

I OUGHT, THEREFORE I CAN*

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Abstract. I defend the following version of the ought-implies-can principle: (OIC) by virtue of conceptual necessity, an agent at a given time has an (objective, pro tanto) obligation to do only what the agent at that time has the ability and opportunity to do. In short, *obligations correspond to ability plus opportunity*. My argument has three premises: (1) obligations correspond to reasons for action; (2) reasons for action correspond to potential actions; (3) potential actions correspond to ability plus opportunity. In the bulk of the paper I address six objections to OIC: three objections based on putative counterexamples, and three objections based on arguments to the effect that OIC conflicts with the is/ought thesis, the possibility of hard determinism, and the denial of the Principle of Alternate Possibilities.

1. Introduction

“Good morning, Professor. Unfortunately, I haven’t even started writing a paper yet. I know I promised to turn in a paper today by 9am, but last night I didn’t feel like writing, so I went to the movies instead. What should I do?”

“You should turn in a paper by 9am. Its 8:57, so you’ve got three minutes left.”

“Sorry, Professor, maybe I didn’t make myself clear. I don’t *have* a paper to turn in.”

“You asked what you should do. Obviously, you should fulfill your obligations. You may not have a paper, but you do have an obligation to turn in a paper by 9am.”

“But I *can’t* turn in a paper by 9am, so I *don’t* have an obligation to do so: ‘ought’ implies ‘can’.”

“This principle would make a joke of morality: it would allow people to get rid of unwanted obligations by making themselves unable to fulfill them.”

“But with all due respect, Professor, your denial of the principle also makes a joke of morality: rather than making morality excessively lax, it makes morality absurdly demanding.”

“Was it absurd to demand that you write a paper rather than going to the movies last night?”

“No, it *wasn’t* absurd, but it *is* absurd to demand that I turn in a paper *now*. How can you advise me to do what you know I can’t do?”

“I’m not *advising* you to turn in a paper by 9am; I’m simply remarking that you have an obligation to do so.”

“But what’s the point of morality if it’s useless for advice?”

“Morality is not useless for advice: *yesterday* it would have given you very useful advice indeed. As for *now*, I’m afraid there is nothing you can do: there is no advice to give you. So the fact that you get no advice now from a morality which denies that ‘ought’ implies ‘can’ does not show such a morality to be defective.”

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“But surely, Professor, there *is* something I can do: I can turn in a paper tomorrow. My morality is not excessively lax: I recognize a compensatory obligation to accept a penalty for late submission.”

“Talk of compensatory obligations may be appropriate when you have to pay a penalty for late repayment of a loan, but is out of place here: you don’t have to compensate me for anything. It won’t do to turn in a paper tomorrow because I have to submit the course grades today by 10am and I emphasized I would give no incompletes. It’s now 9am. I’m sorry, but you just failed the course.”

The professor’s apparent success in the above exchange illustrates a major obstacle faced by proponents of the ought-implies-can principle: opponents of the principle have proposed apparently compelling counterexamples to it. Although proponents of the principle have not remained idle either, to my knowledge no systematic and comprehensive defense of the principle against its opponents has been so far undertaken (though cf. Zimmerman 1996: chap. 3 and Haji 2002: chap. 4). In this paper I undertake such a defense of a specific version of the principle.

In §2 I formulate “OIC”, the version of the principle that I defend. In §3 I propose an argument for OIC. In §4 and §5 I address objections and putative counterexamples to OIC. I conclude in §6.

2. Formulating OIC

Different versions of the ought-implies-can principle correspond to different ways of using the terms ‘ought’, ‘can’, and ‘implies’. So to formulate precisely OIC, namely the version of the principle that I defend, I need to explain how I use these terms.

(1) I understand the claim that an agent *ought* to *do* something as the claim that the agent has an objective, *pro tanto* obligation to do the thing. The obligation is *objective* in the sense of corresponding to what is *in fact* the case about the agent’s situation, not necessarily—as a *subjective* obligation does—to what the agent is epistemically *justified in believing* to be the case. The obligation is *pro tanto* (i.e., *prima facie*) in the sense of corresponding to *some* reason or combination of reasons for action that apply to the agent in her situation, not necessarily—as an *all-things-considered* obligation does—to the combination of *all* such reasons. Finally, the obligation may be nonmoral (e.g., prudential), although the literature has focused on moral obligations.

(2) I understand the claim that an agent *can* do something as the claim that the agent has both the ability and the opportunity to do the thing. The agent has the *ability* to do the thing in the sense of having the requisite skills, physical capacities, and knowledge—even if *psychologically* she is “unable” to do it (e.g., she “cannot” get herself to stick her arm into a cesspool to retrieve her wallet; cf. Stocker 1971: 311), and even if it would be *unreasonable* to expect her to do it (e.g., because she would die by doing it). (The agent’s skills etc. need not *guarantee* success or even make it *likely*: she may have the ability to beat an opponent at chess even if the opponent usually beats her.) The agent has the *opportunity* to do the thing in the sense of being in a situation which allows her to exercise her ability; e.g., she is scheduled to play chess with someone and thus has the opportunity to beat him (she cannot beat someone who refuses to play with her, even if she has the ability to beat him). The claim that an agent can do something does not presuppose that the agent *knows* she can do the thing: maybe a given opponent is weaker than she thinks, and she can beat him although she thinks she cannot. On the other hand, the claim does presuppose that the agent knows *how* to do the thing: if she does not know how to play chess then she cannot play, although she is physically capable of moving the pieces in ways accidentally com-

patible with the rules of chess (cf., e.g., Howard-Snyder 1997). These *stipulations* concerning my use of ‘can’ are aimed at formulating a defensible—even if untraditional—version of the ought-implies-can principle; I am not denying that other legitimate uses of ‘can’ exist (similarly for ‘ought’ and ‘implies’).

(3) I understand the claim that one proposition *implies* another as the claim that, by virtue of conceptual necessity, the latter proposition is true if the former is. (I use ‘proposition’ and ‘claim’ interchangeably.) So I understand implication as *conceptual entailment*, such as the entailment from—the proposition expressed by—“Smith is my uncle” to “Smith is male”. Conceptual entailment need not be transparent: it may take some thought to realize that “*A* is sufficient for a condition which is necessary for *B*” implies “*B* is sufficient for a condition which is necessary for *A*”. Conceptual entailment need not be inconsequential either: if “Jones is a good person” implies “Jones is worthy of esteem” then I may have to adjust my attitude towards Jones. So a version of the ought-implies-can principle formulated in terms of conceptual entailment need not be indisputable or insignificant if it is true.¹

Obligations, abilities, and opportunities are indexed to *times*. In the morning you do not have an obligation to proctor an evening exam but in the afternoon you do: at noon you promise to proctor the exam. In the morning you can keep your evening appointment but in the afternoon you cannot: at noon you miss your flight (cf., e.g., Stocker 1971: 311 n. 12). I formulate OIC as a *synchronic* principle, relating obligations with abilities and opportunities at the *same* time:

(OIC) By virtue of conceptual necessity, if an agent at a given time has an objective, pro tanto obligation to do something, then the agent at that time has both the ability and the opportunity to do the thing.

For example, in conjunction with OIC, the claim that in the morning you have an obligation to keep your evening appointment implies that in the morning you can keep your evening appointment. In this example the time of the appointment (the evening) differs from the time to which the obligation, the ability, and the opportunity are indexed (the morning); so OIC is in a sense *diachronic*. But in another sense OIC is (as I said) synchronic and thus *not* diachronic: it never relates an obligation at a given time with an ability and an opportunity at an earlier or later time. For example, as far as OIC is concerned, the claim that in the morning you have an obligation to keep your evening appointment is conceptually compatible with the claim that in the afternoon you cannot keep the appointment (at noon you miss your flight).² (Of course, in conjunction

¹ The literature discusses not only versions of the ought-implies-can principle formulated in terms of (1) *entailment*—logical, conceptual, or metaphysical—(cf., e.g., Forrester 1989: chap. 2; Gensler 1996: 49; Haji 2002: 13; Jacobs 1985; Manning 1981: 118-9; Pigden 1990: 14-5; Sapontzis 1991; Sinnott-Armstrong 1984: 251-4, 1988a: 116-20; Statman 1995: 37-8; Zimmerman 1996: chap. 3), but also versions formulated in terms of (2) *presupposition* (cf. Atkinson 1958: 58-9; Collingridge 1977: 350-1; Cooper 1966: 46; Hampshire 1951: 163-4; Hare 1963: 53-4; Henderson 1966: 102-3; Ladd 1958: 816-7; Lemmon 1965: 49; Routley & Plumwood 1989: 677; Shaw 1965: 197; Sinnott-Armstrong 1984: 254-5, 1988a: 120-1; Statman 1995: 37-8, 40; von Wright 1963: 109; White 1975: 151-2) or (3) *conversational implicature* (cf. Forrester 1989: 32-4; Pigden 1990: 16-21; Sinnott-Armstrong 1984: 255-9, 1988a: 121-6; Statman 1995: 44-5), as well as (4) *moral* versions, including both first-order or substantive ones (cf. Collingridge 1977: 351; Forrester 1989: 31-2; Frankena 1969/1976: 146; Kekes 1984: 462, 1997: 52; Kielkopf 1967: 289; Manning 1981: 118-9; Pigden 1990: 14; Sinnott-Armstrong 1988a: 120-1; Statman 1995: 40-4; White 1956/1959: 80-1, 1979: 211, 217-8, 1981: 70) and second-order or metatheoretical ones (cf. Albert 1968/1985: 98; Brown 1977: 220-2; Moritz 1953, 1968; see also Marcus 1980: 134-5). Cf. also Frankena 1958: 60; Gensler 1996: 52; Saka 2000: 93-4, 100; Stocker 1971: 310.

² So OIC should be distinguished from the claim that ‘ought’ implies ‘(can or) *could have*’ (cf. Baltzly 2000: 251; Gilbert 1972: 143; Gowans 1994: 80; Haji 1998b: 374 n. 12, 2002: 50-1; Kading 1954: 13; Kekes 1984: 460; Richman 1983: 87; Sinnott-Armstrong 1984: 253 n. 9, 1988a: 117-8; Stocker 1971: 311, 316). OIC should also be distinguished from the claim that ‘ought’ implies ‘can *refrain*’.

with OIC, the latter claim implies that in the afternoon you have no obligation to keep the appointment.)

I hope it is now clear how I understand OIC.³ Next I adduce my argument for OIC.⁴

3. An argument for OIC

My argument for OIC has three premises:

- (P1) *Obligations “correspond” to reasons for action*: If an agent has an obligation to ϕ , then the agent has a reason to ϕ .
- (P2) *Reasons for action “correspond” to potential actions*: If an agent has a reason to ϕ , then ϕ -ing is a potential action of the agent.
- (P3) *Potential actions “correspond” to ability plus opportunity*: If ϕ -ing is a potential action of an agent, then the agent can ϕ .

Thus: (OIC) *Obligations “correspond” to ability plus opportunity*: If an agent (S at a given time t) has an (objective, pro tanto) obligation to ϕ , then the agent (at that time) can (i.e., has both the ability and the opportunity to) ϕ .

The parenthetical qualifications in the conclusion are implicit in the relevant premises. All premises, like the conclusion, are understood as universally quantified over ϕ , S , and t , and then prefixed with “by virtue of conceptual necessity”. Note that ϕ ranges over *propositions*, and that P1 and OIC are only about obligations to *do* something: ‘to ϕ ’ is shorthand for ‘to *make* ϕ true’, and ‘ ϕ -ing’ is shorthand for ‘*making* ϕ true’. Moreover, ϕ ranges over *all* propositions, not just over propositions such that ϕ -ing is a potential *action* (of some agent): although it is indeed a consequence of P1&P2 that an agent has an obligation to ϕ only if ϕ -ing is a potential action of the agent, I do not want to formulate OIC only with respect to potential actions *before* I argue that this consequence is true. (I am talking about *potential* rather than *actual* actions because the

³ The ought-implies-can principle has been traced back to Pelagius and Augustine (Kirwan 1998: 284; Matthews 1998: 555-6; cf. Blum 2000: 287 n. 2; Mann 1991: 638-9; Pigden 1990: 9), and is akin to the Roman legal maxim “*impossibilium nulla obligatio est*” (cf. Wollschläger 1970: chap. 1), but is usually associated with Kant (cf. *Critique of pure reason* AK 3: 371, 3: 524; *Groundwork of The metaphysics of morals* 4: 399; *Critique of practical reason* 5: 30; *Religion within the boundaries of mere reason* 6: 47, 6: 50, 6: 62; *The metaphysics of morals* 6: 380, 6: 401, 6: 449; “On the common saying...” 8: 287), although disagreement exists on how Kant understood the principle.

⁴ I think that the arguments in support of the ought-implies-can principle which have been discussed in the literature fail to establish OIC, but let me sketch what I take to be the three major such arguments. (1) Because obligations are action-guiding, it makes sense to advise or exhort people to fulfill their obligations; but it makes no sense (or it is pointless) to advise or exhort people to do what they cannot do (cf. Brown 1977: 218-9; Copp 2003: 272-5; Driver 1983: 221; Hampshire 1951: 162-3; Hansson 1999: 435; Hare 1951: 201-2, 1963: 54-6; Henderson 1966: 101; Ladd 1958: 816-7; Lemmon 1965: 50; MacLagan 1951: 181-3; Margolis 1967: 34-7, 40; McConnell 1975: 67; Montefiore 1958: 27; Moritz 1953: 162-6, 1968: 103-4; Pigden 1990: 10-1; Rescher 1987: 40 n. 14; Saka 2000: 100-1; Sapontzis 1991: 388-9; Schlossberger 1989: 74; Sinnott-Armstrong 1984: 251, 257, 1988a: 115, 123; Smith 1961: 375; Stern 2004: 48-50; Stocker 1971: 312; Tännsjö 1976: 115; Taylor 1967: 89; White 1975: 151-2; see also Gowans 1994: 77). (2) It makes sense to blame or punish people for failing to fulfill their obligations, but it makes no sense (or it is unfair) to blame or punish people for failing to do what they cannot do (cf. Brown 1977: 209-11, 216; Carey 1985: 212; Copp 2003: 271-2; Fischer 1999: 124-5, 2000: 363, 2003: 248-9; Hintikka 1969: 197, 1971: 84; Jacobs 1985: 46-7, 50; Lemmon 1965: 50; McConnell 1975: 65-7; McDonald 1987: 111; Montefiore 1958; Moritz 1968: 103; Richman 1983: 91; Sinnott-Armstrong 1984: 250-1, 258, 1988a: 114, 124; Statman 1995: 43-4; Stern 2004: 46-8; Stocker 1971: 314-5; von Wright 1963: 114-5; White 1975: 152). (3) When we learn that an agent cannot ϕ , we withdraw the claim that the agent ought to ϕ , or we ask what the agent ought to do instead (cf. Frankena 1950/1963: 148; Kading 1954: 11-2; Pereboom 2001: 147; Ross 1939: 109; Sinnott-Armstrong 1984: 250, 1988a: 113; Smith 1961: 367; White 1975: 152-3).

claim that an agent has a reason—or an obligation—to do something does not imply that the agent actually does the thing. I understand actions as including long-term *courses* of action.)

The above argument is clearly deductively valid. P1 holds because obligations of any kind are conceptually linked to reasons of the given kind: moral obligations to moral reasons, prudential obligations to prudential reasons, and so on.⁵ (This is not to say that every obligation is linked to a *conclusive* reason; P1 rather says that every obligation is linked to *some* reason.) P2 holds because reasons of any kind are conceptually linked to objects of the given kind: reasons for belief to potential beliefs, reasons for action to potential actions, and so on. Finally, P3 holds by definition: I understand an agent’s *potential* actions (in contrast to her conceptually *possible* ones) as determined by what the agent *can* do (in contrast to what it is *conceivable* for her to do). For example, if I cannot lift a truck (with my bare hands), then lifting the truck is not a potential action of mine—even though it is a *possible* action of mine if it is *conceivable* that I lift the truck.

It is sometimes argued that, because “I ought, but I can’t” does not seem conceptually incoherent, ‘ought’ does not conceptually entail ‘can’ (cf., e.g., Kekes 1984: 460; Richman 1983: 77-8). As I explained in §2(3), however, conceptual entailment need not be transparent. What initially seems conceptually coherent may on closer inspection be recognized as incoherent. I submit that the above argument for OIC makes evident the arguably opaque conceptual link between ‘ought’ and ‘can’ by breaking it down into three transparent links. By saying that the links in the three premises are transparent, I am not suggesting that all premises are uncontroversial: P2 might arouse controversy, maybe even more controversy than OIC itself. To my ears P2 has an almost tautological ring: how could reasons *for action*—as opposed to, e.g., reasons *for belief*—fail to be conceptually linked to potential actions? I admit, however, that P2 (like OIC) is open to attack by putative counterexamples, so I turn next to addressing objections.⁶

4. Counterexample-based objections to OIC

In this section I address three objections to OIC (a version of the third objection applies against P2) which are based on putative counterexamples to OIC. In the next section I address three more abstract objections to OIC.

⁵ One might argue that P1 fails for obligations of *etiquette* because no reasons of etiquette exist. I reply that, if no reasons of etiquette exist, then no obligations of etiquette exist either. This is not to deny that certain actions are still obligatory *according* to given systems of etiquette; as an analogy, an amoralist who asserts that no moral obligations exist need not deny that certain actions are obligatory according to given moral systems. In any case, I could restrict P1 and OIC to those kinds of obligations for which reasons of the corresponding kind exist.

⁶ A preliminary objection is that OIC fails for *legal* obligations due to the existence of *strict liability* laws (cf. Hart 1962/1968: 176-7, 1994: 178-9). For example, I am liable for statutory rape even if I could not have known that the person I had sex with was a minor (cf. Cohen 1982: 218; Fletcher 1978: 727-8), and I am liable for exceeding the speed limit even if my cruise control got stuck in the “accelerate” position and I could not deactivate it (cf. Alexander 1990: 90). I have two replies. First, maybe the claim that I am *liable* for doing something does not imply that I had a legal *obligation* to avoid doing the thing. Indeed, “[in] the paradigm case of strict liability [one] is liable ... even though he didn’t do anything he shouldn’t have done and he didn’t neglect to do anything he should have done” (Cohen 1982: 216); i.e., even though he did not violate any obligation. (One might argue that in the above quotation ‘should’ and ‘shouldn’t’ are understood morally, but my point is that they can also be understood legally. In other words, an analogue of T1 in §5.3 may fail for legal obligations.) Second, “in a significant sense one does have control over that for which he is held strictly liable” (Cohen 1982: 225; cf. Wasserstrom 1960: 742-3). For example, I could have avoided having sex with the person who turned out to be a minor, and I could have avoided activating the cruise control. One might respond that *after* the cruise control got stuck I *still* had a legal obligation—which I could *then* not satisfy—to avoid exceeding the speed limit. I reply that in a relevant case the court found the defendant liable for *activating* the cruise control (something he *could* have avoided), not for failing to deactivate it after it got stuck (Alexander 1990: 90).

4.1. Objection I: Obligatory feelings

It is frequently claimed that in some cases an agent cannot make herself feel a certain way—e.g., grateful—right away (because how she feels is not under her instantaneous voluntary control) although it is natural to say that the agent *ought to feel* that way. For the sake of argument let me grant that such cases exist. Still, since OIC is only about obligations to *do* something, we have here a counterexample to OIC only if in some such case the agent has an obligation to do something that corresponds exactly to the inability, namely an obligation to make herself feel a certain way right away. This observation opens the door to two common replies to the current objection: saying that an agent “ought to feel” a certain way might (1) ascribe to the agent an obligation which is *not* an obligation to make herself feel a certain way right away, or (2) fail to ascribe an obligation (to do something) at all.

(1) To see how the first reply works, suppose I tell you: “I know you hate her, but you ought to feel grateful to her: she saved your daughter’s life”. Rather than interpreting my utterance as ascribing to you an obligation to instantaneously replace your hatred with gratitude, it is more plausible to interpret it as ascribing an obligation to *behave* congruently with feeling grateful (e.g., to voice thanks) and to do whatever you can so as to *gradually* replace your hatred with gratitude. It *is* in general within people’s power to instantaneously control their behavior and to cultivate feelings over time. But what if you are unable to *ever* experience gratitude (e.g., due to an irreversible biochemical imbalance)? Then it is plausible to say that you have no obligation to cultivate gratitude, so we have no counterexample to OIC.

(2) In response one might argue that the above reply is not the whole story: “If someone to whom our judgment was directed should inquire, ‘Do you mean that right now I should be having a feeling of [gratitude]?’ I think we might plausibly answer that this *is* at least part of what we mean” (Kading 1954: 13; cf. Frankena 1950/1963: 151). This brings us to the second reply: if, when I utter “you ought to feel grateful to her”, I mean that you ought to be experiencing gratitude *right now*, then it is plausible to say that I am not ascribing to you any obligation to do something. I may instead be blaming you for not having cultivated in the past a disposition to feel gratitude whenever appropriate. Or I may be stating that it would be fitting or good if you were to feel gratitude right now. The general point is that sometimes ‘ought’ is not used to ascribe obligations: “everyone ought to be happy” is a standard example.⁷

To sum up: the current objection to OIC relies on the inference from the premise that (i) cases exist in which *it is natural to say* that an agent ought to feel a certain way (although she cannot make herself feel that way right away) to the conclusion that (ii) cases exist in which an agent *has an obligation* to make herself feel a certain way right away (although she cannot). The above two replies undercut this inference by suggesting that typical cases of the former kind are not cases of the latter kind. Admittedly this does not establish that *no* cases of the latter kind exist,

⁷ Versions of the current objection to OIC can be formulated in terms of (i) feelings that one ought *not* to have (e.g., Schadenfreude) and (ii) character *traits* that one ought to have (e.g., bravery). For endorsements of (versions of) the objection see: Mann 1991: 638; Margolis 1967: 33-4; White 1975: 148. On the first reply see: Brink 1994: 232; Ewing 1947: 165-6; Frankena 1950/1963: 151; Henderson 1966: 109-10; Rees 1953: 24-5, 29. On the second reply see: Brink 1994: 232; Ewing 1947: 165; Gowans 1994: 78-9; Robinson 1971: 196. (Cf. also Copp 1997: 446, 2003: 276-7; Kading 1954: 13; Ladd 1958: 818; Margolis 1971: 486-7.) A version of the second reply has it that ‘ought’ in a *narrower* sense does but in a *wider* sense does not imply ‘can’ (cf. Broad 1930/1951: 161; Frankena 1950/1963: 150; Moore 1922: 317-9; Ross 1939: 45-6; Sidgwick 1907/1981: 33; Zimmerman 1996: 91). Such a move, however, might seem question-begging: “it offers no reason, other than its alleged ability to explain failing to feel what one ought, for supposing that there is a second sense of ‘ought’” (White 1975: 150; cf. Sinnott-Armstrong 1984: 254, 1988a: 119). It seems better to appeal to an independently motivated distinction between *prescriptive* and *evaluative* ‘oughts’ or between uses of ‘ought’ that do and that do not ascribe obligations to do something.

but it does defuse the objection by shifting the burden of proof to those who would insist that such cases exist. Unless this burden is shouldered, we have no counterexample to OIC.

4.2. Objection II: Becoming unable to fulfill an obligation

It is frequently claimed that in some cases an agent who is initially able to fulfill an obligation remains bound by the obligation even after she becomes unable to fulfill it. Consider the following variants of three widely discussed examples. (1) A student idles her time away and becomes thus unable to turn in a paper by a given deadline (see §1 for details). (2) A man boards a plane to Seattle at 8:30am and becomes thus unable to keep his promise to marry a woman in Boston at 9am. (3) A debtor is robbed at 8:50am and becomes thus unable to repay a loan to a bank by the deadline of 9am. (The first two examples are supposed to involve *culpable* inability, and the third *nonculpable* inability.) In all three examples the obligation arguably persists even after the inability sets in: at 8:57am the student still has an obligation to turn in a paper by 9am, the man still has an obligation to marry the woman in Boston at 9am, and the debtor still has an obligation to repay the loan to the bank by 9am—or so the second objection to OIC goes.⁸

There is, however, an alternative position on the above (and similar) examples. Rather than saying that the obligation *persists* after the inability sets in (a position incompatible with OIC), one might say that the obligation *expires* once the inability sets in, and is typically succeeded by one or more *new* obligations. The debtor, for example, acquires an obligation to repay the loan as soon as she can *after* the deadline (assuming the bank allows this), and maybe also an obligation to pay a penalty or interest. The man acquires at least an obligation to apologize to the woman he was supposed to marry. The specifics of the new obligations vary from case to case, but in every case the new obligations are *feasible*, so on this alternative position we have no counterexample to OIC. Is this just a question-begging attempt to salvage OIC, or can a preference for this alternative position be justified?⁹

To begin answering the above question, note that opponents and proponents of OIC should agree on this much: the original obligation (a) *sooner or later* expires and (b) is typically succeeded by one or more new obligations. Concerning (b), note for example that sooner or later the man acquires an obligation to apologize to the woman. Concerning (a), note for example that *at 9:01am* the student no longer has an obligation to turn in a paper *by 9am*—no matter what *other* obligations the student may have at 9:01am.¹⁰ So the bone of contention is not *whether* the original

⁸ (1) On variants of the student example see: Audi 1974: 232-3; Goldman 1970: 208; Henderson 1966: 105-8; Rescher 1987: 40-1. (2) On variants of the wedding example see: Altham 1988: 281-3; Baltzly 2000: 251-2; Jackson 1988: 259-60, 267-8; Marcus 1996: 31; McConnell 1989: 438-9; Morris 1985: 40-1; Sinnott-Armstrong 1984: 252-4, 1988a: 116-20; Stocker 1971: 314-5; Young 1975: 13-4. (3) On variants of the debtor example see: Brink 1994: 230-1; Brouwer 1969: 47; Copp 2003: 279-80; Haines 1972; Herman 1990: 315; Kading 1954: 14-5; Kielkopf 1967: 286-8; Margolis 1967: 34-6; Qizilbash 1995: 148; Richman 1983: 85-7; Robinson 1971: 197; Stocker 1987: 108; Suttle 1988: 124-5; Timmermann 2003: 114-6; Zimmerman 1987: 199, 1996: 95.

⁹ For endorsements of (variants of) this alternative position see: Altham 1988: 281; Brink 1994: 231; Goldman 1976: 450; Gowans 1994: 79-80; Greenspan 1975: 264; Haji 1998b: 356, 2002: 48; Manor 1971: 112; Thomason 1981: 180; van Eck 1982: 267; Zimmerman 1987: 199, 1996: 97-8. For rejections see: Henderson 1966: 106; Sinnott-Armstrong 1984: 252-3, 1988a: 117.

¹⁰ My point is *not* that it is unnatural to say to the student at 9:01am “You ought to turn in a paper by 9am”. To *this* point one could reply that it is natural to say instead to the student at 9:01am “You ought to *have turned in* a paper by 9am”. But the latter sentence I take to express the true claim that at some time *before* 9am the student *had* an obligation to turn in a paper by 9am (cf. Prior 1971: 69); my point is that *now*, at 9:01am, the student *no longer has* this obligation, so the obligation has expired. (Admittedly it sounds unusual to say that an obligation has “expired”, but it seems inevitable to say something like this for an obligation that one *had* but *no longer has*.) Some people may balk at saying that *unfulfilled* obligations expire. But the view that unfulfilled obligations never expire seems

obligation sooner or later expires (surely it does), but is rather *when* it expires: does it expire *at* 9am, *after* the inability sets in (as some opponents of OIC would have it), or *before* 9am, *once* the inability sets in (as proponents of OIC would have it)? I will adduce two considerations in support of the claim that the obligation expires *before* 9am.

(1) Suppose you have borrowed a rare book from a friend. You have promised to return it today by 9am, but you cannot: you lost it while visiting a distant country yesterday. It is now 8:30am, and you are suddenly given the opportunity to buy, at a price you can easily afford, the only other copy of the book in existence. If you do not buy it right now, someone else will promptly buy it who will never resell it. Your friend would be disconsolate if she did not get a copy of the book by 9am, but would not significantly mind getting the second rather than the first (i.e., her own) copy. It seems then clear that at 8:30am you have an obligation to buy the second copy of the book and to give it to your friend by 9am. So if at 8:30am you *also* had the original obligation, to give the *first* copy of the book to your friend by 9am, then at 8:30am you would have *both* the obligation to give the first and the obligation to give the second copy of the book to your friend by 9am—and evidently you do not have both obligations. It follows that at 8:30am your original obligation has already expired.¹¹

(2) I take the above example to show that there is at least one kind of case in which the position that the original obligation expires *at* 9am is clearly mistaken. But there is also a second reason for being suspicious of this position. Why claim that at 8:59am the student still has, but at 9:01am she no longer has, an obligation to turn in a paper by 9am? Because, an opponent of OIC might answer, at 8:59am it is still possible, but at 9:01am it is no longer possible, to turn in a paper by 9am. Now I grant that there are (logically or even physically) *possible* scenarios in which at 8:59am the student starts typing at superhuman speed so that she turns in a paper by 9am. But is the existence of such possible scenarios relevant to the student's obligations? Does the difference between the presence (at 8:59am) and the absence (at 9:01am) of such *exotic* possibilities make the difference between the presence and the absence of the obligation to turn in a paper by 9am? It is implausible to claim that the demarcation line between the presence and the absence of the obligation is drawn in terms of what is *possible* or not (rather than in terms of what is *feasible* or not, what the student *can* or cannot do).¹² Similar remarks apply to the wedding example.

untenable: it has the unpalatable consequence that I still have the obligation to keep my 8:55am appointment on January 10, 1984, an obligation I violated more than twenty years ago (I was five minutes late).

¹¹ (To my knowledge no similar example exists in the literature, but for remote variants see: Martinich 1985: 120-1; Ross 1939: 109; Smith 1961: 370-1; Thomason 1981: 180; White 1975: 149.) Opponents of OIC might respond that at 8:30am you have a *conditional* obligation to give the second copy of the book to your friend by 9am *given* that you do not find the lost first copy by 9am: you have no obligation to give the second copy given that you do find the first copy. I reply that for the sake of argument I can agree: the above claims do not contradict my claim that at 8:30am you have an *unconditional* obligation to give the second copy of the book to your friend by 9am. See also note 13.

¹² One might argue that the demarcation line is drawn in terms of what is or is not *reasonable to expect* from the agent, not in terms of what the agent *can* or cannot do: if at 8:50am a truck crushes your legs, then you no longer have an obligation to keep your 9am appointment, even if strictly speaking you *can* keep it because, “being huskily built”, you can drag yourself by your elbows (Smith 1961: 367). I see here, however, no threat to OIC: if your obligation expires in such a case, then a fortiori it expires in a case in which you *cannot* keep your appointment. One might claim that OIC, being only about cases of (strict) inability, is so weak a version of the ought-implies-can principle as to be inconsequential (cf. Smith 1961: 371). I reply that cases of (strict) inability are commonplace (witness the student and wedding examples), and OIC does have consequences about such cases. One might respond that, “if one can defend a stronger version of the principle, the stronger version is preferable” (Dahl 1974: 493). But I don't think a stronger version is defensible. Suppose we modify the above example so that your children's lives hang on your keeping the appointment. Then it seems that you *are* all-things-considered obligated to drag yourself by your

To sum up: the current objection to OIC relies on the position that the original obligation expires *after* the inability sets in, and this position relies in turn on drawing the demarcation line between the presence and the absence of the obligation in terms of what is *possible* or not. The above two considerations suggest that this way of drawing the demarcation line is mistaken in (at least) two kinds of cases: (1) cases in which a certain kind of compensatory obligation arises *before* impossibility sets in, as in the rare book example, and (2) cases in which all available possibilities are *exotic*, as in the student and wedding examples. Admittedly this does not establish that *no* cases exist in which the obligation persists after the inability sets in,¹³ but it does shift the burden of proof to those who would insist that such cases exist. This is not the end of the matter, however: next I address four responses that opponents of OIC might make.

Response 1: It is natural to say “you ought” even after the inability sets in.

In the wedding example, suppose the man calls the woman at 8:57am and tells her he is on a plane to Seattle. It is natural for the woman to say: “But you ought to be *here* by 9!” Opponents of OIC might infer that at 8:57am the man still has an obligation to be in Boston by 9am (cf. Henderson 1966: 106; Rescher 1987: 40; Sinnott-Armstrong 1984: 252-3, 1988a: 117). Such an inference would be shaky, however. For two reasons. (1) It is natural for the woman to say “But you ought to be *here!*” even if the man calls her *at 9:01am*—although, as we saw, at 9:01am the man clearly no longer has an obligation to be in Boston *by 9am*. (2) When the man calls at 8:57am, it is implausible to interpret the woman’s utterance (“But you ought to be *here* by 9!”) as ascribing to the man an obligation to be in Boston by 9am. (It is more plausible to interpret the utterance as blaming the man or as stating what would be fitting or good: see again §4.1(2). Cf. Altham 1988: 282; Haines 1972.) Indeed, suppose the man is remorseful and replies: “I know I ought to *be* there by 9, but tell me: what should I *do*?” The woman might say something like “Come back as soon as you can”; it would be weird for her to say “Come back by 9”, since she realizes there is no way the man can do so. Of course it is *possible* for a determined opponent of OIC to say “Come back by 9” (witness the professor in §1), but my point is that it is not *natural* to say so—and this point suffices to defuse the current response, which relies on a premise about what it is natural to say.¹⁴

elbows. This suggests that in the unmodified example your (*pro tanto*) obligation to keep the appointment does not *expire* at 8:50am: being relatively weak, it is instead *overridden* by your new, stronger obligation to get transportation to the hospital (cf. Ross 1939: 109).

¹³ E.g., one might argue that in the debtor example some available possibilities are not exotic and are thus relevant to the debtor’s obligations: at 8:50am it is possible that at 8:55am a passing friend stops and gives to the debtor a large amount of money, enabling her thus to repay the loan to the bank by 9am (cf. McConnell 1989: 439; Sinnott-Armstrong 1984: 253-4, 1988a: 119; Zimmerman 1996: 110). Let me grant that if this happens then *at 8:55am* the debtor has an obligation to repay the loan to the bank by 9am: after all, at 8:55am she *can* do so. (The claim that at 8:55am she can do so is compatible with the claim that between 8:50am and 8:55am she cannot do so: between those times it is *possible* that a friend of the debtor shows up at 8:55am, but we may assume it is not in the debtor’s *power* to actualize such a possibility.) It does not follow, however, that the debtor’s original obligation persists between 8:50am and 8:55am: arguably it expires at 8:50am but is *restored* at 8:55am. (It is possible for expired obligations to be restored: one’s obligations expire when one goes into a persistent vegetative state, but some of these obligations may be restored in case one recovers.)

¹⁴ Stocker (1971: 311-3; cf. Jacobs 1985: 51-2) considers an example in which the chair of a meeting has an obligation to maintain order but cannot do so because the microphone fails. It is natural for the chair to say then “The failure of the microphone is preventing me from fulfilling my obligation”, and this suggests that the obligation does not expire when the microphone fails. Proponents of OIC, however, can reply that strictly speaking the chair should say: “The failure of the microphone is preventing me from maintaining order, which I would be otherwise obligated to do”. Stocker might respond that it is natural for the chair to agree if told “It is your duty to maintain order” (1971:

Response 2: OIC cannot properly account for ascriptions of blameworthiness.

In the wedding example, it is natural to say that the man is blameworthy for failing to show up in Boston by 9am. Why is it natural to say so? Opponents of OIC have a ready answer: because the man at 9am inexcusably and knowingly violates an obligation to show up. This answer is unavailable to proponents of OIC if they are committed to the claim that at 9am the man no longer has an obligation to show up. Proponents of OIC might claim instead that strictly speaking the man is blameworthy for boarding the plane to Seattle at 8:30am, not for failing to show up in Boston by 9am (cf. Brink 1994: 231; Lamb 1993: 526). But even if this claim is correct, it does not address the current response because it provides no answer to the question we started with: why is it *natural to say* that the man is blameworthy *for failing to show up*? I propose the following answer: because the man's failure to show up is a bad consequence of his blameworthy action of boarding the plane, and it is natural to hold people blameworthy for the bad consequences of their blameworthy actions.¹⁵ Opponents of OIC might respond that my answer gets things backwards: the man is blameworthy for boarding the plane *because* he is blameworthy for failing to show up, not the other way round (Jackson 1988: 260; cf. Rescher 1987: 40; Stocker 1971: 315). I reply that this explanation of the man's blameworthiness for boarding the plane is flawed: even if right after he boards the plane the woman calls him and cancels the wedding, so that he is *not* blameworthy for failing to show up, he is *still* blameworthy for boarding the plane. I favor a different explanation: the man is blameworthy for boarding the plane at 8:30am (regardless of whether the woman later on cancels the wedding) because by boarding the plane he inexcusably violates an obligation he knows he still has at 8:30am, namely the obligation to avoid doing anything that would make him fail to show up (and this obligation he still has at 8:30am because at 8:30am he still has the obligation to show up in Boston by 9am). (Cf. Altham 1988: 282; Martinich 1987: 329.)

Opponents of OIC might argue that the man is overall *more* blameworthy if the woman shows up for the wedding than if she calls him and cancels the wedding right after he boards the plane, and that the proper explanation of this difference in blameworthiness is that in cases of the former but not of the latter kind the man at 9am inexcusably and knowingly violates an obligation to show up (cf. Sinnott-Armstrong 1988b: 405). I reply that what I proposed above suggests a better account: the man's blameworthy action of boarding the plane has in general *worse* consequences if the woman shows up (e.g., she is then humiliated) than if she cancels the wedding, so it is natural to say that the man is overall more blameworthy in cases of the former kind. In support of this account, consider cases such that the man's action of boarding the plane has *better* consequences if the woman shows up than if she cancels the wedding; e.g., compare a case in which the woman shows up determined to kill herself if the man shows up, so that his action saves her life, with a case in which the woman cancels the wedding and then kills herself as a result of the man's action. It is natural to say (given that "moral luck" does affect judgments of blameworthiness) that the man is overall more blameworthy in the *latter* case than in the former; this difference is readily explained in terms of a difference in the consequences of the man's ac-

312). But strictly speaking the chair should agree that she has an obligation to stand by and a *conditional* obligation to maintain order again if the microphone functions again before the end of the meeting.

¹⁵ (Cf. Vihvelin 2000: 5. By saying that an action of an agent is blameworthy I mean that the agent is blameworthy for performing the action.) This also suggests an answer to the following question (cf. Richman 1983: 87): why is it natural to say that the man is blameworthy for failing to show up in Boston but not (e.g.) for failing to show up in New York if at 9am he has no obligation to show up in either place? The answer is that the man's failure to show up in New York, unlike his failure to show up in Boston, is not in the relevant sense a *consequence* of his boarding the plane: the former failure, unlike the latter, would have occurred even if he had not boarded the plane.

tion, but cannot be explained in terms of a difference in violated obligations to show up (because such a difference, if it existed, would suggest that the man is overall more blameworthy in the former case).¹⁶

Response 3: OIC cannot properly account for compensatory obligations.

In the wedding example, it is natural to say that the man has an obligation to apologize (in a sense which presupposes admission of wrongdoing) to the woman for failing to show up in Boston by 9am. Why is it natural to say so if at 9am the man no longer has an obligation to show up? Because, I submit, it is natural to say that people have an obligation to apologize for the bad consequences of their blameworthy actions. Opponents of OIC might respond that such an answer is unavailable when the agent performs no blameworthy action, for example in some cases of *non-culpable* inability: if you miss an appointment because you have an accident through no fault of your own, you still have an obligation to apologize (cf. Trigg 1971: 46-7).¹⁷ I reply that I do not see why in such cases you have an obligation to apologize: admittedly it is natural for you to say “I am sorry you had to wait in vain; I was unconscious in the hospital”, but I take this to express regret rather than offering an apology (in a sense which presupposes admission of wrongdoing). Opponents of OIC might respond that, even if you have no obligation to apologize, you still have *some* obligations by virtue of missing your appointment; e.g., an obligation to explain what happened (cf. Marcus 1996: 31). Why do you have such compensatory obligations if you violated no obligation by missing your appointment? Sapontzis (1991: 384-6) and Brink (1994: 231) have already proposed an answer: because compensatory obligations can arise not only in the wake of an obligation that expires violated, but also in the wake of an obligation that expires unfulfilled (e.g., when inability sets in, or when a debtor obtains, before her loan is due, an extension of the loan by agreeing to pay also a penalty by the new deadline).

Response 4: OIC allows people to get rid of unwanted obligations.

According to Stocker, “it would be at best a bad joke for me to suggest that if I have squandered my money then I no longer ought to repay my debts” (1987: 108; cf. Brouwer 1969: 47; White 1975: 149). Proponents of OIC, however, can agree: even if they must insist that at 8:57am the debtor (regardless of whether she squanders her money or is robbed) no longer has an obligation to repay the loan to the bank *by 9am*, they need not claim that the debtor no longer has an obligation to repay the loan *at all*. Opponents of OIC might respond that such a move is unavailable in the student example: the student does not have the option of turning in a paper late (see §1), so it is a consequence of OIC that at 8:57am the student no longer has an obligation to turn in a paper *at all*. OIC has thus the unpalatable consequence that people sometimes can get rid of unwanted

¹⁶ Opponents of OIC might also argue that OIC has the unpalatable consequence “that we cannot get ourselves into a position in which we will have to act wrongly or blameworthily” (Stocker 1971: 315). Contrary to what Stocker suggests, however, I do not see how the wedding example refutes this (alleged) consequence of OIC: after he boards the plane, the man does not *have* to perform any other blameworthy action. (It is true that he is blameworthy no matter what he will do, but he is blameworthy for something he has already done. See also the end of §5.1.)

¹⁷ A different response is that you can offer your inability to keep the appointment as an *excuse*, and excuses presuppose wrongdoing (i.e., violation of an obligation); cf. Austin 1957/1979: 176; Fletcher 1978: 759, 798; Sinnott-Armstrong 1984: 250, 1988a: 113-4; White 1975: 152; Zimmerman 1996: 93-4. I reply that your inability to keep the appointment provides a *justification* (alternatively, following Copp 2003: 279, a *defeater*), not an excuse (contrast Hart 1994: 179), and thus does not presuppose wrongdoing. (McConnell rejects this by claiming in effect that one offers a justification for not doing something only if one says that one “did some alternative act that was morally more important” (1989: 438), but I see—and he provides—no reason to accept such a restrictive account of justifications.) On Response 3 see: Heintz 1975: 457; Kielkopf 1967: 287-8; Sinnott-Armstrong 1984: 253, 1988a: 118-9; Suttle 1988: 126-7; White 1975: 147.

obligations—or so Response 4 concludes. This response, however, loses its sting once it is realized that even *opponents* of OIC should accept that people sometimes can get rid of unwanted obligations: the student can kill the professor and thus get rid of her obligation to turn in a paper to the professor. The interesting question is whether OIC allows people to get rid of unwanted obligations *without residue*, whether it lets people off the hook. And proponents of OIC can argue that it does not: they can grant, for example, that the student is blameworthy (see my reply to Response 2) and deserves to fail the course.

4.3. Objection III: Ability-independent obligations

The characteristics in virtue of which something is what ought to be done are different from the characteristics in virtue of which it is something which can be done. There is no reason why the two sets of characteristics should [overlap]. (White 1975: 148.)

With the claim made by the first sentence of the above quotation I agree; for example, whether you have an obligation to do something may depend in part on whether you have promised to do it, but whether you can do it may depend only on your physical capacities. The claim made by the second sentence, however, does not follow: my argument in §3 provides a reason why whether you have an obligation to do something always depends in part on whether you can do it. Opponents of OIC might ask: if so, then why don't we formulate moral principles with an "if you can" clause? For example, why don't we say that you have an obligation to keep the promises you have made *if you can*? (Cf. Frankena 1950/1963: 151-3; Margolis 1967: 38; Moore 1922: 319; White 1975: 148, 149; Zimmerman 1996: 82.) I answer that such a clause may be implicit; as an analogy, usually we don't say that you have an obligation to keep the promises you have made *if you have not been released from them*, but we may need to say something like this if we are to be precise. In response opponents of OIC might propose specific examples of (supposedly) ability-independent obligations. I will address two kinds of such examples.

(1) Consider first examples of *addictive behaviors* that violate obligations. Kleptomaniacs cannot refrain from stealing; pathological sadists cannot refrain from hurting others; alcoholics and nicotine addicts cannot refrain from drinking and smoking respectively; yet all these people have (moral or prudential) obligations to refrain from the corresponding behaviors—or so the objection to OIC goes.¹⁸ In reply I contest the claim that these people cannot refrain from the corresponding behaviors. As I explained in §2(2), even if an agent is *psychologically* "unable" to do something, she still has the ability to do it if she has the requisite skills, physical capacities, and knowledge. Nicotine addicts, kleptomaniacs, etc. may be psychologically "unable" to control their impulses, but strictly speaking they *can* control them, as evidenced by the fact that they regularly *do* control them: nicotine addicts refrain from smoking when it is strictly prohibited (e.g., on airplanes), and kleptomaniacs "will generally avoid stealing when immediate arrest is probable (e.g., in full view of a police officer)" (American Psychiatric Association 1994: 612). So the impulses in question are not irresistible; they are at most extremely hard to resist.¹⁹ Op-

¹⁸ (1) On kleptomaniacs see: Berlin 1969: xx; Blum 2000: 287; Cooper 1966: 47; Copp 2003: 281-2; Dahl 1974: 490-1, 495; Gowans 1994: 78-9; Hare 1951: 215-6 (cf. Montefiore 1958: 28-9); Schnall 2001: 339-40; White 1979: 217. (2) On pathological sadists see: Haji 2002: 212-3; Kekes 1984: 459-60; Statman 1995: 38. (3) On alcoholics see: Smith 1961: 372-3; Tranøy 1972: 118. (4) On nicotine addicts see: Lemmon 1965: 48; Pigden 1990: 12-4; Qizilbash 1995: 147; White 1975: 148. (For simplicity I use 'kleptomaniacs', 'nicotine addicts', etc. instead of "the more accurate, but admittedly more cumbersome" (American Psychiatric Association 1994: xxii) 'individuals with Kleptomania', 'individuals with Nicotine Dependence', etc. I ignore the irrelevant complication that one can consume nicotine without smoking.)

¹⁹ Cf. Douglas & Olshaker 1995: 174; Goldman 1998: 71-2; Kekes 1984: 460; Qizilbash 1995: 147. One might respond that, even if addicts can resist *isolated* impulses, they cannot go on resisting impulses for any great length of time (cf. Aquinas, *Summa Theologiae*, IaIIae, Q. 109, a. 8; Mann 1983: 379-80, 1991: 639). I reply that strictly

ponents of OIC might respond that, even if *real-life* addicts strictly speaking *can* control their impulses, surely there are *conceivable* addicts who simply *cannot*—and the existence of such conceivable addicts suffices to refute OIC, which is a claim of conceptual necessity. In reply I contest the claim that such conceivable addicts have the corresponding obligations. Consider a conceivable pyromaniac who, whenever she smells a certain perfume, has an acute and uncontrollable physiological reaction that makes her start setting fires randomly. It is plausible to say that during her fits she is in a certain respect akin to a malfunctioning robot: the concept of obligation does not apply to her.²⁰

(2) Opponents of OIC might respond that, because setting fires normally has bad consequences or violates people's rights, the conceivable pyromaniac *has a reason* to avoid setting fires, and provides thus a counterexample to P2 (namely to the claim that, by virtue of conceptual necessity, if an agent has a reason to ϕ then ϕ -ing is a potential action of the agent; see §3). This response presupposes a consequentialist or a deontological theory of reasons, but more generally—and this brings us to the second kind of examples—opponents of OIC might ask us to consider ability-independent theories of reasons and of obligations and their implications for P2 and OIC. For example, according to the theory that an agent has a (prudential) reason to do whatever it would be good for her to do, a conceivable nicotine addict who simply cannot quit smoking still has a reason to quit (on the reasonable assumption that it would be good for her to quit). As another example, according to the theory that an agent has a (moral) obligation to do whatever she is commanded by a deity to do, an agent who is thus commanded to attain perfection has an obligation to do so even if (as it is reasonable to assume) perfection is unattainable. These theories may be false, but they look conceptually coherent; and yet they would be incoherent if P2 and OIC were true—or so the objection goes.²¹

In reply consider first some other implications of the above theories. According to the theory that an agent has a (prudential) reason to do whatever it would be good for her to do, an agent has a reason to run faster than light if it would be good for her to do so (e.g., because she would then rescue her baby from an approaching train), and an agent who is being attacked with a nuclear missile has a reason to make the missile vanish into thin air by waving at it (on the reasonable assumption that it would be good for her to make the missile vanish into thin air by waving at it). According to the theory that an agent has a (moral) obligation to do whatever she is commanded by a deity to do, an agent who is thus commanded to drink within the next minute all the water in the Pacific Ocean has an obligation to do so, and an agent who is thus commanded to disprove a (necessarily true) mathematical theorem—say, the Pythagorean theorem—has an obligation to

speaking they can: it is just much harder than resisting isolated impulses. (Imagine a kleptomaniac under constant and overt police supervision.) One might then claim that on my use of 'can' OIC is trivial (cf. Mann 1991: 638). I have already replied to a very similar claim in note 12.

²⁰ But doesn't the claim that the pyromaniac is *not obligated to refrain* from setting fires entail the implausible claim that she is *permitted* to set fires? (Cf. Dahl 1974: 490-1, 495.) No. To be pro tanto obligated or permitted is to be required or allowed *by some reason*; so even if not being required *by a given reason* to refrain from ϕ -ing entails being allowed *by that reason* to ϕ , an agent is pro tanto neither obligated to refrain from ϕ -ing nor permitted to ϕ if no reason applies to her in her situation (as I claim is the case with the pyromaniac during her fits; for an objection see the next paragraph of the text).

²¹ On the divine command theory example see: Forrester 1989: 17-22; Griffin 1996: 92; Kading 1954: 15; Mann 1991: 639; Sayre-McCord 1986: 188; Smith 1961: 372-3. Another example in the literature of an ability-independent theory of obligations is the theory that an agent has an obligation to do whatever she promises to do (cf. Altham 1985: 1-15; Driver 1983: 221; Kading 1954: 14; Martinich 1985: 117, 1987: 323; Searle 1969: 57-61, 178-9; Sinnott-Armstrong 1987: 80, 1988b: 407 n. 3).

disprove it.²² These implications, I take it, are clearly false, and thus so are the above theories.²³ (On the other hand, I am not taking a stand on ability-*dependent* versions of the theories; for example, it may well be the case that, if it would be good for an agent to ϕ and *she can* ϕ , then she has a reason to ϕ .)²⁴

But what about the point that, even if the above theories are false, they look conceptually coherent and their coherence suffices to refute P2 and OIC? The point may seem compelling, but it is fallacious. To see why, consider first how one might explicitly formulate an argument against P2 on the premise that the above theory of reasons is *true* (rather than just *coherent*):

(Q1) Every agent has a reason to do whatever it would be good for her to do.

(Q2) Some agent cannot do something it would be good for her to do.

Thus: (Q3) Some agent cannot do something she has a reason to do.

The argument is deductively valid and Q2 is plausible, but I argued that Q1 is false (because, e.g., Q1 entails that an agent has a reason to do something physically impossible if it would be good for her to do it). The response under consideration replaces Q1 with the weaker premise that Q1 is—conceptually—possible (i.e., coherent), and similarly replaces Q3 with the weaker conclusion that Q3 is possible (noting that this weaker conclusion—strictly speaking given P3—suffices to refute P2). I reply that if the second premise remains Q2 (and a fortiori if it is replaced with the weaker premise that Q2 is possible) the resulting argument is invalid: it is fallacious to infer “possibly (*A&B*)” from “(possibly *A*)&*B*” (let alone from “(possibly *A*)&(possibly *B*)”). Moreover, if Q2 is replaced with the stronger premise that Q2 is necessary, the resulting argument is (valid but) unsound because Q2 is not necessary: in some possible world every agent can do whatever it would be good for her to do. So I see no way to refute P2 on the basis of the claim that Q1 is coherent. (Similarly for OIC.)

²² Similarly, if every counterfactual with an impossible antecedent is true (cf. Lewis 1973: 24-5), then it would be good for you to disprove the Pythagorean theorem, so according to the above theory of reasons you have a reason to disprove it. In response one might grant that nobody has a reason or an obligation to do what is impossible (cf. §5.1; Ross 1939: 109; Smith 1961: 371; White 1975: 153-6), and might restrict the above theories accordingly (cf. Sinnott-Armstrong 1987: 80). This move, however, (1) does not avoid the other implausible implications (of the theories) that I gave, and (2) weakens the putative counterexamples to OIC: if, e.g., an agent who is commanded by a deity to ϕ does *not always* have an obligation to ϕ , why does an agent who is commanded by a deity to attain perfection have an obligation to do so?

²³ Divine command theorists might respond that (1) a deity would never issue such commands, or that (2) no such commands exist: when one utters, e.g., “I command you to disprove the Pythagorean theorem”, one does not succeed in issuing a command (on a similar view about promises—cf. note 21—see: Driver 1983: 222; Martinich 1985, 1987: 323-8; Sinnott-Armstrong 1987: 77-80, 1988b: 399-404). In reply I ask: if either of these responses is accepted, then why not also accept that (1) a deity would never command an agent to do something that the agent cannot do (cf. Copp 2003: 272), or that (2) no command exists to the effect that an agent do something she cannot do (cf., e.g., von Wright 1963: chap. 7)? Then no counterexample to OIC would arise.

²⁴ Similar remarks apply to ability-independent versions of consequentialist and of deontological theories of reasons, so I see no basis for the claim that the conceivable pyromaniac has a reason to avoid setting fires. Opponents of P2 might respond that (1) they just find this claim intuitively plausible and (2) they see no need to justify the claim by appealing to an ability-independent theory of reasons. To (1) I reply that the claim may look plausible because it is confused either with a claim about *real-world* pyromaniacs (who *can* avoid setting fires) or with the claim that, *before* her next fit, the conceivable pyromaniac has a reason to ensure that during her fit she will be unable to set fires. To (2) I reply that those who accept that the conceivable pyromaniac has a reason to avoid setting fires must also accept that *some* ability-independent theory of reasons is true, so their position falls prey to my criticism of such theories.

5. Further objections to OIC

The three objections to OIC that I address in this section, unlike the objections I addressed in §4, rely primarily on formal arguments rather than putative counterexamples. They purport to show that OIC conflicts with certain plausible or at least defensible theses: the is/ought thesis (§5.1), the possibility of hard determinism (§5.2), and the denial of the Principle of Alternate Possibilities (§5.3).

5.1. Objection IV: OIC versus the is/ought thesis

If OIC is true, then the claim that an agent has a moral obligation to do something implies that the agent can do the thing. But then the claim that an agent *cannot* do something (a nonmoral claim) implies that the agent *has no moral obligation* to do the thing (a moral claim), contrary to the (is/ought) thesis that no nonmoral claim implies a moral claim—or so one might object to OIC.²⁵

Different versions of this objection correspond to different versions of the is/ought thesis. Proponents of OIC need hardly worry if OIC contradicts an indefensible version of the thesis, but does a defensible version exist? To start with, the following typical version turns out to be indefensible:

(I/O*) No valid argument has a conclusion that is a moral claim and premises that form a consistent set of nonmoral claims.²⁶

One objection to I/O* considers the disjunction $m \vee n$ of any moral claim m with any contingent nonmoral claim n . If $m \vee n$ is a moral claim, then the valid argument from n to $m \vee n$ is a counterexample to I/O*; and if $m \vee n$ is a nonmoral claim, then the valid argument from $m \vee n$ and $\sim n$ to m is a counterexample to I/O*.²⁷ Another objection to I/O* considers the argument from the (false but consistent) paradigmatically nonmoral claim that no police officers exist to the paradigmatically moral claim that every police officer has a moral obligation to refuse bribes; this argument is valid (it has the form “nothing is A; so, every A is B”) and is thus a counterexample to I/O* (cf. Prior 1960: 202).

Various modifications of I/O* have been proposed in response to such objections. For the sake of definiteness I will focus for the moment on the following restriction of I/O* to arguments with conclusions that are *singular* moral claims, understood as moral claims expressed by asserting or denying that a specific agent S has (or does not have) a moral obligation to ϕ :

²⁵ On versions of this reasoning see: Brown 1977: 206-8; Collingridge 1977, 1980: 121; Frankena 1969/1976: 134, 146-7; Gewirth 1974/1982: 107; Kielkopf 1967; Mavrodes 1964; Morscher 1972: 84-5, 1974: 23, 1984: 432-3; Rynin 1957: 308, 313-6; Shaw 1965; Statman 1995: 37; Tranøy 1972: 117-8; von Kutschera 1977: 13; von Wright 1963: 109-10; White 1975: 157.

²⁶ For similar versions of the is/ought thesis see, e.g.: Brink 1989: 146; Harrison 1967: 70; Prior 1960: 199-201; Rynin 1957: 308; Schurz 1991: 38, 1994: 266, 1997: 68; Searle 1964: 43. There are also versions of the thesis formulated in terms of soundness rather than (deductive) validity (cf. Humberstone 1982: 470, 1996: 149-50; Morscher 1984: 422), as well as nondeductive (cf. Mavrodes 1968: 363-4; Morscher 1974: 12-3, 1984: 423-4) and dynamic (cf. Johansson 1999) versions of the thesis. The is/ought thesis is usually attributed to Hume (1739-40: III, i, 1/1778: 469-70), although disagreement exists on how Hume understood the thesis (see the papers reprinted in Part I of Hudson 1969).

²⁷ Assuming that $\sim n$ is a nonmoral claim; also, that the two premises form a consistent set (if they don't, then the argument from $\sim n$ to $\sim m$ is valid and is thus a counterexample to I/O* if $\sim m$ is a moral claim). On this objection, which was proposed by Prior (1960: 202) and Mavrodes (1968: 354-5), see: Harrison 1967: 70-1; Humberstone 1982: 467-71, 1996: 128; Morscher 1974: 19-20, 1984: 426; Schurz 1991: 38-9, 1994: 266-7, 1997: 10-1, 69.

(I/O) No valid argument has a conclusion that is a singular moral claim and premises that form a consistent set of nonmoral claims.

I/O avoids the above two objections because neither $m \vee n$ nor the claim that every police officer has a moral obligation to refuse bribes is a *singular* moral claim. Now how exactly is I/O supposed to contradict OIC? The current objection to OIC relies on the assumption that, for some S and ϕ , the second premise (i.e., R2) of the following argument is a nonmoral claim and the conclusion (i.e., R3) is a singular moral claim:

(R1) If S has a moral obligation to ϕ , then S can ϕ .

(R2) It is not the case that S can ϕ .

Thus: (R3) It is not the case that S has a moral obligation to ϕ .

If OIC is true, then R1 is conceptually necessary, and is thus a nonmoral claim if every conceptually necessary claim is nonmoral (as proponents of the is/ought thesis typically accept; cf. Brink 1989: 147-8). But then the argument from R1 and R2 to R3, which is valid (by modus tollens) and whose premises form a consistent set, is a counterexample to I/O—or so the objection to OIC goes.²⁸

In reply to this objection one might argue that R2 is a moral claim (Frankena 1969/1976: 146-7); or that R3 is a nonmoral claim;²⁹ or that not every conceptually necessary claim is nonmoral.³⁰ I prefer a different reply: *if* the above reasoning establishes that I/O contradicts OIC, then a parallel reasoning, with “it is logically possible to ϕ ” in the place of “ S can ϕ ”, establishes that I/O contradicts the *ought-implies-logically-possible* principle (OILP). (I am *not* arguing by analogy; my point is rather that, if one accepts for example that R2 is a nonmoral claim, then it seems hard to deny that “it is not the case that it is logically possible to ϕ ” is a nonmoral claim. Similarly for the remaining pieces of the above reasoning and of the parallel reasoning.) But if I/O contradicts OILP, then I/O is implausible: OILP is relatively uncontroversial (cf. van Eck 1982: 267; Wedeking 1969: 135) and is at least implicitly endorsed even by opponents of OIC (Sinnott-Armstrong 1987: 80; Smith 1961: 371; White 1975: 153-6). Therefore, *if* one accepts that I/O contradicts OIC because of the above reasoning, then one should reject I/O (and then there is no reason to reject OIC).

It is important to note that the above reply applies also to versions of the objection that correspond to versions of the is/ought thesis different from I/O. Some people, for example, have argued that, in objections to I/O* such as the two I gave above, the arguments from nonmoral premises to moral conclusions are in some sense “vacuous”. (Note, for example, that from the premise that no police officers exist it follows not only that every police officer has a moral obligation to *refuse* bribes but also that every police officer has a moral obligation to *accept* bribes.) These people have thus proposed restricting I/O* to “non-vacuous” arguments. (This is quite rough; for rigorous formulations see Schurz 1991, 1994, 1997.) But *if* such a restriction of I/O*

²⁸ Even if OIC is true and thus R2 *conceptually* entails R3, R2 does not *logically* entail R3, so if validity in I/O is understood logically, whether syntactically or semantically, (something like) R1 is needed for the objection (cf. Brown 1977: 207-8; Collingridge 1977: 351; Rynin 1957: 314-5). R1 is not needed if validity in I/O is understood conceptually (cf. Mavrodes 1964: 43).

²⁹ E.g., because R3 follows from the nonmoral claim that it is not the case that S exists. Opponents of OIC might respond by adding to R1 and R2 the nonmoral premise that S exists and replacing R3 with the arguably moral (cf. Collingridge 1977: 348-9; Mavrodes 1964: 43) conclusion that S has no moral obligation to ϕ . See also Brown 1977: 206-7; Shaw 1965: 197; White 1975: 157.

³⁰ For my purposes (contrast Brown 1977: 207-8; Collingridge 1977: 351) it would not be an adequate reply to argue just that R1 is a moral claim; this, together with the claim (which the above reasoning uses) that R1 is a nonmoral claim if OIC is true, would entail that OIC is false.

is shown by a reasoning along the above lines to contradict OIC, then it is also shown by a parallel reasoning to contradict OILP; for example, *if* the argument from R1 and R2 to R3 is “non-vacuous”, then so is a parallel argument with “it is logically possible to ϕ ” in the place of “*S* can ϕ ”. So my reply applies also to versions of the objection that correspond to such restrictions of I/O*. My reply does not require me to take a stand on the is/ought thesis itself.

Some opponents of OIC might respond by arguing that even OILP is false. To argue against OILP they might use two premises. First, the premise that in some cases (of moral dilemmas) an agent has both an all-things-considered moral obligation to ϕ and an all-things-considered moral obligation to not ϕ . Second, the premise that an agent who has both an all-things-considered moral obligation to ϕ and an all-things-considered moral obligation to ψ has an all-things-considered moral obligation to both ϕ and ψ ; this is a version of what is known as the “agglomeration principle” (Williams 1965/1973: 180). From these two premises it follows that in some cases an agent has an (all-things-considered, and thus *pro tanto*, moral) obligation to both ϕ and not ϕ , so that OILP is false. It also follows that OIC is false, since OIC entails OILP (assuming that, necessarily, agents can do only what it is logically possible to do). So the above argument is also a separate objection to OIC,³¹ not only a response to my reply to the fourth objection to OIC.

In reply I reject the first premise. A full defense of this rejection requires an investigation into moral dilemmas and deontic logic which I plan to undertake elsewhere, so I will only give a *very* sketchy defense here. An agent’s all-things-considered moral obligation in a given situation corresponds to the combination of *all* moral reasons for action that apply to the agent in her situation. But if combining reasons for action is a commutative and associative operation (like, say, adding numbers), then there cannot be two distinct combinations of all applicable moral reasons for action (any more than there can be two distinct sums of ten given numbers), and there cannot be a case in which an agent has two distinct *all-things-considered* moral obligations. Typical examples of moral dilemmas are cases in which an agent has two distinct *pro tanto* moral obligations (which are equally strong or incommensurable). Now for all I have said it may still be true that in some such case the agent’s all-things-considered moral obligation (which corresponds to the combination of the two reasons to which the two *pro tanto* moral obligations correspond) is an obligation to do the impossible. But even in *such* a case there is just *one* (impossible) all-things-considered moral obligation, not *two*, so the first premise of the above argument fails. To show that such a case exists some other argument is needed.

5.2. Objection V: OIC versus the possibility of hard determinism

A fifth objection to OIC can be derived from a paper by Saka (2000: 97-9). Consider the following argument:

(S1) Necessarily, every agent has an obligation to do only what she can do.

(S2) Possibly, every agent can do only what she does.

Thus: (S3) Possibly, every agent has an obligation to do only what she does (i.e., she does everything she has an obligation to do).

S1 is just OIC. Concerning S2, note that (necessarily) if hard determinism is true—i.e., if determinism is true and is incompatible with the existence of free will—then agents have no free will,

³¹ On variants of this objection to OIC see: al-Hibri 1978: 50-2; Copp 2003: 277-9; Donagan 1984: 300; Haji 2002: 256 n. 13; Lemmon 1962: 150 n. 8, 1965: 47; Margolis 1967: 38-9; Martinich 1987: 329-30; McConnell 1975: chap. 2; Nagel 1972/1979: 74; Routley & Plumwood 1989: 674; Sinnott-Armstrong 1988b: 406; Trigg 1971: 46; White 1975: 149; cf. Fischer 1999: 124, 2000: 362.

so they can do only what they in fact do. Whether hard determinism is *true* is admittedly controversial, but hard determinism is at least (conceptually) *possible*, so S2 is true. S3 follows deductively from S1 and S2, but according to Saka (2000: 98) S3 is false because its negation, namely S5 below, follows from S4:

(S4) Necessarily, every murderer has an obligation to do something (namely to refrain from murdering) that she does not do.

Thus: (S5) Necessarily, some agent has an obligation to do something that she does not do.

To sum up: OIC (i.e., S1) is false because, in conjunction with S2, it entails S3, which is false because its negation (i.e., S5) follows from S4—or so the objection to OIC goes.

In reply note first that, although S5 follows from the *conjunction* of S4 with the assumption that *necessarily some agent is a murderer*, it is unclear why S5 would follow from S4 *alone*. To see the problem, suppose that the above assumption is false (as it clearly is); in other words, suppose that in some possible world *W* no agent is a murderer. But then, given that S4 is only about (all possible) murderers and in *W* no agent is a murderer, why would it follow from S4 that in *W* some agent has an obligation to do something that she does not do? (This does follow from S5, so it *must* follow from S4 if S5 follows from S4.) It seems then that the inference from S4 to S5 is unwarranted because it relies on the false assumption that necessarily some agent is a murderer.³² Moreover, pace Saka, S5 is false: it is conceptually possible that no agents exist (so S3 is true), and it is conceptually possible that there exist only perfect agents who always fulfill their obligations (i.e., who do everything they have an obligation to do, so again S3 is true).³³ I conclude that the fifth objection to OIC fails.

5.3. Objection VI: OIC versus the denial of Principle of Alternate Possibilities

The last objection to OIC that I address in this paper derives essentially from Widerker 1991. Consider the following argument:

(T1) An agent is morally blameworthy for ϕ -ing only if the agent at some time has a moral obligation to not- ϕ .

(T2) An agent at a given time has a moral obligation to not- ϕ only if the agent at that time *can* not- ϕ .

Thus: (T3) An agent is morally blameworthy for ϕ -ing only if the agent at some time *can* not- ϕ .

Both premises, like the conclusion, are understood as universally quantified over ϕ etc. and then prefixed with “by virtue of conceptual necessity”. (Recall from §3 that ϕ ranges over *propositions*: ‘to not- ϕ ’ is shorthand for ‘to make not- ϕ true’.) T1 is supposed to capture a “conceptual link between the notion of moral blameworthiness and that of moral obligation” (Widerker 1991: 223); for example, if you never have a moral obligation to not interrupt Tuesday’s meeting, how could you be morally blameworthy for interrupting the meeting? T2 follows from OIC. (“*Proof*”: If OIC is true, then for *any* proposition ψ you ought to make ψ true only if you can, so you ought

³² I agree with Saka (2000: 98) that S4 (which corresponds to his “It is analytically true that murderers ought to refrain from murder and yet do not”) does not presuppose that murderers exist; my point is that the *inference* from S4 to S5 seems to rely on the assumption that necessarily some agent is a murderer. Saka apparently thinks that the inference relies only on the weaker assumption that necessarily the universe is nonempty; but this does not even entail that necessarily there are *agents*, let alone *murderers*. (For another response to Saka, see Haji 2002: 81-4.)

³³ Opponents of OIC might respond by replacing S2 with: (S2’) possibly, every agent can do only what she does and some agent is a murderer. S2’, in conjunction with S4, entails that S1 is false. I reply that S2’ presumably relies on the assumption that hard determinism is compossible with the existence of murderers, and the conjunction of this assumption with S4 entails the highly controversial claim that it is possible for agents who lack free will to have obligations.

to make not- ϕ true— ϕ being the negation of ψ —only if you can. But ϕ is arbitrary since ψ is, so for *any* ϕ you ought to make not- ϕ true only if you can; so T2 is true.³⁴) T3 follows deductively from T1 and T2, but T3 is highly dubious: T3 can be considered (contrast Copp 1997: 451-2, 2003: 267-8) a special case of the Principle of Alternate Possibilities—“a person is morally responsible for what he has done only if he could have done otherwise” (Frankfurt 1969: 829)—and is vulnerable to “Frankfurt-type examples” (on which I say more below). To sum up: OIC is highly dubious because, in conjunction with T1, it has a highly dubious consequence, namely T3—or so the objection to OIC goes.³⁵

In reply I follow Haji (e.g., 1993) and Zimmerman (e.g., 1993) in rejecting T1. If the argument from T1 and T2 to T3 is to avoid equivocation, then obligation in T1 must be understood as in T2 and thus as in OIC, hence *objectively* (see §2(1)). Contrary to T1, however, in some cases an agent violates no objective obligation but is morally blameworthy for violating a *subjective* obligation. Haji considers a case in which a physician administers a drug to a patient with the malevolent intention of killing him; but unbeknownst to the physician, the patient has a dangerous disease that the drug cures, and is thus saved rather than being killed. Haji (1993: 45, 1994: 121-2, 1997: 528-9, 1998a: 51, 1998b: 358-9, 2002: 194-6) argues that, contrary to T1, the physician is morally blameworthy for administering the drug but has no objective moral obligation not to administer it. One might object, however, that the physician is morally blameworthy not for administering the drug, but rather for violating her objective moral obligation not to *attempt* to kill the patient (cf. Copp 1997: 448-50, 2003: 285-8). This objection is inconclusive (the physician might be blameworthy on *both* counts; see also Haji 1998b: 358-9, 2002: 194-6), but to circumvent it consider a different counterexample to T1: a case of *culpable negligence*. Suppose you have a subjective, all-things-considered moral obligation to push a certain button at midnight: you have every reason to believe that a collision between two trains will be prevented if and only if you push the button. Nevertheless, you inexcusably forget to push the button, and the trains collide. Clearly, you are morally blameworthy for failing to push the button (at midnight). Unbeknownst to you, however, the button was inoperative; so pushing it would have made no difference, and *objectively* you never had an obligation to push it. To this case the above kind of objection does not apply: you did not *attempt* to cause a collision.³⁶

Proponents of T1 might respond by arguing that the following general claim underlies my (putative) counterexample to T1 but is untenable: “An agent S is morally blameworthy for performing

³⁴ One can similarly derive from T2 the restriction of OIC to *moral* obligations. The equivalence between T2 and this restriction of OIC holds because, as I said in §3, ϕ ranges over *all* propositions. If ϕ ranges just over propositions such that ϕ -ing is a potential *action*, then one may well need to distinguish—as Yaffe (1999) and Schnall (2001: 336) do—two versions of the ought-implies-can principle: one for obligations to ϕ and one for obligations to not- ϕ .

³⁵ On versions of this reasoning see: Blum 2000; Copp 1997, 2003; Fischer 1999: 123-4, 2003; Haji 1993, 1994: 126 n. 22, 1998a: 250 n. 10, 2002: 37-41, 54-8; Mellema 2001; Schnall 2001; Widerker 1991, 1995: 257 n. 15; Widerker & Katzoff 1994; Yaffe 1999; Zimmerman 1993, 1996: 85-8. (Contrast Frankfurt 1983/1988: 95-6; Wallace 1994: 204 n. 14.)

³⁶ Assume you had not promised anyone to push the button, nor was it a requirement of your job to push it: you were just a bystander. (Your friend, whose job it was to push the button, had gone for a walk, saying “I will be back before midnight to push the button”; but shortly before midnight you realized that she would not be back in time.) One might argue that if you are blamed for failing to push the button you have “the definitive reply” (Copp 1997: 448, 2003: 287): the button was inoperative, so you had no objective moral obligation to push it. I find this reply ineffective, since by assumption you had every reason to believe that the button was operative (cf. Haji 1998b: 354). David Copp (personal communication, April 19, 2004) has claimed that you are morally blameworthy for failing to take reasonable care (something that you were objectively obligated to do). But this claim, which I can grant, does not contradict my claim that you are (also) morally blameworthy for failing to push the button.

an act A if S believed at the time that he had a moral obligation not to perform A". Widerker and Katzoff (1994), who formulate this general claim, attack it in part on the basis of two examples. (a) A person who strangles his neighbor's canary because a demon makes him do so is not morally blameworthy for doing so even if he believes he has a moral obligation not to strangle the canary. (b) A Nazi who mercifully spares the life of a Jewish child is not morally blameworthy for doing so even if he believes he has a moral obligation to kill the child. In reply I deny that the above general claim underlies my counterexample to T1. I would appeal instead to (something like) the following claim:

(T4) An agent who *inexcusably* violates a *subjective* moral obligation is morally blameworthy for doing so.

T4 is immune to the above two examples: the person who strangles his neighbor's canary has an *excuse* (namely the demon's interference), and the Nazi who believes he has a moral obligation to kill the child is *epistemically unjustified* in believing this and so has no subjective moral obligation to kill the child.³⁷ These brief remarks provide of course no full defense of T4, but for the purpose of rejecting T1 a full defense is unnecessary: even if a counterexample to T4 is found, I can retreat to a restriction of T4 and use such a restriction as a basis for my counterexample to T1. For example, if T4 is rejected because it has the consequence that the Nazi *would* be morally blameworthy for sparing the child's life if his belief that he has a moral obligation to kill the child were false but epistemically *justified*, I can restrict T4 to cases in which the agent holds no mistaken *moral* belief: my counterexample to T1 is such a case.³⁸ It is thus unpromising to attack my counterexample to T1 by attacking general claims that might underlie the counterexample; proponents of T1 had better attack the counterexample directly (if they can).

In response opponents of OIC might use "Frankfurt-type examples" to attack OIC *directly*, without recourse to T1. Suppose that you kill your aunt in cold blood, in order to inherit her huge fortune. Unbeknownst to you, however, a "counterfactual intervener" was monitoring your brain and would have made you decide to kill (and then kill) your aunt if your brain waves had not shown that you were going to decide on your own to kill her. In this example, at some time before you (decide to) kill, you cannot avoid killing your aunt but you have a moral obligation to avoid killing her—or so one might object to OIC.³⁹

In reply I ask: why accept that in the above example you have a moral obligation to avoid killing your aunt? I can grant that in the *absence* of the counterfactual intervener you would have the ability to avoid killing your aunt and a moral obligation to avoid killing her. But it is a common-

³⁷ (I would similarly reply to an example in Copp 1997: 449 and 2003: 287.) In case one demurs at including in the definition of subjective moral obligation the requirement that the agent's *moral* beliefs be epistemically justified, I can instead specify this requirement explicitly in T4.

³⁸ Similarly, consider a third example adduced by Widerker and Katzoff (1994: 286): a physician who believes he has a moral obligation to administer a drug to a patient but chooses instead to watch a football game is not morally blameworthy for not *administering* the drug if (unbeknownst to him) the drug is unavailable. I reply that I do not need to take a stand on this example (cf. note 40): if one agrees with Widerker and Katzoff and thus rejects T4, I can restrict T4 to cases in which the agent *can* do what she has a subjective moral obligation to do (my counterexample to T1 is such a case).

³⁹ On variants of this objection see: Copp 1997: 445-6; Haji 2002: 41-3, 2003: 297-8; Widerker 1991: 224; Zimmerman 1996: 88-9; cf. Strasser 1992: 148-52. The above example assumes that there is an involuntary "prior sign" (a pattern of brain waves) which reliably predicts but does not causally determine your decision. The claim that in such Frankfurt-type examples you cannot avoid acting as you do is subject to objections, and although to address such objections modifications of the examples have been proposed, it is a matter of ongoing debate whether such modifications succeed (cf., e.g., Fischer 1999: 111-23). For the sake of argument I grant that in the above example you cannot avoid killing your aunt.

place that a factor which deprives you of an ability you would otherwise have can make it the case that you do not have an obligation you would otherwise have; for example, a leg injury which deprives you of the ability to swim can make it the case that you have no obligation to rescue a drowning child. (One might deny this by appealing to an ability-independent theory of obligations, but I have dealt with such theories in §4.3.) Opponents of OIC might respond that in this example your leg is actually injured, whereas the counterfactual intervener does not actually intervene. I reply that the presence of the counterfactual intervener makes it the case that you *actually* lack the ability to avoid killing your aunt—or else the putative counterexample to OIC does not even get off the ground. Consider also as an analogy a case in which what deprives you of the ability to rescue a drowning child is the presence of sharks in the water: even if the sharks do not actually intervene because you do not get into the water, you still have no obligation to rescue the child. But what if you are unaware of the presence of the sharks (as you are unaware of the presence of the counterfactual intervener) and you decide not to rescue the child just because you do not like getting wet? Then you are morally blameworthy for deciding not to rescue the child but you still have no *objective* obligation to rescue it; similarly in the example in which you kill your aunt.⁴⁰

Moreover, the information that the intervener does not *actually* intervene is arguably a red herring. It is plausible to claim that what obligations you have at a given time does not depend on what happens *after* that time; for example, whether you now have an obligation to do something does not depend on whether you *will* do it.⁴¹ So if at the time at which the intervener comes into play (and makes it the case that you cannot avoid killing your aunt) you have no moral obligation to avoid killing your aunt in some case in which the intervener *will* intervene, then at that time you have no moral obligation to avoid killing your aunt even in cases in which the intervener will *not* intervene. And if at that time you have no such obligation, I do not see why you would (in the putative counterexample to OIC as described above) acquire such an obligation later on.⁴²

⁴⁰ On versions of the sharks example see, e.g., Fischer & Ravizza 1998: 125. I do not need to take a stand on whether you are morally blameworthy for *not rescuing* (versus *deciding* not to rescue) the child, or more generally on the controversial issue of whether an asymmetry exists between actions and omissions with respect to *blameworthiness* (or responsibility; cf., e.g., Fischer & Ravizza 1998: chap. 5): even if such an asymmetry exists, I do not think it affects my claims about *obligations*.

⁴¹ (1) One might object by appealing to the view that, because determinism is true, you have a moral obligation to do only what you (will) in fact do (cf. §5.2). I reply that on this view you have no moral obligation to avoid killing your aunt if you in fact kill her, so the putative counterexample to OIC fails. (2) One might also object by arguing that, if you have promised to call me every day until I die, then whether you now have an obligation to call me tomorrow depends on whether I will be alive tomorrow. I reply that, even if I will be alive tomorrow, you do not now have an *unconditional* obligation to call me tomorrow; such an obligation you do not acquire until tomorrow. What you now have instead, regardless of whether I will be alive tomorrow, is a *conditional* obligation to call me tomorrow given that I will be alive tomorrow.

⁴² In response opponents of OIC might argue that you did something morally *wrong* in killing your aunt, and something that you do is morally wrong only if you had a moral obligation to avoid doing it (cf. Haji 2002: 41-3; Zimmerman 1996: 88-9). In reply I agree that you did something wrong in the sense of ‘bad’ (and also in the sense of ‘blameworthy’). I deny, however, that you did something wrong in the sense of ‘forbidden’. I deny this because, given my attack in §4.3 on ability-independent theories of reasons, I can claim that the presence of the counterfactual intervener made it the case that you had (*objectively*) no reason to avoid killing your aunt. (So am I saying that you were *permitted* to kill your aunt? I have already replied to a very similar objection in note 20: you were neither forbidden nor permitted.)

6. Conclusion: Is morality too demanding?

There are two main senses in which morality might be thought to be too demanding. First, morality might be thought to be too demanding in the sense of requiring us to do things that we find very *hard* to do, things that constitute significant *sacrifices*. It might be thought, for example, that many of us are morally required to give up our cars, our vacations, and our nice houses so as to devote the majority of our incomes to worthy charities. Second, morality might be thought to be too demanding in the sense of requiring us to do things that we literally *cannot* do, things that go beyond our *abilities*. It might be thought, for example, that I am morally required to save a drowning child even though I cannot save it because I cannot swim.

I find the claim that morality is too demanding in the second sense hard to swallow. In this paper I formulated a principle, OIC, which represents the view that it is conceptually impossible for morality to be too demanding in the second sense. I provided what is to my knowledge a novel argument for OIC, and I defended OIC against every major objection of which I am aware. I conclude that OIC is true: in the second sense morality is *not* too demanding.

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