The principal aim of this book is to develop and defend an analysis of the concept of moral obligation. The analysis is neutral regarding competing substantive theories of obligation, whether consequentialist or deontological in character. It seeks to generate new solutions to a range of philosophical problems concerning the concept of obligation and its application. Among the topics treated are deontic paradoxes, the supersession of obligation, conditional obligation, prima facie obligation, actualism and possibilism, dilemmas, supererogation, and cooperation. By virtue of its normative neutrality, the analysis provides a theoretical framework within which competing substantive theories of obligation can be developed and assessed.

CAMBRIDGE STUDIES IN PHILOSOPHY

The Concept of Moral Obligation

CAMBRIDGE STUDIES IN PHILOSOPHY

The Concept of Moral Obligation

Michael J. Zimmerman
University of North Carolina, Greensboro

CAMBRIDGE UNIVERSITY PRESS

CAMBRIDGE UNIVERSITY PRESS
Cambridge, New York, Melbourne, Madrid, Cape Town, Singapore, São Paulo

Cambridge University Press
The Edinburgh Building, Cambridge CB2 8RU, UK

Published in the United States of America by Cambridge University Press, New York

www.cambridge.org
Information on this title: www.cambridge.org/9780521497060

First published 1996
This digitally printed version 2007

A catalogue record for this publication is available from the British Library

Library of Congress Cataloguing in Publication data

Zimmerman, Michael J., 1951–

The concept of moral obligation / Michael J. Zimmerman.

p. cm. – (Cambridge studies in philosophy)

Includes bibliographical references and indexes.

ISBN 0-521-49706-X (hc)

1. Duty. 2. Responsibility. I. Title. II. Series.

BJ1451.Z56 1996 95-19155

170–dc20 CIP

ISBN 978-0-521-49706-0 hardback
ISBN 978-0-521-03874-4 paperback

Contents

Preface

On October 18, 1993, the *News and Record* of Greensboro, North Carolina, carried the following item:

Dear Ann Landers: I am 37 years old and have never married. I dated a 35-year-old divorced man for five years. "Jack" and I were very much in love. I wore his engagement ring for a year, and we talked of marriage, but we bickered a lot. I assumed this was just our style of communication.

We decided to get premarital counseling about our never-ending arguments. One counselor said our values were too different. Another counselor said we were made for each other. I postponed the wedding because Jack wouldn't continue with the counseling. Also, he wanted to elope, and I wanted a church wedding.

Last January, I went over to Jack's house and caught him with his secretary. It turned out this 21-year-old gorgeous thing had moved in with him. Jack insists that he doesn't love her, but she cooks and cleans for him, which I never did.

Ann, we've been seeing each other behind the secretary's back. We agree that we love each other, but he's afraid he hasn't the will-power or self-discipline to remain true to me. I still want to marry him.

I went to a doctor who told me I was depressed. I've tried dating other men, but I have no desire for them. What should I do?

Indianapolis Dilemma

I record this for two reasons. First, its comic value. Perhaps, as you were reading it, a slight smile played over your lips. I hope so; the rest of this book is dead serious and will afford very little opportunity for amusement.

The second reason is this. A preface should let the reader know what to expect from a book, and I want you to know that you should *not* expect an answer to Indianapolis's question, even if the "should" in her "What should I do?" is a moral one. Nor should you expect answers to any questions remotely like hers. Some people seem to think that the task of moral philosophy is simply to provide answers to such questions; if you are among

these, then this book will sorely disappoint you and I advise you to read no further. Once, many years ago, I wrote a paper on the relation between intrinsic value and the appropriateness of pleasure, and I submitted it to a leading philosophy journal. One referee recommended rejection, saying:

> Actual cases of moral questions and issues are hardly mentioned; yet what else is morality about except Joan wondering whether to leave her husband or have an abortion, Albert wondering whether to tell his grandmother what her doctor just told him, or whether a new bike would spoil his son? That Albert and Joan would find this paper totally irrelevant to their dilemmas, even if they were philosophers and understood it, seems to me to sit very differently than the idea of the ordinary man who knows his coffee-cup is real not being interested in *The Theory of Knowledge* or *Science, Perception, and Reality*... If I were advising Joan, I would tell her to go and read *The French Lieutenant's Woman*, and not this paper, and I consider that a wholly legitimate criticism of a piece of philosophical ethics.

I hope you are as appalled by this as I still am. (If not, then, again, please read no further.) I have found that this referee's attitude is by no means an isolated one, but I find it quite baffling. Joan's situation, whatever it is, may be a difficult one, and certainly moral philosophers may legitimately try their hands at resolving it; but it had never been my intention in the paper even to pretend to be concerned with the resolution of such matters, and to claim that such resolution is the only legitimate task of moral philosophy is utterly preposterous. At any rate, this book attempts something quite different and much less ambitious.

A great deal of contemporary moral philosophy is concerned with finding answers to such general substantive questions as what it is that makes right acts right, what the various virtues and their interrelations are, what constitutes a proper excuse for vile behavior, and so on. These are all very important questions, and moral philosophers (some of them, anyway) are especially well equipped to handle them. But, again, it is not with such ambitious questions as these that this book has to do.

No, the focus of this inquiry is a concept: the concept of moral obligation. The main question that is addressed is not what it is that Joan (or Albert, or Indianapolis) ought to do in particular, nor what it is that makes an act obligatory in general; it is, rather, what it is for an act to *be* obligatory. The task that I have set myself is thus one of conceptual cartography, of mapping the contours of the concept of moral obligation. The goal is simply that of understanding this concept better. This may be a modest goal, but I have found its achievement difficult.

What follows, then, is an unabashed exercise in metaethics. Although you won't find in it an answer to Indianapolis's predicament, you will find answers to these questions (and many more besides): What is the relation between "ought" and "good"? If someone ought to do each of two things, ought he to do both? If he ought to do both, ought he to do each? If someone ought to do something but cannot do it without doing something else, ought he to do the something else? What are imperfect duties? Does "ought" apply only to actions, or does it have broader scope? Ought one to be perfect? Does "ought" imply "can"? If so, can someone divest himself of an obligation simply by rendering himself unable to fulfill it? Can someone succeed in sloughing off an obligation through sheer laziness? Can someone be obligated to do something he cannot avoid doing? Can someone have an excuse for doing something that it was not wrong for him to do? Can something that it was obligatory to do become wrong? Can something that it was wrong to do become obligatory? Are there gradations of obligation and wrongdoing? Can there be obligations without rights? Can someone be obligated to do, or to cause himself to do, wrong? If one person ought to advise another to do something, ought the latter to do that thing? Can someone (Indianapolis, say) be in a genuine moral dilemma? What is the relation between wrongdoing and guilt? Can one go beyond the call of duty? Can it be right to prevent someone from doing what's right? Can two wrongs make a right? If questions like these interest you, please read on.

(Interlude on political correctness. In the last paragraph, I have used "he" in what is intended as a gender-neutral manner. I am quite aware – who these days could not be? – that some find this objectionable. In reply, let me simply quote Judith Thomson, who has recently stated, with customary eloquence, exactly what I would want to say:

> On the other hand, "she" is no better. Indeed, it is in two ways worse. In the first place, prose should be transparent, like a pane of glass through which one sees the thoughts behind it; the use of "she" for these purposes is like a smudge on the pane – it captures the attention. In the second place, those who now use "she" in this way are making a moral point in doing so, a moral point I think entirely right; but it is annoying to have that moral point introduced (with the back of the hand, as it were) into matters it has no connection with – one feels nagged. All the same, "he or she" very soon yields impossible clutter.[1]

I would merely add that "one" also very soon yields impossible clutter, while "they" simply generates barbarisms.)

1 Thomson (1990), p. 3, n. 1.

It is customary for prefaces to include an outline of the text to follow, but frankly I don't think I can say, in brief, much that is useful beyond what a perusal of the Table of Contents will reveal, and so I will not try to do so. Instead, let me just deal with one other preliminary matter, namely, the system of numbering that is adopted in the text. Numbers will be used to refer to chapters, sections, subsections, charts, figures, and tables. The practice that I shall adopt is illustrated in the following examples: Chapter 1, Section 1.1, Subsection 2.1.1, Chart 1.1, Figure 2.1, Table 1.1. I hope this practice is self-explanatory. In no case will such numbers be used alone; in every case it will be explicitly stated whether reference is being made to a chapter, section, chart, and so on. I shall also use numbers to refer to propositions (and portions thereof). Here the numbers will stand alone, but they will always appear within parentheses. (Thus, for example, "(1.1)" refers to the first proposition so treated in Chapter 1.) When, in referring to propositions, I make use of a prime or primes, this indicates a variation on some other proposition. (Thus (2.41′) is a variation on (2.41).) When I make use of a lower-case letter, this indicates a variation on part of some other proposition. (Thus (2.41′a) is a variation on part of (2.41′).) In addition I have employed the capital Roman numerals (I) – (XVI) to refer to certain core analyses of concepts having to do with obligation; (I) – (XII) are introduced in Chapter 2, (XIII) – (XVI) in Chapter 4. Finally, in Chapter 1 I also use the capital letters (A) – (E) to refer to certain portions of propositions that I there call "act-categories." All of this is, I confess, rather cumbersome, but I have sought in vain for a more wieldy method of reference.

Acknowledgments

It is my pleasant duty to acknowledge the help that I have received from others in the writing of this book.

I thank the students in my graduate seminars on obligation given at Brown University in 1984 and 1987. They helped me deal with the material in its early stages of development.

I was awarded a research leave by the University of North Carolina at Greensboro for the fall semester of 1993. This enabled me to complete a first draft of the book. I believe I would still be engaged in writing the book had I not received this leave, and I am very grateful for it.

Several anonymous referees, both for Cambridge University Press and for certain journals, provided penetrating criticism and useful advice concerning portions of the manuscript. I am very thankful for this help. I am thankful, too, for permission to reproduce (often with modification) portions of previously published works. These works are listed in the List of Works Cited as: Zimmerman (1986) – copyright 1986 by D. Reidel Publishing Company, reprinted by permission of Kluwer Academic Publishers; (1987) – reproduced by permission of the editor of the *American Philosophical Quarterly*; (1988b) – reproduced by permission of the editor of *Philosophical Papers*; (1990b) – copyright 1990 Kluwer Academic Publishers, reprinted by permission of Kluwer Academic Publishers; (1992) – copyright 1992 Kluwer Academic Publishers, reprinted by permission of Kluwer Academic Publishers; (1993b) – reproduced by permission of the editor of the *American Philosophical Quarterly*; and (1995a) – copyright 1995 Kluwer Academic Publishers, reprinted by permission of Kluwer Academic Publishers.

I received a great deal of help from a number of other people. It is a distinct pleasure to acknowledge my indebtedness to them here. They are: Neera Badhwar, Randolph Clark, James Coley, Earl Conee, David Copp, Ishtiyaque Haji, David Heyd, Thomas Hill, Jr., Thomas Hill, Sr., Joshua Hoffman, John King, Jarrett Leplin, Alfred Mele, Gregory Mellema,

John Pollock, Gerald Postema, Philip Quinn, Andrews Reath, Gary Rosenkrantz, Geoffrey Sayre-McCord, Ted Sider, Ernest Sosa, Lynne Tirrell, and Gregory Velazco y Trianosky.

Finally, there are four individuals whom I wish to set aside for special mention, since their contribution to the present work has been so extensive.

Peter Vallentyne read a version of the entire manuscript and provided me with numerous detailed comments. He stopped me from making a number of errors and pointed the way to a number of improvements, for all of which I am most thankful.

Terrance McConnell read various versions of the entire manuscript, some portions several times, and always provided helpful and judicious comments. He has set himself a dangerous precedent. As an expert on gratitude, he knows how grateful to him I should be. I think that in this instance, if not in others, I have met the demands of morality.

Roderick Chisholm has been a source of tremendous inspiration to me throughout, and indeed prior to, my professional career. He gave me sound advice and staunch encouragement when I needed them most. His support has been invaluable, and I extend to him my deepest thanks.

Fred Feldman has shaped this work more than any other person. His work on obligation is the source of a great many of the ideas expressed in this book; anyone acquainted with his work will immediately see how much I have lifted practically wholesale from it. In addition, he is a wonderful teacher and an extremely incisive critic ("cruel but fair," as Monty Python might say). Even though he will doubtless find much still to criticize in this book, it is to him that I dedicate it with great gratitude and respect.