denude the victim of the capacity for agency. For example, this could occur if a person is treated as lacking autonomy, as merely fungible, or as instrumental for the needs of another. It could also occur if a person is treated as property, if their worth is reduced to their body or appearance, or if they are violated or treated as essentially violable.<sup>1</sup> This allows for a great range of harm, some inconsequential and some grave. The grave cases are those I am most interested in here. This is because the greater the diminution of agency, the greater the change in susceptibility to future harms.

It would be helpful to consider a comparison with the larger category of persons with diminished agency—sometimes referred to as those at the ‘margins of agency.’ Fetuses and young children have not yet developed their full host of agentic capacities, but we can assume that in most cases they will. We can make very good assumptions about what needs to be in place for them to realize many different possible life plans under varying value schemes.<sup>2</sup> And, conversely, we can make very good assumptions about what will obstruct the realization of most life plans under various value schemes.<sup>3</sup> Most patients with degenerative conditions can be assumed to have had a full host of agentic capacities at one time. For these patients, there is usually a life’s worth of experiences, choices, and professions of belief through which to interpret the self

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1. Cf. Martha Nussbaum, “Objectification,” *Philosophy & Public Affairs* 24(4) (1995): 257; Rae Langton, *Sexual Solipsism: Philosophical Essays on Pornography and Objectification* (Oxford: Oxford University Press, 2009), 228–29; Lina Papadaki, “What is Objectification?,” *Journal of Moral Philosophy* 7 (2010): 16–36.

2. See Nellie Wieland, “Parental Obligations,” *Utilitas* 23 (2011): 249–67.

3. Here I have in mind basic goods like nutrition, safety, invested adults, and affection. A list of what counts as basic goods for children is controversial and context- and culturally dependent, and I will not take a position on the details here. For a helpful discussion, see Harry Brighouse and Adam Swift. *Family Values: The Ethics of Parent-Child Relationships* (Princeton, NJ: Princeton University Press, 2014).

expressed with diminished agentic capacities.<sup>4</sup> In both cases we can make reasonable assumptions about what they will value in the future or have valued in the past. (Or, weaker: we can make reasonable assumptions about what they will need in place in order to value.)

The persons at the margins of agency that I have in mind differ from both of these cases. While they maintain minimal capacities for agency (like a basic ability to orient their will), they lack high-functioning social identities. They are estranged from their humanity in a different way than both the very young and those with degenerative conditions. It may be the case that the possibility of the recovery of agency is similar to the potential for agency in young children. This might obligate us to treat them more as patients than as agents. And, unlike those with degenerative conditions, the victim of mistreatment may or may not have undergone a significant psychological break from a former self (depending on the initiation (i.e., from what age) and duration of her mistreatment, there may be no complete former self). But, they are unlikely to have undergone a physiological change of any recognizable sort, yet the harms of serious mistreatment entail, in part, that they may not have a current or historical inventory of desires or values that are authentically their own. They may be unable to answer to or take responsibility for their choices or actions. They may not have any sort of coherent self. And, they may not regard themselves, or be regarded by others, as having value.<sup>5</sup>

Certainly, this sounds extreme. It may seem fantastical that a person's capacities for agency could be so completely diminished through mistreatment alone. But, that would make the mistake of underestimating the consequences for agency of sustained mistreatment; it is a romantic view that each oppressed person maintains an authentic self, and a core capacity for agency, underneath the behavior exhibited in the oppressed state. This romanticism is dangerous (albeit hopeful) precisely because it ignores one of the greatest harms of mistreatment—namely, losing one's self altogether. We can insist—boldly, too broadly—that humanity is not alienable under any conditions. If we insist this then of course we cannot be convinced that mistreatment alone could alienate a person from her humanity. But, if we think that alienation is possible, but just

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4. An excellent account of this can be found in Agnieszka Jaworska, "Respecting the Margins of Agency: Alzheimer's Patients and the Capacity to Value," *Philosophy & Public Affairs* 28(2) (1999): 105–38.

5. This final claim may seem unduly cynical. Again, I am trying to take seriously the possibility that structures of power in a given community disfavor those who are susceptible to mistreatment. The assumption behind the force of these structures of power is that their victims are not adequately valued. Not being valued is not the same as not being valuable. But, it would be disingenuous to assume that persons are valued comparably and as such can locate the source of their self as agent in that value.

not as a result of oppression, then I doubt we are thinking about bad enough cases.

The kinds of cases I have in mind here are of people who have lived their lives at the margins of agency in a different way. These victims' lives are constituted by systematic and chronic denial of autonomy, reduction to body, and self-abnegation. They have been used as mere tools. They have not pursued independently constructed meaningful projects. And, perhaps most importantly, they identify with these outcomes, having never seen themselves as persons who are free, autonomous, and worthy of respect. They have suffered from the joint offenses of dehumanizing attitudes and the structures of power that enforce those attitudes.<sup>6</sup> If humanity is alienable, and if it can be alienated by means of mistreatment rather than by, for example, degenerative physiological changes, then these are the best candidates for realizing this possibility. It will be helpful to consider some cases of diminished agency, and some arguments for how it is that this comes about. Then we can turn our attention to an analysis of the harm that can be inflicted on resulting ersatz agents.

### 3. Cases

These examples illustrate the ways in which comprehensive mistreatment undermines the agentive aspects of personhood. Two fictionalized cases are described below (based loosely on real cases). I call these cases 'comprehensive' because they are those that are life-long or infect every aspect of a person's life. They are not 'comprehensive' in the sense that the victims have lost all agentive capacity. The argument will then have to be scaled to fit the more common, less comprehensive cases by looking at the ways in which salvaged agentive capacities can be used to recover agency (more on this in Section 5).

*The Fundamentalist Community*: Imagine life inside a fundamentalist community (hereafter *FC*)<sup>7</sup> organized around principles of polygyny, obedience, and patriarchy. *FC*'s commitment to polygyny is given a spiritual justification: men are told that they cannot enter the kingdom of heaven unless they

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6. It has been suggested to me that it is difficult to tell whether a victim of oppression actually internalizes this loss of agency or if they only act in this way to cope with their oppressive circumstances. This is, of course, true of many people in oppressive circumstances: lift the oppression and they will agentively flourish. But two points are helpful here: (i) I'm not describing those kinds of cases; instead I've stipulated that I'm discussing self-abnegating, self-objectifying victims who have internalized this loss of agency. (ii) If there is nobody who is truly and deeply self-abnegating and self-objectifying in the sense described, then the dilemma at the beginning of the paper is resolved.
  7. Some readers may recognize similarities between *FC* and at least one real world fundamentalist community. This is intentional; details are glossed to meet the needs of my argument, so I thought it fair to make the case fictional. However, the description is very close to accurate of the real world community.

have at least three wives, and the more wives they have the more likely they are to enter heaven. *FC* recognizes a prophet who has complete control over marriages in the sense that he decides when women and girls marry, whom they marry, when marriages will be dissolved, and to whom the wives and children will be re-assigned; the current prophet also decides when men marry, which wives will be given and taken away from men, and how many wives a given man can have. Women are told that they can only enter the kingdom of heaven by invitation of their husband. Given this, they are told to regard themselves as one with their husband's desires in *all* respects because doing so will increase their likelihood of being invited to heaven (complete submission is a spiritual act—the only one that these girls and women engage in). The submission of wives to husbands is only trumped by submission to the current prophet, and includes all sexual choices, all reproductive choices, all matters related to the protection or abuse of children, and all matters related to dress, livelihood, home, and lifestyle. The community runs its own schools and police departments so that the children never learn anything outside of the teachings of the prophet and they have no access to authorities outside of their family and the *FC* priesthood.

An understanding of a community like *FC* provides a good resource for analyzing the moral problems entailed by diminution of agency. Girls and women in this community are absolutely oppressed—there isn't even a pretense of exalting their purity by means of their oppression. They are tools for the salvation of men as their wives and as producers of a great number of children—both to grow the religion and to provide more daughters. The submission and obedience, subordination and abuse of girls and women is not an accident; it's built into the central teaching of the church. Any sort of expression or construction of identity, choice-making, display of emotion, or agency are punishable; wives must submit to their husbands in all respects. In communities like *FC*, women and girls are born into pseudo-agency and can only leave it by completely abandoning their family, home, and resources. They have no education to rely on, no authorities to trust, and no right to own property.

*Angel in the House*: Virginia Woolf describes the Victorian woman, whom she calls the *Angel in the House*, in the following way:

She was intensely sympathetic. She was immensely charming. She excelled in the difficult arts of family life. She sacrificed herself daily. If there was chicken, she took the leg. If there was a draught, she sat in it—in short, she was so constituted that she never had a mind or wish of her own, but preferred to sympathise always with the minds and wishes of others.<sup>8</sup>

Andrea Westlund says about Woolf and the *Angel*: 'Becoming a person who would defer systematically to those around her, making her will dependent on

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8. Virginia Woolf, *Women and Writing* (New York: Harcourt, 1904/1979), 59.

theirs for its content, seemed, to Woolf, to entail a kind of death of the self.”<sup>9</sup> For Woolf, ‘sympathising’ with others entailed taking their ends as one’s own, self-objectifying as a tool for their projects, and doing so quite ambitiously in order to live up to the Victorian ideal. This sense of ‘death’ was dire for Woolf who devoted so much of her work to escaping the claustrophobia of the minds of others. Westlund argues that the deferential, self-abnegating *Angel*, even though she might wholly identify with and idealize such self-abnegation,<sup>10</sup> ought not be considered an autonomous agent unless she can engage in a dialogical reconstruction, exchange, and defense of her reasons for her choices, beliefs, desires, and actions. Westlund explains her view in this way:

Deeply deferential characters lack a disposition to hold themselves *answerable* to external, critical perspectives such as our own. The disposition to answer for oneself, or to be “self-representing” in justificatory dialogue, constitutes a self-orientation to which I refer to . . . as “responsibility for self.”<sup>11</sup>

This is a rich and correct starting point for an appropriate condition on agency that goes beyond mere identification with one’s ends, projects, and beliefs. Answerability, taking responsibility, and dialogical engagement are convincing prerequisites for robust agency. It is reasonable to think that many of the *FC* women and Woolf’s *Angel*, by and large, lack the comparative, critical resources to demonstrate agency in this way. And perhaps this is the exact result we should expect; it is this suffocation of agency that makes the *FC* community and aspects of Victorian society so repugnant to most observers, after all. But still, we can interpret this result as meaning that those who cannot take responsibility for self are not, in fact, agents. In identification of the harm of the loss of agency, we also identify the victim as a kind of pseudo-agent.

There is a bit of theoretical work that helps us understand how this loss of agency can be brought about. In Kant’s discussions of sexual objectification he focuses primarily on the use of another person’s (and one’s own) body rather than confining his discussion to the objectifying regard or attitude that one has for another (or for oneself).<sup>12</sup> But, Kant also claims that regarding a person

9. Andrea Westlund, “Selflessness and Responsibility for Self: Is Deference Compatible with Autonomy?,” *Philosophical Review* 112(4) (2003): 483. In fact, in the passage from Woolf’s *Women and Writing* cited by Westlund, Woolf says that the *Angel in the House* so ‘bothered her,’ ‘wasted her time,’ and ‘tormented her’ that she had to kill her. She describes the Victorian *Angel* as a kind of ghost who haunted writers like herself. The haunting comes from the fact that *Angel* was the ideal Victorian woman—and, as a shell of an agent, being the *Angel* was incompatible with being a writer.

10. And so, Westlund argues, would still meet Harry Frankfurt’s influential criteria for autonomy. The fact that *Angel* identifies her own desires with the desires of others is an insufficient test for autonomy, argues Westlund.

11. Westlund, “Selflessness and Responsibility for Self,” 484–85.

12. It is important to see the richer sense that Kant had in mind in treating someone as a mere

as an object is powerful enough to make that person into a kind of thing. He clearly thinks that the moral harm that comes from thinking of another person as a thing results from the incompatibility of thinking this way while maintaining respect for personhood:

[T]here lies in this inclination a degradation of man; for as soon as anyone becomes an object of another's appetite, all motives of moral relationship fall away; as the object of another's appetite, that person is in fact a thing.<sup>13</sup>

Kant thinks there is a close connection between having an appetite for a person's body and using that person as an object. He also thinks that the harm initiates in the regard one has for another, and whether that regard is for humanity or for an object of appetite.<sup>14</sup>

Nussbaum describes a version of this view, but locates the harm in the way a free, autonomous person is seen as an unfree object—something reduced to a body (or its parts), or to mere appearances, or as a mere means, or as something lacking choice and consent. In her analysis of objectification she puts this point as follows: 'One is treating *as an object* what is really not an object, what is, in fact, a human being. The notion of humanity is involved in quite a Kantian way. . . . [O]bjectification entails making into a thing, treating *as a thing*, something that is not really a thing.'<sup>15</sup> And further:

[This] shows us how a certain sort of instrumental use of persons, negating the autonomy that is proper to them as persons, also leaves the human being so denuded of humanity, in the eyes of the objectifier, that he or she seems ripe for other abuses as well. . . . The lesson seems to be that there is something especially problematic about instrumentalizing human beings, something that involves denying what is fundamental to them as human beings, namely, the status of beings [as] ends in themselves. From this one denial, other forms of objectification that are not logically entailed by the first seem to follow.<sup>16</sup>

A related, albeit much stronger, view is that some forms of mistreatment change the properties of their victim. For example, in treating someone as fungible I can make it the case that she is in fact fungible; in treating someone

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means. When Kant writes, 'Humanity itself is a dignity; for a man cannot be used merely as a means by any man . . . but must always be used at the same time as an end' (*Metaphysics of Morals* 6:462), this might be distinguishable from mere *regard* as a means, or as a thing. In *Lectures on Ethics* Kant specifically elaborates on this point with respect to sexual *activity* rather than objectifying thoughts.

13. Kant, *Lectures on Ethics*, 27:384–85.

14. Kant is also unusual among those who write about objectification in being concerned with the moral consequences for the objectifier as well as the objectified. When he says in this passage that, 'there lies in this inclination a degradation of man,' he probably means to suggest that the degradation is on both sides.

15. Nussbaum, "Objectification," 257.

16. *Ibid.*, 265.



as lacking in autonomy I can make it the case that she in fact lacks autonomy. This view is defended by Sally Haslanger:

[I]f one objectifies something (or someone), one views it and treats it as an object for the satisfaction of one's desire; but this is not all, for objectification is assumed to be a relation of domination where one also has the power to enforce one's view. Objectification is not just 'in the head'; it is actualized, embodied, imposed. . . . So if one objectifies something, one not only views it as something which would satisfy one's desire, but one also has the power to make it have the properties one desires it to have.<sup>17</sup>

A person is made into an object through mechanisms of power and objectifying attitudes: the slogan is 'thinking plus power makes it so.'<sup>18</sup> Earlier statements of this view came from Catherine MacKinnon:<sup>19</sup> 'See: what a woman "is" is what you have *made* women be,'<sup>20</sup> '[the projection of properties onto women] is not just an illusion or a fantasy or a mistake. It becomes embodied because it is enforced.'<sup>21</sup> Here is another statement of the same view, from Andrea Dworkin: 'Objectification occurs when a human being . . . is made less than human, turned into a thing or commodity. When objectification occurs, a person is depersonalized . . . those who can be used as if they are not fully human are no longer fully human.'<sup>22</sup>

Finally, Rae Langton also defends a version of this view:

[Someone who adopts an objectifying attitude] may turn people into objects, in so far as that is possible. If human beings have an 'inalienable' dignity, as Kant says, then there will be limits on how far this process can go: one cannot turn a human being into something that is entirely unfree, a mere tool, something that is exhausted by its sensory appearance, its body. . . . But a person can be made less free, more tool-like, and a person's appearance and bodily qualities can be made to play a more exaggerated role in her own social identity.<sup>23</sup>

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17. Sally Haslanger, "On Being Objective and Being Objectified," in *A Mind of One's Own*, ed. Louise Antony and Charlotte Witt (Boulder, CO: Westview Press, 2002), 228.
  18. *Ibid.*, 228. Haslanger also quotes Monique Wittig making a similar claim: 'They are *seen* as black, therefore they *are* black; they are *seen* as women, therefore they *are* women. But before being *seen* that way, they first had to be *made* that way' ("One is Not Born a Woman," *Feminist Issues* 1 [1981]: 48–49).
  19. Versions of MacKinnon's view are expressed in several places. Cf. *Feminism Unmodified: Discourses on Life and Law* (Cambridge, MA: Harvard University Press, 1988).
  20. Quoted in Haslanger, "On Being Objective," 229.
  21. Quoted in Langton, *Sexual Solipsism*, 333. The full breadth of MacKinnon's views is both stronger and more nuanced than what is reflected here. She and Dworkin both argue that susceptibility to objectification is intrinsic to being a woman, particularly a heterosexual woman.
  22. Andrea Dworkin, "Against the Male Flood: Censorship, Pornography, and Equality," in *Oxford Readings in Feminism and Pornography*, ed. Drucilla Cornell (Oxford: Oxford University Press, 2000), 19–44, 30–31.
  23. Langton, *Sexual Solipsism*, 333.



What does it mean for a person to undergo a change in properties? It is theoretically messy, but most accurate, to say that persons become ‘less free, more tool-like.’ This entails that a person loses capacities for agency. A denial of autonomy does not entail a complete lack of agency. A person whose autonomy is compromised could still maintain some features of agency. A person could move toward becoming agentially inert, even if not ever arriving at complete inertness. The fact that victims of this kind of oppression never lose *all* capacities for agency does not affect the analysis here. As a point of comparison, there are still interesting questions about the agency of small children and patients with severe degenerative conditions even though they are not *completely* agentially inert. The same point holds for victims of sustained mistreatment.

The oppression in the *FC* and the *Angel in the House* is the kind of oppression described by Westlund, Kant, Nussbaum, Haslanger, and Langton. The two cases differ in important ways; yet, we can plausibly say that the women in *FC* are at the greatest risk of loss of agency. They are treated as *instruments* for reproduction and the salvation of men; they are *denied autonomy* in basic life decisions such as marriage, reproduction, employment, and home; they are considered *fungible* as one among multiple wives and mothers; they are *owned* by their husbands and prophet; they are *denied subjectivity* by not determining the terms and conditions of their intimate relations; and they are *reduced to their bodies* as reproductive vessels. As described, *Angel* is principally objectified insofar as being deeply *self-abnegating* is essentially a *denial of autonomy* and *subjectivity*. This may be a form of internalized oppression; this is compatible with it being socially structured and enforced. (As we move ahead with our analysis using these two cases as our examples, the reader is encouraged to consider other cases, and the implications of this argument for these cases. For example: long-term kidnap victims who are confined, kept isolated from the world, and used as [sexual] tools; histories of enslavement and servitude; children who are chronically abused before a social identity or sense of self has a chance to form; monks who regard their own bodies as vessels of divine will; captives who are ‘broken’ through interrogation methods; those who spend long periods of time in solitary confinement; and even speculative cases—such as the organ donors described in Kazuo Ishiguro’s *Never Let Me Go*.)

Have these victims lost (or perhaps never gained) some of the properties of personhood? And if *that* is the case, then is there anything wrong with treating them as objects? This question is put bluntly, but the answer will have to be subtle. It is intuitive to think that the reason treating people as objects is morally wrong is because of their moral qualities as persons. And some forms of oppression might be such that the victims lose these very qualities of personhood. If we maintain a neutral stance on whether persons actually acquire the features of objects through mistreatment, we should still recognize that

people are not *in principle* invincible to this kind of harm. Our susceptibility to this kind of harm falls somewhere *between* utter vulnerability and invincibility. Where it falls differs depending on many factors including one's age, temperament, and social circumstance (more detail in Section 5). Given this, a theory for everyone and all cases cannot be provided. It will be helpful in understanding the arguments and objections in Section 4 to keep in mind this space between vulnerability and invincibility.

#### **4. How Can a Person Stripped of Agential Capacities Be Harmed?**

If someone can lose aspects of their personhood then, in some sense, their humanity is both alienable and alienated. If this is the case, they undergo a change in moral status such that there is not anything wrong with continuing to treat them as objects. I address this implication in parts. In 4.1, I consider the general question of whether humanity is alienable, in part or in whole. In 4.2, I re-frame the problem as a comparison of possible harms to agents, rather than as a question of change in moral status. Addressing each of these questions is crucial to a complete understanding the stripping of agency as moral harm.

##### ***4.1. To What Extent Is Humanity Alienable?***

The strongest objection to this way of proceeding is just to deny that humanity is alienable, in part or in whole, as noted at the outset. It is plausible that pseudo-agents should be treated as persons and not as objects because we do not tend to think that pseudo-agents have suffered some irreversible harm, or that they have suffered some serious damage to their capacities or faculties. Our tendency is to think that, even if pseudo-agents have diminished agency, they have maintained many other capacities that distinguish them from others whom we might more clearly identify as living on the margins of agency.

However, it might still be objected that one's humanity may be alienated, but never entirely eliminated. As such, it can be recovered. The idea here is that pseudo-agents do not undergo a change in moral status because they maintain the capacity for agency even if they are not now in a position to use it. While it is the case that some victims of mistreatment are not able to demonstrate autonomous agency by, for example, orienting their own life and choices in a way that is indicative of their authentic values, and not able to demonstrate self-responsibility by being answerable for their beliefs and actions, it is still plausible that these are abilities they could come to have. Virginia Woolf famously thought that the Victorian woman needed a room of her own—and that flourishing would come with it.

As test cases, the *FC* women and the *Angel* are grave cases of mistreatment. But, it might be wrong to persist in object-appropriate treatment because oppression is rarely able to completely strip a person of agency. If it only leads a person to be made more ‘tool-like,’ as Langton says, but not a ‘tool,’ then treatment of that person as a tool would still constitute moral harm. If it’s the case that—for some reason that requires independent justification—humanity is *inalienable*, then regardless of how far a person has been stripped, they maintain a recoverable capacity for agency that is deserving of respect.

So, mistreatment or oppression in degrees may strip a person of agency, or may make the victim a temporary object. But beyond this, or in other contexts, persistent object-appropriate treatment is still bad. This response marks the agentive differences between the gravely oppressed and other persons at the margins of agency (more on this below). It also explains the intuitive sense that oppression comes in degrees, can be recovered from in degrees, and, in turn, that there are few people who can be identified as completely intact agents or entirely dehumanized objects. Yet, it still does not speak fully to the moral status of the victims in the interim—which is my concern here.

#### 4.2 Comparison of Harms

Perhaps there is a more helpful way of characterizing the question of post-hoc harms to the oppressed; we could ask instead how these harms compare to harms to other agents. Begin by considering a cognate argument: there are several ways of resolving difficult problems concerning the relative moral status of non-human animals, human infants, and adult humans given the robust differences in capacities between each of these groups. We could rely on potentiality properties, we could argue that there are gradations in moral status between the groups, or we could ground our position on the inequality of harms to members of each of these groups.<sup>24</sup> Take the last (and best) option; we should say that there are unequal harms to different entities such that a seemingly similar harm to an adult person, to a human infant, and to a non-human animal would in fact be an unequal harm since the adult person can be harmed by the same event in many more complicated ways. This allows for the possibility that moral patients can be harmed in unequal ways, without saying anything about their core moral status.

‘Agents differ in their core moral status’ is a stronger claim than ‘agents can be harmed unequally for reasons independent of core moral status.’ The most conservative interpretation of the way in which oppression diminishes agency is that it affects the susceptibility to harm rather than alters the moral

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24. For a version of this final claim, see Elizabeth Harman, “The Potentiality Problem,” *Philosophical Studies* 114(1–2) (2003): 176.

status of the victim. I will assume this conservative reading rather than making the stronger (and less tenable) case that victims of mistreatment undergo a change in core moral status.<sup>25</sup>

In order to compare harms (rather than statuses) let's introduce a contrast case to the *FC* women and the Victorian *Angel*. Call her *Murphy Brown*. This is the kind of agent who has beliefs and desires of her own, who organizes her resources around realizing her desires and acting on her beliefs, who recognizes deference as only occasionally appropriate in the scheme of a well-functioning social identity, and who cultivates and maintains the skills of dialogical engagement and justification with other, similarly situated agents. She enjoys the full privileges and abilities of personhood and attempts at oppression are deflected by the strength of her agency and the external structures of power in which she is a participant rather than a victim.

Now compare harms to *Murphy Brown* and to *Angel*. If *Murphy Brown* has a life plan that aligns with her values, and she is harmed by not being able to pursue this life plan, is she harmed more gravely than *Angel* who has no life plan of her own and no values of her own with which to align? The harm of having *x* taken away is *similar* for *Murphy Brown* and for *Angel* but *unequal*. Now the question is how far down this goes. Is it the case that a great array of similar harms are unequal? And, how does (post hoc) oppression harm *Murphy Brown* and *Angel*, respectively? If harm is somehow proportionate to that which is valued, then it looks as if a person who is not valued by others and fails to value herself is not harmed in as many ways as a person who is valued and who values herself. If this is correct, it goes down deeply through most aspects of life that matter to us—those that evince our values, our aspirations, and our self-reflective identity. Of course, it doesn't go all the way down, since harms that involve pain, or bodily destruction and manipulation, or emotional distress, for example, would be equal for *Murphy Brown* and for *Angel*.

The conclusion that follows is this: if it is the case that, in being oppressed, someone takes on the qualities of passivity, deference, manipulability, and a lack of self-regard, it does not harm her as much as it would otherwise to treat her in a consonant manner. The contrast is with the person who has not been oppressed and has none of these qualities. In the contrast case, the fully realized agent is not passive, not deferential, not manipulable, and she has reasonable self-regard. Harming her by interfering with the execution of her plans and projects is a harm to those values which are her own, not those which involve deep self-abnegation. Consider the case of a woman living in *FC* who identifies with the life plans of her husband *because they are her husband's*

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25. I am not taking a position here on what 'core moral status' means or picks out. Whatever grants moral status varies, of course, by moral theory. One of the virtues of focusing on unequal harms rather than unequal statuses is that I can remain neutral on this question.

and not for any other reason. We could say that both she and her husband identify with those life plans. But if those plans are obstructed—if she and her husband are prevented from pursuing those plans—it seems correct to say that *he* is harmed more than *she* is because those plans were never really *hers* in the same sense that they were *his*.

Even stepping back from saying that victims of oppression have a diminished moral status, and saying instead that harms to them are not equal to the harms of fully realized persons, still sounds repugnant. But what are we supposed to say in this case? The *reason* that it harms *Murphy Brown* if we obstruct her life plan is, almost entirely, because the plan is *hers* and it aligns with values that she endorses. If neither of these things is true of *Angel*, then what is the sense in which she is harmed by obstructing her opportunities? The way in which we are inclined to account for harms to *Murphy Brown* in any other context (i.e., when not comparing her to *Angel*) would be to cast the discussion in terms of what *Murphy Brown* authentically values, why she values it, and what the implications are for her being forced to assume a life plan that is not her own. *Angel* is harmed precisely by having the opportunity to form plans taken away from her; and once this is taken away from her, her susceptibility to harm similarly shifts. She is not in a position to dialogically defend her life plan, and thereby demonstrate her agency, in part, because she does not have one.<sup>26</sup>

This makes it look like the harm to persons like *Angel* is a kind of harm to the faculties of its victims which can in turn lead to subsequent harms in opportunities and possibilities for their realization. It alters the victims' sense of self-worth, makes them feel fungible, forces them to identify with and fulfill the ends of another, until these things become realized.

## 5. Agency for Objects: Recovered Agency for Undone Persons

This suggests that the kind of moral patient that the victim becomes is one who doesn't require the same kinds of consideration that *Murphy Brown* requires, but requires a different kind altogether. It is a kind of consideration that needs to be oriented toward the recovery of her humanity rather than toward the ordinary realization of it. Again, there are similarities to the kind of respect owed to young children and those suffering from degenerative conditions, but it is not the same. The young are paternalistically nurtured through their development, while dementia patients may be owed a chance to maintain a dignity in their current state that reflects the values of their former selves. *Angel*, on the other hand, might be owed a chance at *recovery* of the self she could have had, had things gone differently.<sup>27</sup>

26. Here again it's helpful to look to Westlund's richly argued views on the deficiencies of the self-abnegating agent. Westlund, "Selflessness and Responsibility for Self."

27. The development of children is different from the recovery referred to here. In most cases,

Maybe a helpful concept to develop in light of the differences between *Murphy Brown* and *Angel* would be something like *the plasticity of agency*. This can have multiple meanings. For example, I have suggested that even mild mistreatment can have harmful repercussions for agentic capacities, according to the extent of mistreatment and the prior strength of agency. *Murphy Brown* has more personal resources to deflect mistreatment than a young teenager does. This allows for the possibility that each of us has agentic capacities that come and go, in part, on the basis of mistreatment. The plasticity of agency also suggests that degraded agentic capacities can be recovered when there are no physiological barriers. The extent of the degradation makes a difference for the argument here: if an entity completely lacks agency, no sense can be made of ‘recovery’—there is no way to get this off the ground. It is only in the case where an entity retains some marks of agency that ‘recovery’ can occur. What these marks are is, in part, an empirical matter and goes beyond the conceptual analysis at hand. If an analysis of moral harm suggests a corresponding moral obligation, then the suggestion here is for an obligation of making possible the recovery of agency, even if we think that we do not owe a partial agent what we owe a well-functioning agent.

Returning to the puzzle from the beginning of the paper: what is wrong with continuing to treat the those with diminished agency as objects? Rich characterizations of those who self-abnegate or live their lives according to the value schemes of another without any sense of justificatory engagement or endorsement are also characterizations of pseudo-agency. They are characterizations of how persons can be alienated from their agentic capacities. The subsequent moral problem in the case where these victims continue to be mistreated is the prevention of the recovery of humanity. This cannot be the end of the story. A defense of this claim certainly requires two further moves. First, there needs to be resolution of the question of whether agents are only worthwhile once they are already agents. Second, there needs to be further justification of the obligation to bring agents into being. At the very least, an understanding of the first claim would require a view as to what gives persons moral worth; this view cannot include any claims about our agentic capacity. The first claim would have to be grounded in a potentiality argument or a tightly controlled counter-factual argument.<sup>28</sup> Neither of these routes is unproblematic.

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children’s development unfolds on its own, unless hindered through abuse and hardship. The most serious victims of mistreatment have become alienated from their potential selves and cannot see themselves as sources of value. Although I have not defended this here, it does not seem like a mere absence of further harm is sufficient to make recovery possible.

28. I believe that the latter is the approach favored by Rae Langton.



The second claim will require a somewhat easier defense. We may in fact have an obligation to bring agents into being. This could be grounded in whatever reasons we have for respecting one another's existing agency. For example, if A has an obligation to create the conditions of B's agential flourishing under a scheme of flourishing decided by B, then A may, for the same reason, have an obligation to bring about the conditions such that B could formulate a scheme of flourishing to begin with. Seeing your life's choices as aligned with a sense of self requires first that you have some sense of self, and so it is reasonable to suppose that we are obligated to help each person realize that as a starting point. Of course, this brings us back to a version of the problem with which this paper opened: what reasons do we have to have to promote the conditions of agency for those that lack agential capacities? I don't think that problem is resolved even if I have tempered its force. This paper concludes with a richer analysis of threats to agency as a basic *and* systemic harm. When agential capacities are damaged, this leads to second-order harms to the ability to identify authentically constructed life plans with values, and to identify a sense of self with the realization of those values.

Some forms of oppression involve thinking of a person as an object, using that person as an object, and thereby making it the case that that person comes to have the qualities of an object. One of my tasks here has been to think through whether this process is only harmful in itself or whether it creates further susceptibility to harm. I have argued that through mistreatment persons can come to lack the marks of agency: the ability to authentically identify with their own values, form life plans, and take responsibility for their selves. I have tried to find a way of accepting, in some sense, the conclusion that some forms of oppression result in diminished agency, thereby changing the constitution of the victims and making them susceptible to similar but unequal harms. This surprising result is accompanied by a suggestion that just as the agency of the victim is lost, they assume a different status as patient, and are owed a different kind of respect. The ground of this respect comes from the possibility of recovery, and what we can hope is a kind of plasticity of agency.<sup>29</sup>

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