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The impossibility of moral conflicts

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The Ohio State University, 1988
THE IMPOSSIBILITY OF MORAL CONFLICTS

DISSERTATION

Presented in Partial Fulfillment of the Requirements for
the Degree Doctor of Philosophy in the Graduate
School of The Ohio State University

By

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* * * * *

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INTRODUCTION

It has been argued historically that the problem presented by moral conflicts is a logical problem. In fact from the time of the Euthyphro onward, a dominant tradition in moral philosophy has agreed on at least one central point: cases of moral conflict display an inconsistency which is an offense to practical logic and ought to be eliminated. However, there has been no clear formulation of the "problem of moral conflicts" and, as a result, precisely what logical problems follow from the possibility of moral conflicts has remained relatively unclear. Consider, for instance, the case presented in the Euthyphro: the conflicting claims in Euthyphro's dilemma, his obligation to respect his father and his obligation to defend human life, are construed as a case of ethical disagreement among the gods: a conflict of ethical beliefs about what is and is not appropriate. But if two beliefs conflict it seems rational to find out which is the true belief, since at most one of the beliefs can be true. In Socrates' view, what is entailed by a moral conflict is the unacceptable conclusion that at least some of the gods have false beliefs and press unjustified claims. But it is not immediately clear, at least, that
there is any logical conflict in the Euthyphro case. The belief that
Euthyphro ought to prosecute his father and the belief that he ought to
be loyal to his father, even if they cannot both be fulfilled, are
logically consistent. Though the gods may disagree about the morally
correct action for Euthyphro, there seems to be no logical grounds for
precluding the disagreement, or the resulting moral conflict.

Similarly, Kant seemed to hold that the possibility of moral
conflicts was ruled out on logical grounds:

Because . . . duty and obligation are in general concepts
that express the objective practical necessity of certain
actions and because two mutually opposing rules cannot be
necessary at the same time, then, if it is a duty to act
according to one of them, it is not only not a duty, but
contrary to duty to act according to the other. It follows,
therefore, that a conflict of duties and obligations is
inconcievable (obligationes non colliduntur). It may,
however, happen that two grounds of obligation, one or the
other of which is inadequate to bind as a duty (rationes
obligandi non obligantes), are conjoined in a subject and in
the rule that he prescribes for himself, and then one of the
grounds is not a duty. When two such grounds are in conflict
practical philosophy does not say that the stronger
obligation holds the upper hand (fortior obligatio vincit), but
that the stronger ground binding to a duty holds the field
(fortior obligandi ratio vincit).3

Kant considered it just obviously impossible that perfect
duties or their grounds could ever be in collision. He also held that it
was impossible for imperfect duties to conflict either with one another or with perfect duties. The case with imperfect duties is less obvious, according to Kant, since it follows indirectly that such duties cannot conflict, because of a condition on rational policies on self-culture or beneficence: viz. that such policies themselves be consistent and must not entail violating other duties, whether perfect or imperfect.  

The difficulty with the Kantian formulation of the problem is that it is just not obvious to many that it is impossible for perfect moral duties to conflict. With respect to imperfect duties Kant says nothing further concerning what is meant by the duties being "consistent", and "not entailing the violation of other duties". Presumably, what is intended is that the duties be logically consistent, and not logically entail the violation of other duties. The possibility of moral conflicts, however, does not in any obvious way logically entail the violation of an agent's duties, perfect or imperfect. What is more, even moral conflicts between ought-claims recommending actions which are logically incompatible are themselves consistent. So, though Kant too claims that moral conflicts present a logical problem, the formulation of the problem remains unclear.

Consider also that several of the Intuitionists also claimed that moral theories which allowed moral conflicts were, in some important sense, inconsistent:
But if I am judging [a particular act] to be right on the whole, and you are judging it to be wrong on the whole, we are certainly making statements each of which means to contradict the other."5

In criticism of Kantian moral theory Ross states:

"... [Kant's] whole theory implies that there are certain types of action, e.g. paying one's debts, or telling the truth, which are always and everywhere our duty, and that we have simply to see that a possible act belongs to such a type to know that it is a duty. Now this leads to the problem of conflict of duties. For example, it is a Kantian duty to keep promises. But suppose that I have promised A to have no secrets from him, and have promised B to keep a secret of his. I cannot keep either promise without breaking the other. ... There must be something which it is right for me to do; but for Kant there cannot be since whatever I do I shall be breaking a moral law."6

Concerning pluralist theories, Ross states:

"... But should the recognition of a plurality of principles be thought to involve inconsistency of principle? That will depend on the nature of the principles. If my principles were, for instance, 'I should always keep a promise' and 'I should always do that which seems likely to produce the most good', these principles, while not formally inconsistent in themselves, would sometimes involve inconsistent consequences; for sometimes the keeping of a promise does not seem likely to produce the most good, and then the one principle would lead to the consequence 'I ought to keep a promise' and the other to the consequence 'I ought to break it."7
Ross carefully defended his theory against the charge of inconsistency by arguing, as is well-known, that the principles which form his theory concern prima facie rather than actual or all-things-considered obligations. Conflicting prima facie obligations, Ross argued, are not inconsistent. Nonetheless, it is not at all obvious, and no argument is presented by Ross, for the claim that conflicting all-things-considered, or actual obligations are logically inconsistent, or entail a logical inconsistency.

The Utilitarians, and in particular J. S. Mill, also seemed committed to the view that any adequate moral theory cannot allow genuine moral conflicts. Mill is even less clear concerning precisely what problem is presented by the possibility of moral conflicts:

"... There exists no moral system under which there do not arise unequivocal cases of conflicting obligation. These are the real difficulties, the knotty points both in the theory of ethics, and in the conscientious guidance of personal conduct. They are overcome practically, with greater or less success, according to the intellect and virtue of the individual; but it can hardly be pretended that anyone will be less qualified for dealing with them, from possessing an ultimate standard to which conflicting rights and duties can be refered. If utility is the ultimate source of moral obligations, utility may be invoked to decide between them when their demands are incompatible. Though the application of the standard may be difficult, it is better than none at all: while, in other systems, the moral laws all claiming independent authority, there is no common umpire to interfere between them; their claims to precedence one over another rest on little better than sophistry, and unless determined, as they generally are, by the unacknowledged
influence of considerations of utility, afford a free scope
for the action of personal desires and partialities. . . ."8

Mill is no doubt concerned about problems arising for moral
theories which allow moral conflicts, or which do not provide a clear
way of resolving such conflict. But aside from the practical problem
of the influence on moral evaluations of personal desires, which is
not peculiar to moral conflict situations, it remains unclear what
problem is presented by moral conflicts.

There is some suggestion elsewhere, however, that Mill is
concerned with the possibility of inconsistency resulting from a
plurality of moral principles:

"... There are not only first principles of Knowledge, but
first principles of Conduct. There must be some standard by
which to determine the goodness or badness, absolute and
comparative, of ends, or objects of desire. And whatever
that standard is, there can be but one; for if there were
several ultimate principles of conduct, the same conduct
might be approved by one of those principles and condemned
by another; and there would be needed some more general
principle, as umpire between them.

Accordingly, writers on Moral Philosophy have mostly felt
the necessity not only of referring all rules of conduct, and
all judgements of praise and blame, to principles, but of
referring them to some one principle; some rule, or standard,
with which all other rules of conduct were required to be
consistent, and from which by ultimate consequence they
could all be deduced. . . ."9
Of course, it is still unclear what Mill has in mind when he refers to the necessity of the rules of conduct being consistent with some one ultimate principle. There seems to be, nonetheless, some problem for Mill concerning some type consistency of moral principles. And the problem does seem to arise as a result of moral conflicts between those principles.

More recently there have been contractarian views which do not allow for moral conflicts. John Rawls has made it a formal constraint on the choice of ethical principles that there be an appropriate ordering on conflicting claims:

"... A further condition is that a conception of right must impose an ordering on conflicting claims. This requirement springs directly from the role of its principles in adjusting competing demands. ..."10

And further on Rawls states:

"... Taken together, then, these conditions on the conception of right come to this: a conception of right is a set of principles, general in form and universal in application, that is to be publicly recognized as a final court of appeal for ordering the conflicting claims of moral persons. ..."11

Rawls provides no clear justification for his conditions on the 'theory of right'. He states only that if the principles of justice are to play their role of assigning basic rights and duties and determining
the division of advantages, the conditions stated 'seem natural enough'. Rawls says nothing further in attempting to justify the conditions. It does seem natural to many that a theory of justice should attempt to order conflicting claims, but the force of the "naturalness" is unclear. There are several who claim that it is unnatural, and unfair to the facts to require that a moral theory always provide a way of resolving moral conflicts.12

Most recently there have been several attempts to vindicate the intuition which has been expressed so far that moral theories which do not preclude the possibility of genuine moral conflicts are in some sense logically flawed. The logical problem resulting from the possibility of genuine moral conflicts, it has been argued, admits of clear and precise formulation in terms of standard deontic logic, (SDL). The thesis that genuine moral conflicts are possible, it is argued, can be shown in a fairly straightforward way to be logically inconsistent with the axioms of standard deontic logic. The attempt to formulate the problem of genuine moral conflicts in terms of standard deontic logic has several virtues. First, it shows clearly that, whatever the actual problem that has concerned moral theorists, the claim that moral conflicts are possible does generate a logical problem. Second, the deontic formulation of the problem is independent of any specifically ethical assumptions, and so presents a problem for ethical theory in general. Third, given the acceptance of the thesis that moral conflicts are possible, the commitments
required to maintain a logically consistent ethical theory are clearly specified. That is, the lines of a solution to the problem become clear: the resolution of the problem straightforwardly requires either forfeiting the thesis that genuine moral conflicts are possible, or forfeiting one or more principles of standard deontic logic.

The most recent attempt to formulate the problem of genuine moral conflicts in terms of standard deontic logic is the subject matter of chapter (I) of the dissertation. It is argued in chapter (I) that, in spite of the recent arguments, standard deontic logic does not possess the expressive resources needed to formulate the problem of moral conflicts. As a result it follows that the possibility of genuine moral conflicts is not logically inconsistent with the principles of standard deontic logic. More importantly, many of the recent arguments both in favor and against the thesis the genuine moral conflicts are possible are thereby vitiated, since the arguments depend, in large part, on the formulation of the problem of moral conflicts in terms of (SDL). It is argued further in chapter (I) that the main difficulties in attempting to formulate the problem of genuine moral conflicts in terms of (SDL) are that standard deontic logic provides the logic of what ought-to-be in morally ideal situations, and that standard deontic logic is the logic of impersonal norms. The problem of genuine moral conflicts can be adequately formulated, it is argued, only in a logic of personal norms specifying what a moral agent ought to do in a given set of circumstances. There
is no attempt in chapter (I), however, to reformulate the problem of moral conflicts in the logic of 'ought-to-do'.

Chapter (II) is devoted exclusively to arguments directly in favor of the thesis that genuine moral conflicts exist. These arguments do not depend on the formulation of the problem of genuine moral conflicts in terms of standard deontic logic. It is argued in chapter (II) that the arguments which have been presented in favor of the thesis depend on an analysis of the concept of 'appropriate guilt-feeling'/ 'appropriate regret-feeling' which is seriously flawed. It is concluded that there are no convincing arguments in favor of the relatively strong thesis that genuine moral conflicts exist. As a result, the problem, if any, presented by moral conflicts depends on arguments in favor of the weaker thesis, that genuine moral conflicts are logically possible, which are independent of the arguments in favor of the stronger thesis. However, these arguments are not discussed in chapter (II).

In chapter (III) the problem of genuine moral conflicts is reformulated in an extension of von Wright's classical deontic logic, (CDL). It is shown in chapter (III) that the weak thesis that genuine moral conflicts are logically possible is inconsistent with the principles of classical deontic logic. The intuition, then, that the possibility of genuine moral conflicts results in logical inconsistency is vindicated in chapter (III). The principles of (CDL) which are inconsistent with the thesis that genuine moral conflicts are possible
are each discussed at length in chapter (III). It is argued that the relevant principles are each plausible candidates for logical truths, and that each is much less susceptible to counterexample than their (SDL) counterparts. This result is particularly important, it is argued, since several of the arguments in favor of the weak thesis that genuine moral conflicts are possible are directed against the deontic principles precluding such conflicts. The direct arguments in favor of the weak thesis is also presented in chapter (III). It is concluded that, given the arguments so far forth, and in spite of the plausibility of the principles of (CDL), the burden of proof is on those who deny the weak thesis and argue that genuine moral conflicts are logically impossible.

The remainder of the project is devoted to the attempt to show that genuine moral conflicts are logically impossible. The chapters which immediately follow are concerned with the most recent fully developed attempts to argue directly against the weak thesis. The arguments do not challenge the weak thesis by appeal to the principles of classical deontic logic, but rather appeal to the nature of practical reasoning in cases of moral conflict. Chapter (IV) is concerned with R. M. Hare's approach to the problem of moral conflicts. On Hare's account moral reasoning is divided into two levels: the intuitive level and the critical level. According to Hare, the de facto restriction of moral reasoning to the intuitive level results in the appearance of irresolvable moral conflict. Reasoning at
the critical level, according to Hare, provides a resolution to the apparent conflict in each case. R. M. Hare's approach is ultimately unsuccessful, it is argued, since the weak thesis is consistent with Hare's claim that, in fact, every moral conflict situation may be resolved at the critical level of moral reasoning.

In chapter (V) another recent attempt to directly refute the weak thesis is considered. Azizah Al-Hibri Cox treats the problem of moral conflicts as presented in the weak thesis as one of the paradoxes of deontic logic: viz. the conflict-of-duty paradox. Cox's general line for resolving the conflict of duty paradox is adopted from Bengt Hansson. According to Hansson, the general lines of a solution is to point out that the concepts involved are ambiguous: one sense is employed when the deontic axioms are judged to be acceptable, another sense is employed when the theorem derived from those axioms is said to be counterintuitive. The counterintuitive theorem derived from the deontic axioms is the consistency theorem: the consistency theorem precludes the logical possibility of genuine moral conflicts. Cox argues, following Hansson, that the consistency theorem applies only to all-things-considered obligations, not to prima facie obligations. According to Cox, all apparent cases of genuine moral conflict can be treated as cases of "conflict" between prima facie obligations. As a result, Cox argues, moral conflicts present no logical problems at all, and the weak thesis is false. It is argued in chapter (V), however, that though Cox is correct in arguing
that each moral conflict situation can be interpreted such that a
resolution to the conflict is forthcoming, this does not entail that the
weak thesis is false.

It is assumed on both the account provided by R.M. Hare and the
account provided by Azizah Al-Hibri Cox that genuine moral conflicts
between all-things-considered obligations are logically impossible.
Both Hare and Cox appeal to an analysis of obligation according to
which 'ought' is ambiguous: on one sense of 'ought' conflict are
logically possible, but are not problematic; on another sense of
'ought' conflicts are not logically possible. The problem of moral
conflict according to each of these accounts is the result of failing to
note the ambiguity of certain deontic statements. In chapter (VI),
however, it is argued that the direct argument in favor of the weak
thesis challenges precisely the assumption that moral conflicts
between all-things-considered obligations are logically impossible.
Direct arguments against the weak thesis, then, clearly cannot be
based on the assumption that such conflicts are in fact impossible. It
is argued in chapter (VI) that adequate direct arguments against the
weak thesis require the following: (i) the refutation of proposed
analyses of the concept of an all-things-considered which do not
preclude moral conflicts, and (ii) the proposal of an alternative
analysis of an all-things-considered obligation which does preclude
moral conflicts. Conditions (i) and (ii) are presented and met in
chapter (VI).
Chapter (VII) begins a detailed discussion of the indirect arguments in favor of the weak thesis that genuine moral conflicts are logically possible. The indirect arguments in favor of the weak thesis are attempts to refute the claim that the principles of deontic logic are in fact logical truths. If the deontic principles which preclude the possibility of moral conflicts are not logical truths, but rather, say, ethical truths holding in morally ideal worlds, then it cannot be argued that genuine moral conflicts are impossible on the basis of those principles. Proposed refutations of each of the relevant deontic principles are considered in chapter (VII). It is argued that though the indirect arguments are in fact genuine refutations of several of the theorems of standard deontic logic, the principles of classical deontic logic are unaffected by the indirect arguments. It is shown in chapter (VII), in fact, that the relevant theorems of classical deontic logic give rise to none of the well-known paradoxical results of their counterparts in standard deontic logic. It is concluded in chapter (VII) that the indirect arguments in favor of the weak thesis are unsuccessful, that the weak thesis is false, and that genuine moral conflicts are logically impossible.
Notes

2 Euthyphro, (7E-8E)
5 See W. D. Ross, The Foundations of Ethics, (Oxford University Press, 1939), p. 24. In the context in which Ross makes the foregoing claim his attempt is to refute a version of subjectivism (what Ross refers to as 'the private view') which does not allow that there is any logical incompatibility between the two evaluations.
7 ibid., pp. 88-89.
9 See John Stuart Mill, A System of Logic, Rationative and Inductive (New York: Harper and Brothers, 1884), Book 6, Chapter 12, Section 7.
11 ibid., p. 135.
13 See G.H. von Wright, 'Deontic Logic', Mind, Vol. LX, No. 237, (1951). Added to von Wright's classical deontic logic are the alethic operators, '☐' and '☐', and the causal operators 'M' and 'L'. Von Wright's system CDL was chosen since it is the simplest deontic logic in which the problem of moral conflicts can be formulated.
14 For the most fully developed presentation of Hare's position see R. M. Hare, Moral Thinking: its Methods, Levels and Point, (Clarendon


CHAPTER I.
Moral Conflicts and Deontic Logic

The problem of genuine moral conflicts has traditionally been formulated in terms of standard deontic logic.¹ The thesis that genuine moral conflicts exist, when rendered in standard deontic logic, it has been argued, is logically inconsistent with certain other fundamental moral principles as formulated in (SDL). The dispute between those who argue in favor of the existence of genuine moral conflicts, and those who argue against their existence, has traditionally been a dispute concerning the appropriate way to avoid the derivation of an inconsistency in standard deontic logic², and to avoid the derivation of an inconsistency in moral reasoning insofar as it is reflected in standard deontic logic. On the one hand, it is argued that the proper way to avoid the derivation of an inconsistency in (SDL) is through the rejection of the thesis that genuine moral conflicts exist. On the other hand, it is argued that since there is good independent evidence for the thesis that genuine moral conflicts exist, such conflicts should be viewed as counterexamples to one or more of the principles of standard deontic logic. The consistency of moral reasoning, insofar as it is reflected in (SDL), is then restored.
through the rejection of a deontic principle, rather than through
rejecting the thesis that moral conflicts exist.

The claim that genuine moral conflicts, as formulated in terms
of standard deontic logic, are logically inconsistent with certain
other axioms of deontic logic will be referred to as the inconsistency
thesis or (IT). The inconsistency thesis can be stated as follows:

(IT) The thesis that genuine moral conflicts exist is
inconsistent with the axioms of SDL.

The claim in (IT) is fairly strong. In order for (IT) to be true, it
must be the case not only that (a) the existence of genuine moral
conflicts is inconsistent with the axioms of SDL, but also that (b) the
thesis that genuine moral conflicts exist can be adequately rendered
in SDL. Nonetheless, it seems that those who argue against the
possibility of genuine moral conflicts, and those who argue in favor
of their possibility, have assumed the truth of (IT).

Determining whether condition (a) has been met is a fairly
straightforward matter. Once the thesis that genuine moral conflicts
exist has been rendered in SDL, (a) is true if and only if that thesis is
shown to be logically inconsistent with the deontic axioms. It is a
rather difficult matter, however to show that condition (b) has been
met. Meeting condition (b) depends on the criteria for adequately
rendering ordinary deontic discourse in the formal language of
standard deontic logic. The adequacy criteria change, of course, depending on the fragment of ordinary discourse in question. For instance, the set of sentences comprising Chisholm's contrary-to-duty paradox, it has been argued, is intuitively logically consistent and non-redundant (i.e. each of the sentences is logically independent). As a result, any formalization of the sentences in SDL must preserve those properties. Any adequate formulation of the thesis that there are genuine moral conflicts, it will be argued, must meet the following conditions:

(1) Moral conflicts must be represented as conflicts between ought-claims recommending actions whose descriptions are not logically incompatible.

The motivation for (1) is two-fold. First, the genuine moral conflicts for which some evidence has been provided are, in general, conflicts between ought-claims recommending actions which are, at best, physically incompatible: i.e. such that performing both actions would entail the violation of some physical law, or law of nature, rather than some logical law. Second, no single coherent moral standard can entail ought-claims recommending actions whose descriptions are logically incompatible. Two independent moral standards, or a single incoherent moral standard, may entail ought-claims recommending actions whose descriptions are logically incompatible, however it can be shown that the result is not a genuine moral conflict. Condition (1) will be discussed in section (2).
(2) The conflicting ought-claims must be represented as logically inconsistent with the relevant deontic theorems.

There is good reason to hold, it seems, that genuine moral conflicts, at least as they are rendered in ordinary deontic discourse, are inconsistent with a plausible version of the 'ought-can' principle, and with certain closure principles, viz. a plausible version of the agglomeration principle, and a principle of closure under logical consequence. In fact, both those arguing in favor of the existence of genuine moral conflicts and those arguing against their existence maintain that the thesis that genuine moral conflicts exist is logically inconsistent with some version of the relevant deontic theorems.

In section (2) it is argued that representing plausible cases genuine moral conflicts in SDL as it stands does not result in any logical inconsistency. It is argued in section (3) that SDL cannot plausibly be modified such that genuine moral conflicts between ought-claims recommending actions (states of affairs) whose descriptions are not logically incompatible present a logical problem (it clearly involves rejecting some version of the 'ought-can' principle, since it involves restricting accessible worlds to those
physically compatible with the actual world). As a result, it is concluded that criterion (2) cannot be met in standard deontic logic.

The third and fourth conditions are as follows:

(3) The conflicting ought-claims must express all-things-considered obligations, rather than prima facie obligations.

(4) Conflicting ought-claims must be relativized to particular circumstances.

Conditions (3) and (4) result from the consideration of intuitive cases of moral conflict. Genuine moral conflicts simply do not occur between prima facie obligations, and, in general, conflicts arise given a certain set of contingent circumstances. Condition (3), in fact, follows from condition (1) above, but is nonetheless worth emphasizing. Conditions (3), it seems, can be met in standard deontic logic, however condition (4) cannot. Relativizing ought-claims to particular circumstances requires a conditional form of deontic logic, which does not contain the axioms of SDL.

The final adequacy criterion on the formal representation of genuine moral conflicts is as follows:

(5) Conflicting ought-claims must be represented as personal, rather than impersonal norms.
Paradigm cases of genuine moral conflicts are, it seems, conflicts between the obligations of a particular individual, or group of individuals. Intuitive cases of genuine moral conflicts cannot be represented as conflicts between *impersonal* ought-claims then, since such ought-claims do not entail either particular obligations, or general obligations. It is argued in section (5) that standard deontic logic is not the logic of personal ought-claims, and that SDL cannot be modified such that personal ought-claims can be represented.

It is concluded, generally, that standard deontic logic cannot adequately represent the thesis that genuine moral conflicts exist. And it is concluded that condition (b) cannot be met in SDL. If it can be shown that (b) is false, however, it does not follow that the existence of genuine moral conflicts no longer presents a challenge to the consistency of moral reasoning. The falsity of (b) establishes that the existence of genuine moral conflicts does not result in an inconsistency when combined with the axioms of *standard deontic logic*. The problem presented by the existence of genuine moral conflicts might best be formulated in terms of some non-standard deontic logic. It should also be noted that if (b) is false, it does not follow that there is any greater reason to believe that there exist genuine moral conflicts of any kind. The denial of (b) entails only that the problem of genuine moral conflicts has been mistakenly formulated. An adequate reformulation of the problem may, in fact, hasten the rejection (T1).
2. Relevant Kinds of Genuine Moral Conflicts:

In what follows we will consider the kinds of genuine moral conflicts for which there is good evidence. The thesis that there exist genuine moral conflicts rendered in ordinary deontic discourse has the following two forms:

(T1) There exist cases such that two all-things-considered moral ought-claims, Op and Oq, conflict in a particular circumstance, C, such that:

1. Some moral agent is required (morally) to fulfill Op and to fulfill Oq in circumstances, C.
2. It is not possible to perform both p and q in C.
3. Neither of the ought-claims is morally overriding in C.
4. Each of the ought-claims is morally binding in C.
5. No further moral consideration is relevant to solving the conflict in circumstances, C.

Alternatively, consider the following:

(T1') There exist cases such that two moral ought-claims, Op and Oq, conflict in a particular circumstance, C, such that:
(1') Some moral agent is morally required to fulfill Op and Oq in C.
(2') It is not possible to perform both p and q in C.
(3') One of the ought-claims is morally overriding in C.
(4') Each of the ought-claims is morally binding in C.
(5') There are no further morally relevant considerations in C.

"Conflicts" which are instances of (T1') have not always been categorized as a genuine moral conflicts.\(^5\) However, in moral conflicts of the kind presented in (T1'), it has been argued that regardless of which ought-claim the moral agent fulfills, he has done something wrong. (T1') seems, then, also to represent a kind of genuine moral conflict.

Most types of genuine moral conflicts have the form either of (T1) or (T1'). However, there are important differences among genuine moral conflicts not noted in the schematic formulation of the thesis. It is particularly important to distinguish kinds of genuine moral conflicts on the basis of clause (2) of (T1), and clause (2') of (T1'). Depending on how the 'possibility' operator is interpreted in clause (2) and (2'), genuine moral conflicts may contain ought-claims which recommend actions, specified in p and q, which are such that it is logically impossible, or physically impossible, or contingently impossible (or etc.) to perform both of the actions specified in p and q. Typically, arguments for the existence of genuine moral conflicts
are arguments for the existence of conflicts between ought-claims which recommend actions which are contingently incompatible, rather than physically or logically incompatible.

Bernard Williams presents the following as an instance of a tragic case of genuine moral conflict of the kind presented in (T1'): Agamemnon at Aulis is told by a seer that he must sacrifice his daughter to satisfy a goddess who is delaying at Aulis his expedition to Troy. Agamemnon accepts that his duty to carry out his mission takes priority over sparing his daughter, and he sacrifices her. Williams observes and argues that Agamemnon may well have regretted his terrible deed because of his belief that he ought to have spared his daughter's life, even though it was morally best not to do so.6 Williams explicitly confines himself to the discussion of, and defense of, the existence of genuine moral conflicts which have a contingent basis.7 Genuine moral conflicts which have a contingent basis are those conflicts between ought-claims which recommend actions which, because of some contingent matter of fact, cannot both be performed. That is, the actions recommended by the conflicting ought-claims are not described by logically incompatible propositions. In the Agamemnon case, the matter of fact which resulted in the conflict of ought-claims was the dictate of a particular goddess. However, it seems clear that there is no need to appeal to fictional gods to illustrate cases of genuine moral conflicts with a contingent basis.
E. J. Lemmon employs a fairly simple illustration of a genuine moral conflict borrowed from Plato. Suppose a friend leaves you with his gun, saying that he will return for the gun in the evening, and you promise to return the gun when he calls. Suppose further that your friend returns for the gun in a distraught condition, demands his gun, and announces that he is going to shoot his wife because she has been unfaithful. Since it is assumed that it is morally wrong to be even indirectly responsible for a murder, it seems that one ought not to return the gun. But, since one promised to return the gun, one ought to return the gun. Now, the ought-claims are misleadingly formulated here so that what is recommended by the ought-claims appears to be intrinsically inconsistent. In fact, the basis of the conflict is the contingent fact(s) that one's friend returned for the gun in a distraught condition, his wife was unfaithful, etc. In the situation that Lemmon presents the following ought-claims hold: One ought to keep one's promise, and one ought to refrain from killing, even indirectly. As a matter of contingent fact, given the circumstances, one cannot do both. Now, it follows only as a matter of causal consequence in this situation that refraining from killing requires failing to keep a promise, so that it does not follow immediately from the fact that one ought to fail to keep the promise that one ought to refrain from killing in this situation. The intuitive appeal of this inference, however, makes the case appear to be one involving
Intrinsically inconsistent ought-claims. In fact the case contains contingently conflicting ought-claims.

Another case of genuine moral conflict often cited is a case attributed to J. P. Sartre:

I will refer to the case of a pupil of mine who sought me out in the following circumstances. His father was [during the war] inclined to be a "collaborator"; his elder brother had been killed in the German offensive of 1940 and this young man, with a sentiment somewhat primitive, but generous, burned to avenge him. His mother was living alone with him, deeply affected by the semi-treason of his father and by the death of her oldest son, and her consolation was in this young man. But he, at this moment, had the choice between going to England to join the Free French Forces or of staying near his mother and helping her to live.

The genuine moral conflict illustrated here also has a contingent basis. There is a conflict between what is morally required in this case only because of given the contingent facts of the case, the young man's avenging the death of his brother would require that he join the Free French in England. This case is also typically cited as an illustration of (T1').

There are also a set of arguments in favor of genuine moral conflicts which do not appeal to specific, intuitive, cases of moral conflicts, but rather appeal to the logic of modal auxiliary 'ought'. These arguments are typically for the possibility of moral conflicts between ought-claims which recommend actions whose descriptions
are logically incompatible. The arguments attempt to show that it is not only the case that 'ought' and 'ought not' are not contradictories, but that 'ought' and 'ought not' are not even contraries. As a result it is argued that it is not logically impossible for two ought-claims which recommend logically incompatible actions to conflict.

It has been argued for example, that 'ought not' is not the proper negation of 'ought'. It seems certainly true, for example, neither that I ought to be playing chess nor that I ought not to be playing chess. Clearly, then, 'ought' and 'ought not' are not contradictory. But it does not seem that they are even contraries. Consider the case of the modal verb 'must' and its contrary 'must not'. It follows from the claim that 'S must do Q' that 'Q is done'. Otherwise, it is not the case that 'S must do Q'. If it is true that 'S must not do Q' it follows that 'Q is not done'. There is a clear sense in which these two claims can be shown to be contraries: they cannot both be true, given what follows from the claims. The case is quite different with 'ought' and 'ought not', however. It does not follow from the fact that 'S ought to do Q' that 'Q is done', and it does not follow from the claim that 'S ought not to do Q', that 'Q is not done'. Unlike the case with 'must' and 'must not', the fact that they are both true does not in any obvious way entail a contradiction. It is argued, as a result, that the two ought-claims do not appear to be contraries. Moreover, if they are not contraries, it does not follow from the logic
of 'ought' that conflicts between ought-claims recommending logically incompatible actions can be ruled out on logical grounds.

There are further arguments for the possibility of genuine moral conflicts which appeal to the logic of 'ought'. Those arguing against the possibility of genuine moral conflicts have argued that the claim 'it ought to be the case that p' implies that 'it is permitted (morally unobjectionable) that it be the case that p'. Similarly they have argued that the claim 'ought not' implies 'not permitted'. But then it follows that if it ought to be the case that p, then it is permitted that p, and hence it cannot be true that it ought not to be the case that p. As a result, p and ¬p can never both be such that they ought to be the case. Those arguing in favor of the possibility of genuine moral conflicts typically contend that arguments such as the one presented above preclude the possibility of genuine moral conflicts only on the assumption of ethically biased deontic principles. It is argued that, for example, the claim that 'it ought to be that' does not logically imply 'it is permitted that it be the case that'. In fact, it is argued, the position that there is any relation between the two claims is a substantive ethical position which requires further argument. It seems to follow, then, that the possibility of genuine moral conflicts between ought-claims recommending actions whose descriptions are logically incompatible cannot be ruled out on logical grounds.
There are, however, convincing arguments against even the possibility of genuine moral conflicts between ought-claims recommending actions whose descriptions are logically incompatible. The possibility of genuine moral conflicts between ought-claims recommending actions whose descriptions are logically incompatible entails either that (a) the moral standard resulting in the "conflict" is not unique, or (b) there are two conflicting moral standards giving rise to the "conflicting" ought-claims. This can be demonstrated straightforwardly by consideration of the relevant theorems for a standard deontic logic without the consistency axiom, viz. \( \models (O \land O \neg A) \). In standard deontic logic, on the basis of the closure principle, \( \models (O \land O B) \rightarrow O (A \land B) \), the consistency axiom is provably equivalent to a version of the 'ought-can' principle, viz. \( \models \neg O F \). The consistency axiom states that it is not the case that it ought to be the case that \( A \) and that it ought to be the case that \( \neg A \), or that it is not the case that there are conflicting ought-claims recommending actions whose descriptions are logically incompatible. The deontic closure principle states that obligations are closed under logical consequence. And the 'ought-can' principle states that logically impossible states of affairs are not obligatory. Since the consistency axiom is provably equivalent to the 'ought-can' principle on the basis of the closure principle, if the consistency axiom is rejected then the closure principle must be rejected. But the rejection of the closure principle amounts to the denial of the assumption that each world has a unique
moral standard. If the moral standard of a given world is not unique, the account of the meaning of 'O' is that a sentence of the form OA is true at a possible world just in case that world has a non-empty class of deontic alternatives (ideal worlds relative to that world) throughout which A is true.13 For each given world there are possibly empty collections of non-empty classes of worlds functioning as moral standards. What ought to be the case is what is entailed by one of these moral standards. But this is just to say that either the 'O' operator in standard deontic logic is now treated as ambiguous, in which case it is assumed that moral conflicts are the result of employing two or more distinct moral theories to evaluate 'ought' sentences, or alternatively that 'ought' sentences are evaluated by a "single" moral theory which is itself incoherent. The latter, "single", theory is best represented as a collection of theories each of which is individually coherent.14 This is to say, however, that moral conflicts arise because moral agents may wish to subscribe simultaneously to competing accounts of the evaluation of 'oughts', or because the best theory available to them cannot resolve conflicting 'oughts'. It is undeniable, however, that distinct moral theories can be contrived such that they recommend actions whose descriptions are logically incompatible. The only logical condition on devising such theories is that they be consistent, and this condition is easily met. But to "subscribe" to distinct moral theories is to maintain only that it is possible that, relative to one moral standard, it ought to be that A,
and relative to another moral standard, it ought to be that not-A. It is to deny, however, that relative to all of the morally relevant facts, it ought to be that A and it ought to be that not-A. What fails to be considered from the point of view of each moral theory is the value or values deemed morally relevant by the competing moral theory. By hypothesis, the moral agent in such a "conflict" subscribes to both moral theories, hence by hypothesis the moral agent ought to considered the values of each of the theories he subscribes to as morally relevant. Since the agent does not do this, it is not the case that all-things-considered it ought to be that A and that all-things-considered it ought to be that not-A. Though distinct moral theories may recommend actions whose descriptions are logically incompatible, it is not the case that such theories may recommend, all-things-considered, actions whose descriptions are logically incompatible. But this is just to deny that genuine moral conflicts between ought-claims recommending actions whose descriptions are logically incompatible are possible, since such ought-claims can both be true only on the assumption of distinct moral theories.

It has been argued in section (2) the genuine moral conflicts for which some evidence has been presented have the form either of (T1) or (T1'). Several cases of what have been presented as typical or intuitive examples of genuine moral conflicts were discussed. It was shown that those cases are instances, typically, of moral conflicts between ought-claims recommending contingently incompatible
actions. It was argued as well that genuine moral conflicts between ought-claims recommending actions whose descriptions are logically incompatible do not present any problems for standard deontic logic. The arguments which have been presented in favor of the possibility of such moral conflicts show at best that 'OA' and 'O~A' are not contraries, but they do not show that a single moral theory might entail that all-things-considered it ought to be that A and all-things-considered it ought to be that ~A. 'OA' and 'O~A' might both be true, but only on the assumption of distinct moral theories, and this, it was argued, does not result in a genuine moral conflict. In section (3), the problem presented by genuine moral conflicts, as it has been traditionally formulated, will be considered.

3. The Traditional Problem of Genuine Moral Conflicts:

It was noted above that those arguing in favor of the thesis that there exist genuine moral conflicts, and those who argue against the thesis, are in agreement concerning the particular problem presented by genuine moral conflicts. The problem of genuine moral conflicts was presented in the inconsistency thesis, (IT): the thesis that there exist genuine moral conflicts (of the kind for which there is some evidence) is inconsistent with the axioms of standard deontic logic. It was noted as well that (IT) depends, at least, on there being an adequate rendering of that thesis in the formal language of standard deontic logic.
Traditionally, no problem has been noted in representing \((T1)\) and \((T1')\) in (SDL). It has been assumed to be a rather straightforward matter. It has seemed an equally straightforward matter, once \((T1)\) and \((T1')\) were rendered in (SDL), to show that those theses were inconsistent with other fundamental principles of standard deontic logic. In what follows it will be assumed, initially, that condition (b) is correct: that there is an adequate rendering of \((T1)\) in SDL. Given the assumption of (b), there will be an attempt to show that \((IT)\) holds as well. That is, there will be an attempt to follow the traditional argument that the thesis that there exist genuine moral conflicts results in the inconsistency in (SDL). It will be argued that, in spite of traditional arguments, even under the assumption of (b), it cannot be shown that \((IT)\) holds.

If it can be shown that, even under the assumption of (b), \((IT)\) does not follow, there seem to be at least two conclusions which can be drawn. It may be concluded that, after all, the existence of genuine moral conflicts does not present any problem for moral reasoning. On the other hand, it may be concluded that standard deontic logic cannot adequately represent \((T1)\) or \((T1')\). That is, it may be argued that the initial assumption was incorrect. If (b) is incorrect, then the attempt to formulate the problem of genuine moral conflicts in terms of standard deontic logic is mistaken. It will be argued, in what follows, that, in fact, (b) is incorrect, and the existence of genuine moral
conflicts do present a problem for moral reasoning, but not a problem for standard deontic logic.

Standard deontic logic is formed by introducing into the language of propositional logic sentences of the form 'OA', which are meant to express propositions of the form, 'it ought to be the case that A'. In (SDL) 'O' is prefixed to propositions describing states of affairs (or describing actions), rather than to names of particular actions, or kinds of acts. The operator, 'O', is meant to represent the concept of deontic necessity. Standard deontic logic is axiomatized by the following schemas,

\[
\begin{align*}
\text{OC.} & \quad (O A \land O B) \rightarrow O(A \land B) \\
\text{ON.} & \quad O T \\
\text{OD.} & \quad -OF
\end{align*}
\]

altogether with the following rule of inference:

\[
\begin{align*}
\text{ROM.} & \quad A \rightarrow B \\
& \quad OA \rightarrow OB
\end{align*}
\]

(OC.) is a deontic distribution axiom. It states that if any two states of affairs ought to be the case, then their conjunction ought to be the case. 'T' is a constant for truth, so that (ON.) states that all tautologies (theorems) ought to be the case. 'F' is a constant for falsity. So that, (OD.) states that no contradictions ought to be the
case, or nothing which is impossible ought to be the case. (OD.) is, then, a version of the 'ought-can' principle. (ROM.) is a deontic closure principle. It states that if a state of affairs is implied by a state of affairs which ought to be the case, then it ought to be the case.

Before presenting the traditional formulation of (T1) in (SDL), it will be useful to present the following theorems (and definition) of (SDL)^16:

\[
\begin{align*}
\text{OD}^* & \; \equiv \; \neg (\text{OA} \land \text{O}-\text{A}) \\
\text{CP} & \; \equiv \; \square (\text{A} \implies \text{B}) \implies (\text{OA} \implies \text{OB}) \\
\text{IK} & \; \equiv \; \text{OA} \implies \Box \text{A} \\
\text{Df.P.} & \; \equiv \; \text{PA} \implies \neg \text{O}-\text{A}
\end{align*}
\]

(\text{OD}^*) is the principle of deontic consistency. It states that it is not the case that A ought to be the case and that not-A ought to be the case. (CP) is derivable from (ROM) and the alethic rule of necessitation. It states that if A logically entails B, then if it ought to be the case that A, then it ought to be the case that B. (IK) is a version of the ought-can principle, and follows from (ROM),(OD), if the alethic rule of necessitation is adopted for (SDL). (K) states that if it ought to be the case that A, then it is logically possible that A.

Given the forgoing theorems of (SDL), it is a fairly straightforward matter to present the traditional argument that from
the thesis that there exist genuine moral conflicts to the inconsistency of (SDL). There are at least three different arguments which attempt to establish the inconsistency thesis:

(IT1):

1. Op
2. Oq
3. ¬◊(p & q)
4. (Op & Oq)→◊(p & q) 1,2 OC.
5. Op & Oq 1,2 PL
6. Ø(p & q) 4,5 PL
7. Ø(p & q)→◊(p & q) IK
8. ¬◊(p & q) 3,7 PL

(IT2):

1'. Op
2'. Oq
3'. ¬◊(p & q)
4'. ◊(p→¬q)→◊(Op→¬q) CP.
5'. ◊(p→¬q) 3', PL, Df.
6'. Op→◊¬q 4',5' PL
7'. Oq→◊¬q OD*
8'. Ø¬q 1',6' PL
9'. ¬O¬q 2',7' PL

(IT3):

1''. Op
2''. O¬p
3''. ¬◊(p & ¬p)
4''. Op→◊Pp OD*, Df.P.
5''. Pp 1'',4'' PL
6''. Pp<→◊¬p Df.P.
7''. ¬O¬p 5'',6'' PL, (2'',7'' *@!18)
In each of the three arguments attempting to establish the inconsistency thesis, the first three premisses render the claim made in (T1) in terms of (SDL). The claim, that is, that there exist genuine moral conflicts. On the assumption of (T1), they attempt to derive an inconsistency given the axioms of (SDL). However, the only clearly valid argument is (IT3). The validity of (IT1) and (IT2) depends on how certain ambiguous premisses are read.

Consider the argument (IT1). If (IT1) is attempting to establish the inconsistency thesis, then the first three premisses of the argument must render in (SDL) the kinds of genuine moral conflicts for which some evidence has been provided. It was noted in section (2) that the kind of moral conflicts for which evidence has been provided were conflicts between ought-claims recommending contingently, or, sometimes, physically, incompatible actions. Rendering genuine moral conflicts of that kind in (SDL) requires a certain reading of premise (3) in the foregoing argument. Specifically, (3) must be read as stating that 'p' and 'q' are either contingently incompatible, or physically incompatible. But if premise (3) is read as stating the contingent incompatibility of 'p' and 'q', then (IT1) is not a valid argument. Premise (8) cannot be derived from (3) and (7) in the argument, given the present reading of (3). This is because (7), the IK principle, states that 'if it ought to be the case that A, then it is...
logically possible that A. Since premise (3) states only that 'p' and 'q' are contingently impossible, (8) does not follow from (3) and (7).

Obvious solutions to this problem suggest themselves. It may be argued that the (IK) theorem should be given a stronger reading. Or it may be argued that if a principle stronger than (IK) cannot be derived in (SDL), a stronger principle should be added as an axiom to (SDL). Either of these suggestions would restore validity to (IT1). These suggestions will be considered in what follows. However, it should first be determined whether (IT2) is valid or invalid.19

The problem with (IT2) is similar to that of (IT1). In order for premisses (1')-(3') to represent the kind of genuine moral conflicts for which there is some evidence premise (3') must express the contingent or, at best, the physical incompatibility of 'p' and 'q'. But then, if (5') is derived from (3'), then, at best, it expresses the physical necessity of the claim, (p \rightarrow q). But since (4') states that claims of what ought to be the case are closed under logically necessary consequence, it is not the case that (6') follows from (4') and (5'). And, as a result, (IT2) is also an invalid argument.

Again, certain solutions to the problem with (IT2) seem to suggest themselves. In particular, it would seem that (IT2) can regain its validity if we add, as an axiom of (SDL), a stronger version of (CP). For example, it might be reasonable to suggest that claims of what ought to be the case should be closed under causal consequence, rather than just logical consequence. The possibility of amending
(SDL) in that way will be considered in what follows. But consider, first, the validity of (IT3).

(IT3) is straightforwardly valid. And it appears to present the most serious challenge to the consistency of moral reasoning as represented in standard deontic logic. However, in section (2) it was argued that the evidence for the kind of genuine moral conflicts presented in (IT3) was evidence from the logic of 'ought-to-be'. It was argued that two ought-claims which recommended actions whose descriptions are logically incompatible could both be true. The argument was an attempt to show that such ought-claims are not contraries. However, though the truth of OA and O~A does present a challenge to the consistency of standard deontic logic, it was shown in section (2) that since they can both be true only on the assumption of at least two distinct moral theories and the assumption of an ambiguous operator 'O', they do not represent a genuine moral conflict. As a result, (IT) does not follow from argument (3). It might be argued, however, that the kind of genuine moral conflict occurring in (IT3) can be derived from the kind of moral conflicts presented in (IT1) or (IT2). That is, it might be the case that there is no need to assume two distinct moral theories in order to maintain that it is true both that it ought to be the case that A and that it ought to be the case that ~A. If there is good evidence for the latter kind of moral conflict occurring in (IT1) and (IT2), then there is good evidence for the kind of conflict occurring in (IT3). More importantly, if such an
argument can be provided, then it will be clear how the kind of
genuine moral conflicts occurring in (IT1) and (IT2) present a problem
for standard deontic logic, and to moral reasoning insofar as it is
reflected in (SDL). Consider the following argument:

(IT4):

<table>
<thead>
<tr>
<th>(1*) Op</th>
<th>A</th>
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<tbody>
<tr>
<td>(2*) Oq</td>
<td>A</td>
</tr>
<tr>
<td>(3*) ◻(p &amp; q)</td>
<td>A</td>
</tr>
<tr>
<td>(4*) ◻(p-&gt;q)</td>
<td>CP</td>
</tr>
<tr>
<td>(5*) ◻(p-&gt;q)-&gt;(p-&gt;q)</td>
<td>3*, PL</td>
</tr>
<tr>
<td>(6*) (p-&gt;q)</td>
<td>4*, 5* PL</td>
</tr>
<tr>
<td>(7*) O-&gt;q</td>
<td>1*, 7* PL</td>
</tr>
<tr>
<td>(8*) ~o(q &amp; ~q)</td>
<td>RN, Df.◦</td>
</tr>
<tr>
<td>(9*) Oq-&gt;Pq</td>
<td>OD*, Df.P</td>
</tr>
<tr>
<td>(10*) Pq</td>
<td>2*, 9* PL</td>
</tr>
<tr>
<td>(11*) Pq&lt;-&gt;q</td>
<td>Df.P</td>
</tr>
<tr>
<td>(12*) ~O-&gt;q</td>
<td>10*, 11* PL</td>
</tr>
<tr>
<td></td>
<td>7*, 12* #!</td>
</tr>
</tbody>
</table>

The assumption of (IT4) is that there exist the kind of genuine
moral conflicts which occur in (IT1) and (IT2). Those are the kind of
genuine moral conflict for which it was argued, in section (1), there
was some evidence. Clearly then the argument in (IT4) is not based on
the assumption of distinct moral theories which contain intrinsically
conflicting principles. On the basis of (1*)-(3*), the kind of genuine
moral conflict which occurs in (IT3) is derived, viz. (2*),(7*) and
(8*). But then, as has already been noted, it seems that on the
assumption of the kind of genuine moral conflicts for which there is
some evidence, (SDL) can be shown to be inconsistent.
However, (IT4) is invalid for reasons similar to those which show (IT2) invalid. In (IT4), (6*) does not follow from (4*) and (5*), since in the antecedent of (5*) it is stated that '-q' is logically entailed by 'p', but in (4*) it is stated that, at best, '-q' follows from 'p' as a matter of physical necessity. However, since (IT4) and (IT2) fail for the similar reasons, the suggestions noted above concerning ways to restore the validity of (IT2) would also restore validity to (IT4). These considerations, as well as those proposed for restoring validity to (IT1), will be discussed in what follows.

Before considering how (IT1)-(IT4) might be modified and improved, it is important to note that, so far forth, none of the traditional arguments for the inconsistency thesis have been found plausible. That is, even on the assumption of (b) above, no plausible arguments for (a) could be provided. The only valid argument for (a) on the basis of (b) was (IT3). However, it was shown that though (IT3) is valid, it does not assume that there are genuine moral conflicts. Rather it assumes the truth of ambiguous ought-claims recommending actions whose descriptions are logically incompatible. Though (IT4) seemed the most promising argument for the inconsistency thesis, it was also shown to be invalid. As has been noted, there are ways of altering (IT1), (IT2) and (IT4) which would restore the validity of those arguments. In section (IV.) below, it will be argued that the attempt to restore validity to (IT1), (IT2) and (IT4) would require the addition of certain axioms to (SDL) which do not describe the logical
behavior of the type of 'ought'-claim occuring in (SDL). That is, the axioms which must be added do not govern the entailments which seem to hold between sentences containing the type of 'ought' occuring in (SDL). It is argued, as a result, that those axioms cannot form part of (SDL), and the traditional arguments for the inconsistency thesis fail.

4. Moral Conflicts and the Logic of 'Ought-to-be':

When 'O' appears as a deontic symbol in a particular logic, it allows for various interpretations. 'Oa' is variously interpreted as: 'it ought to be the case that a', 'it is obligatory that a', 'S ought to do a', 'S is obliged to do a', and so on. It is important to note that not all of these renderings have the same truth-conditions. Theorems which seem intuitively valid when 'O' is rendered as 'ought-to-be' often will not be valid when 'O' is rendered as, for example, 'ought-to-do'. In standard deontic logic, and in typical deontic logics, 'O' is rendered as 'it ought to be the case that'.

There are various reasons for claiming that on some renderings of 'O', certain proposed axioms are, or are not, intuitively valid. For example, some renderings allow for iterated formulations (for instance, 'ought-to-be'), and some renderings do not, (for instance, 'ought-to-do'). So that a proposed theorem, for example 'O(Op→p)', is simply not a well-formed sentence if the operator is read as
'ought-to-do', but it is often taken as part of the logic of 'ought-to-be'. Another way of determining whether a proposed theorem governs the entailments which seem to hold between sentences containing a particular type of 'ought' is to consider the inferences which seem to be licensed in the contexts in which those sentences are typically uttered. If the proposed theorem licenses inferences between the relevant type of ought-claims which seem, in particular contexts, unintuitive, then it is argued that in fact the proposed theorem is not part of the logic of that type of 'ought'. The effort then is to provide a counterexample to inferences licensed by the proposed axiom from the usage of the relevant type of 'ought' in natural language.

In section (3) it was shown that the arguments for the inconsistency thesis presented in (IT1), (IT2) and (IT4) were invalid. It was noted, however, that given the addition of certain axioms to (SDL), it was possible to regain the validity of each of the arguments for the inconsistency thesis. In what follows it will be argued that the axioms required to restore the validity to (IT1), (IT2) and (IT4) are not part of the logic of 'ought-to-be'. Since standard deontic logic is the logic of 'ought-to-be', it is argued that the relevant axioms do not form a part of (SDL).

It was suggested in section (3) that (IT1) would be a valid argument if premise (7) were read in the following way:
(7") If it ought to be the case that p and q, then it is physically possible that p and q.

Since (7") is not an instance of the IK axiom, it was suggested that a stronger version of the axiom be added to (SDL). Let 'M' be the physical possibility operator. The suggestion, then is to add the following to (SDL):

\[ \text{IK". OA} \rightarrow \text{MA} \]

With the addition of (IK"), (IT1) becomes a valid argument.

With respect to (IT2) and (IT4), it was argued that a stronger version of (CP) would restore validity to those arguments. Letting 'N' be the physical necessity operator, consider the following principle:

\[ \text{CP". N(A} \rightarrow \text{B)} \rightarrow \text{(OA} \rightarrow \text{OB)} \]

If (4') is rendered as an instance of (CP"), then (IT2) will be a valid argument, and (4') will be read:

(4") If p entails \( \neg q \), as a matter of physical necessity, then if it ought to be the case that p then it ought to be the case that \( \neg q \).
Moreover, if \((5^*)\) is rendered as an instance of \((CP^*)\), then \((IT4)\) is a valid argument. Since \((CP^*)\) is not a theorem of standard deontic logic, it was suggested that \((CP^*)\), or even a stronger version of \((CP)\), be added to \((SDL)\).

In determining whether \((CP^*)\) and \((IK^*)\) could be added to standard deontic logic, there will be an attempt to apply \((CP^*)\) and \((IK^*)\) in certain specific cases of moral reasoning. The application of those principles will license certain inferences, and the acceptability of those principles will depend on whether those inferences are intuitive or unintuitive. Ultimately, it will be argued that the inferences licensed by \((CP^*)\) and \((IK^*)\) are fairly straightforwardly unintuitive.

Consider, first, the following case which illustrates the use of the type of 'ought' occurring in \((SDL)\): Suppose a nineteenth-century humanitarian visits a nineteenth-century factory where children have to do all of the dirtiest jobs and, as a result, do not usually live to the age of sixteen. On seeing this the humanitarian is deeply shocked, and says, out loud or to himself, 'Children ought not to die like this'. Now, that statement does not seem to say that 'Children ought to make a point of not dying like this', but rather that 'It ought not to be the case that children die like this'. It seems clear, as well, that the moral judgement is not about the particular children involved, but is about a particular situation or state of affairs which is
morally undesirable. It states that it ought not to be that a particular state of affairs obtains. That is, if everything were morally right with the world, then such a state of affairs would not obtain. The type of 'ought' occurring in the case above has been referred to as the 'ideal ought' and is typically paraphrased in the following way:

(1) In the ideal state of affairs it is (or, is not) the case that p.

Now, let's consider whether (CP") is a principle governing inferences between sentences containing the 'ideal ought'. Consider the following case: Suppose that one has, unwittingly, promised to devote all of one's time and energy to the Peace Corps and to Save the Whales. Suppose further that it is physically impossible to devote the promised amount of one's time and energy to both the Peace Corps and to Save the Whales. It would require, say, being in two places at the same time. Now, consider the following argument employing (CP"):

(2) It ought to be the case that S devote all of S's time to the Peace Corps.
(3) It ought to be the case that S devote all of S's time to Save the Whales.
(4) If S devotes all of his time to the Peace Corps then it is physically necessary that S does not devote all of his time to Save the Whales; so if it ought to be the case that S devotes all of his time to the Peace Corps, then it ought to be the case that S does not devote all of his time to Save the Whales.

(5) It ought to be the case that S does not devote all of his time to Save the Whales.

In the argument above (4) is presented as an instance of (CP'). And (5) is derived on the basis of (2) and (4). Now, if (CP') were an acceptable axiom of (SDL), then the argument presented should be, intuitively, valid. But the argument is not intuitively valid. That is in reasoning about the ideal state of affairs, it is possible to maintain that:

(2') In the ideal state of affairs S devotes all of S's time to the Peace Corps.

and

(3') In the ideal state of affairs S devotes all of S's time to Save the Whales.

At the same time deny that:
(5') In the ideal state of affairs S does not devote all of S's
time to Save the Whales.

In reasoning about the ideal state of affairs one is not bound to hold
(5') on the basis of (2') and (3'), because the state of affairs in which
(CP") holds is less ideal than the state of affairs in which (CP") does
not hold. If this is the case, as it appears to be in the case above, then
it follows that (CP") does not hold in the ideal state of affairs, and
does not govern inferences between sentences containing the ideal
'ought'. To the claim that one is logically bound to hold (5') if one
maintains (2') and (3'), one may reply that in the ideal state of affairs
it should not be the case that (CP") holds, i.e. it ought not to be the
case that one is logically bound. In reasoning about the ideal state of
affairs one is not bound by the particular causal relations, or physical
laws, that happen to hold in the actual world. But this is to say that
the inferences licensed by (CP") do not always hold. The inference
licensed by (CP") then is, at least in some cases, unintuitive. As a
result, (CP") cannot be accepted as an axiom of (SDL).

It is not difficult to show that (IK") is not one of the principles
governing inferences between sentences containing the ideal 'ought'.
Consider the following case. Suppose that if $S$ could be in two places
at the same time, then $S$ would be able to prevent $T$ from being run
over by a truck at time $t_1$, and prevent $U$ from being run over by a
truck at time \( t_1 \). Given the principle \((IK')\), it is not possible for \( S \) to maintain the following claims:

\[
(6) \text{ It ought to be the case that } S \text{ prevents } T \text{ from being run over at } t_1.
\]

\[
(7) \text{ It ought to be the case that } S \text{ prevents } U \text{ from being run over at } t_1.
\]

But (6) and (7) make claims about the ideal state of affairs. Though in fact \( S \) is bound by the physical laws in the actual world, nothing seems to prevent him from claiming that in the ideal state of affairs it would not be the case that \( S \) was bound by physical laws. For, it seems true to say that it would be a morally better world in which (6) and (7) were true, and where \( S \) was not bound by physical laws, than the world in which he is bound by physical laws, and (6) and (7) do not hold. But to hold that (6) and (7) are both true is to deny \((IK')\). So, it seems that the stronger version of the \((IK)\) theorem is not an axiom of \((SDL)\) either.

Consider, however, the following reply based on the typical model-theoretic semantics for standard deontic logic. A typical model for standard deontic logic is an ordered triple:

\[
M = \langle W, R, V \rangle
\]
where $W$ is a non-empty set (informally a set of possible worlds or cases or realizable states, or etc.), and where $R$ is a binary relation in $W$ the content of which is such that for all $u,v$ which is a subset of $W$, $uRv$ if and only if everything which is ideal in $u$ is realized in $v$. $R$ is assumed to be serial in $W$, i.e. every world has at least one ideal deontic alternative. Formally the serial restriction on $R$ can be stated as follows:

\[ R(\text{serial}) \cdot: \forall u (u \text{ is a member of } W \implies \exists v (v \text{ is a member of } W \& u R v) \]

Finally, $V$ is a valuation function which assigns $T$ or $F$ to each atomic sentence at each world. For all non-modal operators, truth and falsity in a model are defined inductively. The truth-conditions for the deontic operator 'O' is as follows:

\[ \text{CO. } M \models_u \text{Op if and only if } M \models_v p \text{ for every } v \text{ such that } u R v. \]

(CO.) states that 'Op' is true at a world, $u$, if and only if 'p' is true in every morally ideal world, $v$, relative to $u$.

Now, the theorems of standard deontic logic are validated by the class of all serial frames, so that regardless of what further restrictions are placed on $R$, the theorems will be validated. Now consider the following further restriction on $R$: 
R(Phys.) \( Vu,v(u,v \text{ is a member of } W \text{ then if } u \ R \ v, \text{ then } v \text{ is physically compatible with } u) \).

\( R(\text{Phys.}) \) states that all deontic alternatives, \( v \), to a world, \( u \), are such that they are physically compatible with \( u \): i.e., they have the same physical laws, etc. Now, given the added restriction on \( R \), viz. \( R(\text{Phys.}) \), all of the SDL theorems and also \( (K^*) \) and \( (CP^*) \) are valid formulas. And as a result, it seems that arguments (1)-(4) do show that the inconsistency thesis is correct.

There is however a serious problem with modifying SDL in the foregoing way. In effect, what has been shown is that there are frames that validate all of the theorems of SDL, and also the desired axioms, and that the resulting logic is reasonably called standard deontic logic. It might be called it \((SDL+)\). It does not follow from the foregoing argument, however, that \( (K^*) \) and \( (CP^*) \) are plausible candidates for axioms of SDL, or any non-standard deontic logic. In fact, in spite of the foregoing argument, it is not difficult to reject \( (K^*) \) and \( (CP^*) \) as plausible candidates for logical truths (or even ethical truths).

Consider, first, the version of the ‘ought-can’ principle, \( (K^*) \). \( (K^*) \) states that if a state of affairs is obligatory, then it is a physically possible state of affairs. Now, there are particularly forceful arguments for some versions of the ‘ought-can’ principle
which are inapplicable here. It is typically argued that ought implies can because a moral agent cannot be blamed for not doing what he cannot do. And if he cannot be blamed for doing the action, then he cannot be under an obligation to do it. And it follows that an agent's being under an obligation to do some action implies that he can fulfill that obligation. However, whatever the merits of this type of argument, it is inapplicable here. Standard deontic logic is the logic of impersonal norms, rather than the duties or obligations of a particular individual or group of individuals. Since impersonal norms do not entail particular obligations, it does not follow that anyone can be blamed for failing to "fulfill" an impersonal norm. It should be noted however, that there is no need to appeal 'individual blame' to argue in favor of the principle (K). (K) states that if a state of affairs is obligatory, then it is logically possible. The argument in favor of (K) is just that in fact no logically impossible state of affairs is realizable. As a result, a logically impossible state of affairs cannot obtain in any world including morally ideal worlds. If a state of affairs cannot be realized in an morally ideal world, it cannot be obligatory. There is, that is, a logical justification for (K), though there is no moral justification. However, there is neither a logical nor a moral justification for (K*).

Consider, now, the principle (CP*). (CP*) states that if a given state of affairs causally entails another state of affairs, then if the former state of affairs ought to be the case, then the latter state of
affairs ought to be the case. It seems that there are at least no clear intuitive grounds for adopting (CP'). There seem to be no obvious moral grounds for adopting the principle (CP') either. Consider the following forceful type of argument for a version of the causal closure principle which is irrelevant here. It might be argued that individuals are agents of whatever they cause to occur. So that, S's flipping on the light caused the burglar to be alerted, then S alerted the burglar.\(^\text{24}\) If it ought to be the case that S flip on the light, then it ought to be the case that (or minimally it is permissible that) S alert the burglar. But, again, whatever the merits of this line of argument, it cannot be employed in justifying (CP'). (CP') makes a general claim about impersonal rather than personal ought-claims. So clearly no appeal to the responsibility of a particular agent for the causal consequences of his actions is applicable. Consider, however, the principle (CP). There are, at least, logical reasons for adopting (CP). If it is the case that \(\Box(p \rightarrow q)\), then \((p \rightarrow q)\) holds in every world, including all deontically perfect worlds. And if it is the case that \(Op\), then \(p\) holds in all deontically perfect worlds. Now, unless one rejects the logical rule of modus ponens, \(q\) also holds in every deontically perfect world. And it follows that \(Oq\). Since there is no reason to reject the rule modus ponens, there is no logical reason to reject (CP). However, there is no analogous argument in favor of (CP').

It was argued at the outset that both those who argue in favor of the existence of genuine moral conflicts and those who argue
against their existence maintain that such conflicts present a logical problem for standard deontic logic. However, if the problem of genuine moral conflicts is formulated in SDL+, it seems that such conflicts present no serious problem at all. The deontic principles which are inconsistent with the claim that genuine moral conflicts exist are fairly easily and straightforwardly dismissed. In effect, formulating the problem of genuine moral conflicts in the logic of (SDL+) violates adequacy condition (2), since there is no plausible defense of the deontic principles which are inconsistent with the thesis that genuine moral conflicts exist. There is a further difficulty with formulating the problem of genuine moral conflicts in SDL or SDL+. There seems to be no way to represent personal ought-claims in either SDL or SDL+. There will be a fuller discussion of the possibility of defining personal ought-claims in terms of impersonal ought-claims in section (5) below.

5. Standard Deontic Logic and Personal Ought-Claims:

There are reasons, aside from the fact that the most typically presented cases of moral conflicts would present no problem at all for standard deontic logic, against the claim that (T1) or (T1') can be adequately formulated in (SDL). There are, that is, important conditions of (T1) and (T1') which cannot be captured in (SDL). Consider clause (1) of (T1) and clause (1') of (T1').
(1) Some moral agent is required (morally) to fulfill Op and Oq in C.

If it is supposed that the moral agent in the conflict situation is Jones, then the statement of clause (1) or (1') is rendered in (SDL) as follows,

(2) It ought to be the case that Jones does p.

and

(3) It ought to be the case that Jones does q.

But (2) and (3) state impersonal 'ought-claims'. (2) does not state that 'Jones ought to do p' and (3) does not state that 'Jones ought to do q'. The idea of who is to realize the obligation is not considered. The statement in (2) and the statement in (3) is formally the same as the statement,

(4) It ought to be the case that there is no pain in the world.

They are meant to state something about the universe which is not conceived as an agent, but as the totality of all existents and all facts.25 What is stated in (2)-(4) can be stated by prefixing 'In the
ideal state of affairs' to the corresponding indicatives in each of (2)-(4), as in,

(2') In the ideal state of affairs Jones does p.
(3') In the ideal state of affairs Jones does q.
(4') In the ideal state of affairs it is not the case that there is pain.

Now, given that (2')-(4') in fact correctly paraphrase (2)-(4), then it is not possible to state clause (1) or (1') in (SDL). For clause (1) states that some particular individual has an obligation to do something, and something else. The correct rendering clause (1) or (1'), requires an ought-claim which is "action-guiding". Any obligation expressed by a claim containing 'ought-to-be' is not action-guiding, but rather an impersonal ought-claim.

It has been argued, however, that personal ought-claims can be analyzed in terms of the impersonal ought-claim. The possibility of providing such an analysis is first suggested by Hintikka. In the current version of standard deontic logic the variables and quantifiers range over (in Hintikka's case) individual acts, not individual persons. As a result, there is no way to say either (i) that the acts are obligatory for a particular person or group of persons, or (ii) that some acts are obligatory for some, but not all, persons. An obvious strategy to try is to relativize ought-claims to particular
individuals and to groups of individuals. It was noted above that, semantically, standard deontic logic could be characterized in the following way. A model is a structure

\[ M = \langle W, R, V \rangle \]

where \( W \) is a set of possible worlds, \( R \) is a binary relation in \( W \), and \( V \) is a valuation function which assigns a truth-value to each atomic sentence at each world. Now, in order to attempt to analyze personal obligations in terms of impersonal obligations, add the letters \( a, b, c, \ldots \) as arbitrary free individual person variables. Let \( U \) be the class of all free individual-person variables. Let \( A \) be an arbitrary subset of \( U \). The deontic operators, \('O'\) and \('P'\), can now be relativized to subsets of \( U \). \( O_{A} \) and \( P_{A} \) are deontic operators relativized to \( A \), where \( A \) is a subset (perhaps a proper subset) of \( U \). \( P_{A}p \) is read as '\( p \) is permissible for the members of \( A \)' or, for short, '\( p \) is permissible for \( A \)'. \( O_{A}p \) is read '\( p \) is obligatory for \( A \)'. As usual, \( P_{A}p \) is definable in terms of \( O_{A}p \) (or, vice versa):

\[
(D.1) \quad P_{A}p \iff O_{A}p
\]

If \( A \) is a unit set, \( A = \{a\} \), where \( a \) is a member of \( U \), then \( O \) and \( P \) are relativized to a single individual. \( O_{a}p \) and \( P_{a}p \) are read as 'it is obligatory for \( a \) that \( p \)' and 'it is permissible for \( a \) that \( p \)', with "impersonal" deontic modalities, the following truth-conditions hold, as was noted above:
CO. \( M \models_U Op \) if and only if \( M \models_V p \) for every \( v \) such that \( u \) \( R \) \( v \).

The case is analogous for relativized modalities, however, \( v \) cannot be just any arbitrary deontic alternative to \( u \). It must be an alternative with respect to some subset of \( A \), say, to \( \{a\} \), i.e. an \( \{a\} \)-alternative. Since deontic modalities are relativized to individuals (or groups) the relation of alternativeness, \( R \), must also be relativized. Alternativeness with respect to \( \{a\} \), then, is represented by \( R_{\{a\}} \). \( u \) \( R_{\{a\}} v \) will be read as ' \( v \) is a deontic alternative to \( u \) with respect to \( \{a\} \)' or as ' \( v \) is an \( \{a\} \)-alternative to \( u \)'. This holds generally for any subset \( A_j \) of \( U \). A relativized frame then is an ordered \( n \)-tuple of the following form:

\[ F_{rel} = \langle W, R_{A1}, R_{A2}, \ldots, R_{An-2}, R \rangle \]

For any \( i \) in the interval \( 1 \leq i \leq n-2 \), the \( R_{Ai} \) are each two place relations on \( W \), i.e. \( R_{Ai} \) is a subset of \( W^2 \). Intuitively, \( n \) is two plus the number of subsets to which a given formula, or set of formulas, is relativized. The truth-conditions for the relativized obligation operator is the following:

\[ OC.R \quad I = U O_{A_i} p \text{ if and only if } I = V p \text{ for all } v \text{ such that } u \ R_{Ai} v \]

That is, \( p \) is obligatory for the individual (or group), \( A_i \), if and only if \( p \) holds in all \( A_i \)-alternatives \( v \) to \( u \). Clearly, the truth-
conditions for the relativized obligation operator is analogous to the truth-conditions for the unrelativized obligation operator, OC.

Now, relativized frames (or models) involve $R$ as well as $R_{AJ}$. If personal ought-claims are to be analyzed in terms of impersonal ought-claims, then some relation between $R$ and $R_{AJ}$ needs to be specified. That is, it must be specified whether, for instance, the $A$-alternatives to a world $u$ just are the non-relativized deontic alternatives to $u$, or whether they are some subset of those alternatives, or etc. Consider the following "bridge principle" connecting relativized and non-relativized deontic modalities. For any $A$ subset of $U$:

BP.1 If $v$ is an $A$-alternative to $u$ in $W$, then $v$ is a non-relativized alternative to $u$.

Given (BP.1), the following formula are valid for any $A$ subset of $U$:

(1.1) $O_p \rightarrow O_{Ap}$
(1.2) $P_{Ap} \rightarrow Pp$

(BP.1) states that the relativized deontic alternatives to a world $u$ are a subset of the non-relativized deontic alternatives to that world. That is to say, $R_{AJ}$ is a subset of $R$. (BP.1) seems motivated by the fact that particular individuals or groups of individuals do not exist at all deontic alternatives. A personal obligation to do $p$ obtains for, say [a], just in case in all those deontic alternatives in which [a] exists, (i.e. in the $a$-alternatives), $p$ is done. But consider the result of
adopting (BP. 1). (1.1) states that the impersonal obligation p is a personal obligation for every subset (every individual/group) of U. But, given (1.1), the impersonal obligation that, say, there be no pain in the world u, becomes a personal obligation for every member and sub-group in the given world u. Moreover, the impersonal obligation noted above that 'children ought not to suffer' also becomes, given (1.1), a personal obligation. Given the foregoing semantics, in fact, it follows that every impersonal obligation is also a personal obligation.

Aside from the intuitive counterexamples to (1.1), there are other serious objections to (1.1). Consider the truth-conditions provided in (OC.R). It follows from the truth-conditions that p is obligatory for the particular agent {a} at world u if and only if p obtains in every {a}-alternative v to u. Given the condition (BP. 1), we know that the {a}-alternatives to u are some subset of impersonal alternatives to u. But the impersonal alternatives to u are just the morally best worlds from the point of view of u which are logically possible. So we may restate the truth-conditions for personal obligations in the following way, 'p is obligatory for {a} at u if and only if p obtains in all of the logically possible {a}-alternatives v to u'. But this is just to say that, considering just those worlds or alternatives in which a exists, if some outcome (state of affairs, possible worlds, deontic alternatives) consistent with p is morally better than any outcome consistent with ¬p, then p is obligatory for a. But this, in effect, is to suggest that in determining the personal
obligations of an individual or group $A_j$ at a world $u$, the decision procedure to employ is a \textit{maximax} procedure\textsuperscript{28}. Given the alternative actions open to a given moral agent on some occasion, the action which is obligatory for that agent is the one which is consistent with morally best outcome (state of affairs, possible world, deontic alternative). In determining what is obligatory for a particular agent, then, the circumstances in which the action is to be performed, and the probability that outcomes consistent with that action will occur, are morally irrelevant on the foregoing account. As a result, the foregoing account does not seem to provide an analysis of personal obligation, (i.e. of what an individual moral agent ought-to-do), but, at best, a \textit{theory of right} relativized to particular individuals or groups. It provides, that is, an account of what makes a given action morally right (or obligatory) for a particular agent, it does not provide an account of what a moral agent ought to do. In determining what a moral agent ought-to-do, it seems, what must be considered are all of the morally relevant circumstances (whatever they happen to be) as well as the value of the outcomes consistent with each of the alternative actions.

It seems to follow from the arguments above that adequacy condition (5) cannot be met in SDL. It has already been argued that condition (2) and (4) cannot be met in SDL. And as a result it follows that the inconsistency thesis, (IT), is false, since clause (b) of the thesis is false. It will be argued, in the following section, that the
formulation of (T1) and (T1'), and the problem of genuine moral conflicts, is better presented in the logic of 'ought-to-do'.

2 It is important to note that assuming that there are genuine moral conflicts, standard deontic logic is not rendered inconsistent in the sense that $\perp$ is derivable in SDL. Rather, as I think is clear in
context, but is worth emphasizing, given the assumption of moral conflicts, (T1), and the axioms of SDL, it is possible to derive a contradiction in SDL, or \((T1) \vdash_{\text{SDL}} \bot\).


4 It might be better to formulate the problem of genuine moral conflict in terms of the logic of 'Ought-to-do', for example. See Hector-Neri Castaneda, 'On the Semantics of Ought-to-Do', in *Semantics of Natural Language*, (ed.) D. Davidson and G. Harmon (D. Reidel Publishing Co., Dordrecht-Holland 1972). It might also be possible to formulate the problem in the logic of the 'practical ought'. An interesting attempt to formulate the logic of the practical ought can be found in Bruce Vermazen, 'The Logic of Practical 'Ought'-Sentences', *Philosophical Studies*, No. 32, (1977) pp. 2-71. I make no attempt to formulate the problem of genuine moral conflicts in terms of the logic of 'ought-to-do', or otherwise. I do argue that the problem has been mistakenly formulated in the logic of 'ought-to-be'.

5 See, for example, Terence McConnell's 'Moral Dilemmas and Consistency in Ethics', *Canadian Journal of Philosophy*, Vol. VIII, No.2, (1978). McConnell refers to moral conflicts for which there is a moral resolution as 'apparently dilemmatic situations'. The terminology is misleading, however, since those who argue that there exist conflicts of the sort noted in (T1') argue that both ought-claims in such situations remain morally binding, in spite of the fact that one of the ought-claims is overriding. For arguments for moral conflicts of the kind noted in (T1') see esp. Ruth Marcus, 'Moral Dilemmas and Consistency', *Journal of Philosophy*, Vol. 77, No. 3, (1980), and Bernard Williams, in 'Ethical Consistency' *Proceedings of the Aristotelian Society*, Suppl. Vol. 39, (1965).


The inference in fact depends on a principle of the following type: 
\[ \mu(p \rightarrow q) \rightarrow (\mu p \rightarrow \mu q), \]
where ‘\( \rightarrow \)’ is read as ‘implies causally’. The principle seems obvious only in the logic of certain types of ‘oughts’. In fact, in order for there to be a case of conflicting, intrinsically inconsistent, ought-claims which does not appeal to the principle noted above, it would have to be the case that the moral agent in such a conflict maintained two general moral principles which are themselves intrinsically inconsistent: e.g. Keeping promises is morally wrong, as such. Keeping promises is morally wrong, as such. If the agent held both of these general principles, then it is possible that he could be in a situation where he both ought and ought not to do the same action, under the same description, without making the inference, or employing the principle noted above.

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9 The inference in fact depends on a principle of the following type: 
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11 See E.J. Lemmon, 'Moral Conflicts', op.cit., pp. 149-151. Of course, the claim that 'ought' and 'ought not' are not contraries is controversial. See, R.M. Hare, *Moral Thinking*, op.cit.


15 See Brian Chellas, *Modal Logic: An Introduction*, (Cambridge University Press, 1980). Chellas also provides alternative ways to axiomatize what he refers to as standard deontic logic. We follow Chellas in referring to the foregoing as standard deontic logic, or (SDL). The axioms of the 'standard system of deontic logic' attributed
to Von Wright include:\(a1\) '\(\text{Op} \rightarrow \neg \text{O-p}\)', \(a2\) '\(\text{O}(p \land q) \leftarrow \text{O} \text{p} \land \text{O} \text{q}\)', \(a3\) '\(\text{O}(p \lor \neg p)\)'. Von Wright's system contains the axioms needed to formulate the arguments for the inconsistency thesis, and can be shown to contain Chellas' system given a more plausible substitutivity principle, see Azizah al-Hibri, *Deontic Logic: A Comprehensive Appraisal and a New Proposal*, (University Press of America, Inc. 1978) pp.9-11. It is important to note that on the most commonly accepted interpretation of Von Wright's calculus the symbols 'p', 'q', 'r', ... are taken as representing closed sentences, not as representing act-predicates or names of kinds of acts. As a result, there is no important difference between Chellas' system and Von Wright's system for the purposes of this paper. See Dagfinn Føllesdal and Risto Hilpinen, 'Deontic Logic: An Introduction', in *Deontic Logic: Introductory and Systematic Readings*, (ed) Risto Hilpinen (D. Reidel Publishing Co., Dordrecht-Holland, 1970).

16 All proofs for the following theorems will be provided in the appendix which follows.


18 The proof \((\text{IT}3)\) could be shortened to four premises, since \((4'')\) and \((6'')\) are equivalent to \(\text{OD}^*\), and \((1'')\) and \((2'')\), when conjoined, are inconsistent with \(\text{OD}^*\).

In the shortened form this argument has been presented by B. Van Fraassen, 'Values and the Heart's Command', op. cit., p.12, and in the longer form it occurs in T. McConnell, 'Consistency in Ethics', op. cit., p.273.

19 But, further, even if \((\text{IT}1)\) and \((\text{IT}2)\) turn out to be invalid arguments, it is clear that \((\text{IT}3)\) is valid. It might be argued that though the kind of genuine moral conflicts rendered in \((\text{IT}1)\) and \((\text{IT}2)\) present no problem for \((\text{SDL})\), it is clear that the kind of genuine moral conflict rendered in \((\text{IT}3)\) does present a problem for \((\text{SDL})\). If the kind of moral conflict in \((\text{IT}3)\) can be derived from the kind
occurring in (IT1) and (IT2) then they would still present a problem for (SDL). See the argument below.


24 See Joel Feinberg, 'Action and Responsibility' in Alan R. White (ed.), The Philosophy of Action, (Oxford University Press, 1968). Feinberg presents a general principle referred to as the 'accordion principle' which states that in general an individual is the agent of whatever he causes to occur. For a precise formulation of the principle see Bruce Vermazen, 'The Logic of Practical 'Ought'-Sentences', Philosophical Studies; 32, (1977).


28 The difficulty arises even if further restrictions are placed on RAi to the effect that only worlds physically compatible with a given world can be deontic alternatives. For further discussion of the dependency of deontic logic to decision theory, see, Bengt Hansson, 'The Dependency of Deontic Logic Upon the General Theory of Decision', in G.H. Von Wright (ed.) Deontische Logik Und Semantik, (Athenaion Press: 1977).
CHAPTER II.
Against the Existence of Dilemmatic Situations

Kinds of genuine moral conflicts can be divided, broadly, into two groups. There are morally irresolvable conflicts between incompatible ought-claims, and there are morally resolvable conflicts between incompatible ought-claims. The latter kinds of conflicts are considered genuine moral conflicts (rather than epistemic moral conflicts) since there is no moral resolution to the conflict "without remainder", i.e. without a certain amount of moral loss.\(^1\) Genuine moral conflicts of the kind which are resolvable will be referred to as dilemmatic situations. The characteristic feature of dilemmatic situations is that the ought-claim which is overridden in those situations remains, in spite of being overridden, morally binding. And, it is argued that moral agents in dilemmatic situations are morally required to fulfill each, the overriding ought-claim and the overridden ought-claim. The sense in which moral agents are morally bound to fulfill the overridden obligation is very unclear in these cases, and this is just what is at issue with respect to dilemmatic situations.

The claim that there are genuine moral conflicts of the former kind has been referred to above as (T1), the claim that there exist
moral conflicts of the latter kind has been referred to as (T1')2.

(T1') has been explicitly formulated as follows:

(T1'): There exist cases such that two moral ought-claims, Op and Oq, conflict in a particular circumstance C, such that:

1. Some moral agent is morally required to fulfill Op and Oq in C.
2. It is not possible to perform p and q in C.
3. One of the ought-claims is morally overriding in C.
4. Each of the ought-claims is morally binding in C.
5. There are no further morally relevant considerations in C.

It seems clear that (T1') is no less problemmatic for moral reasoning than (T1). If it can be shown that moral reasoning is inconsistent given (T1), then it seems that it can be shown to be inconsistent given (T1'). This is the case since (T1') resembles (T1) in stating not only that some moral agent is required to fulfill the conflicting obligations in the given circumstances, but also that both of the obligations are morally binding in those circumstances. Neither of the obligations is merely 'prima facie' in either (T1) or (T1'). It will be argued, however, that there are serious objections to each of the major arguments in favor of the claim that there are genuine moral conflicts of the kind formulated in (T1'), and that (T1') must be rejected. There are certain important consequences of rejecting (T1'). First, if (T1') is rejected, it follows that it can no longer
present a problem for the consistency of moral reasoning, however that problem might be formulated. Moreover, if (T1') is rejected, then any problems which might result from the existence of genuine moral conflicts depend exclusively on the possibility of genuine moral conflicts.

The major arguments in favor of (T1') have been presented by Bernard Williams and Ruth Marcus. The plausibility of the arguments presented by Marcus depend, at least in part, however, on the plausibility of Williams' arguments. Williams' main argument for (T1') has been referred to as 'the psychological argument for (T1')'. It will be argued in section (2) that though the psychological argument does provide support for a certain innocuous kind of moral conflict, it fails to provide any defense for (T1'). Williams' defense of the psychological argument, in the face of serious criticisms of the argument, will also be considered in section (2). It will be argued, further, that there is no plausible way to amend the argument such that it does support (T1'). In section (3) the arguments provided by Ruth Marcus will be considered. It will be shown that Marcus, for interestingly similar reasons, also fails to provide an adequate defense of (T1'). As a result, it will be argued that (T1') must be rejected.

2. The Psychological Argument:
Bernard Williams argues that there are moral conflict situations in which it may be said that the moral agent acted for the best, and where it is not a situation in which the moral agent reproaches himself for having gotten into the conflict situation in the first place, but where, nonetheless, it is not irrational for the moral agent to feel regret for his actions. In situations like the foregoing, where the agent feels regret in spite of acting for the best, the agent feels regret for, it is argued, failing to fulfill the conflicting obligation. The feeling of regret, according to Williams, indicates that the unfulfilled obligation, though overridden, remains morally binding on the moral agent in the conflict situation. Consider the following case of a moral conflict situation having the characteristics noted by Williams:

Agamemnon is told by a seer that he must sacrifice his daughter to satisfy a goddess who is delaying at Aulis his expedition to Troy. Agamemnon accepts that his duty to carry out his mission takes priority over sparing his daughter, and he sacrifices her. Williams argues that the agonies that a person will experience after acting in full consciousness of such a situation are not to be traced to a persistent doubt that he might not have chosen the better thing. . . . [In fact] by some not utterly irrational criteria of 'the better thing', [Agamemnon] may be convinced that he did the better thing: rational men no doubt pointed out to him his duties as a commander, the people involved, the considerations of honor, and so forth. Williams argues
that if Agamemnon accepted all of this and acted accordingly, it would seem a glib moralist who said, as some sort of criticism, that he must be irrational to lie awake at night, having killed his daughter.\(^6\)

The Agamemnon case presents, Williams argues, a plausible instance of a moral conflict situation in which a moral agent justifiably (rationally) feels regret for having failed to fulfill an obligation, in spite of the fact that the moral agent acted for the best in not fulfilling that obligation in that situation. However, even granting Williams' claim that the Agamemnon case has the characteristics noted above, it is not clear, so far forth, that the Agamemnon case presents any evidence for the existence of a dilemmatic situation, i.e. (T1'). Williams maintains that the following are true of the Agamemnon case:

(1') Agamemnon has an obligation to refrain from killing his daughter and he has an obligation to pursue his military mission.

(2') It is not possible for Agamemnon to both refrain from killing his daughter and to pursue his military mission in the given circumstances.

(3') Pursuing the military mission is the morally best action in the circumstances.
(5') There are no further morally relevant considerations in the circumstances.

Now, the fact that Agamemnon fulfills his obligation to pursue his military mission and feels regret for failing to fulfill his obligation to refrain from killing indicates, according to Williams, that Agamemnon's obligation to refrain from killing his daughter remains morally binding in the given circumstances. It seems to follow then that:

(4') Each of the obligations is morally binding in the circumstances.

If (4') followed from (1')-(5') and the fact that the moral agent feels regret for failing to fulfill the obligation to refrain from killing in the given circumstances, then it would seem that the Agamemnon case would provide some evidence for (T1'). However, Williams argument depends on the truth of the following claim:

(C.1) S ought-to-do (is forbidden to fail to do) an act A if and only if A is the morally best action given the circumstances.

If Williams denies (C.1), then the fact that a moral agent feels regret in cases where he fails to perform an action which is not the
morally best action in the circumstances would not be unusual, and would not provide any evidence for (T1'). Rather, it would seem to indicate that some action which was not morally best action in the given circumstances was morally what ought to have been done. In fact, assuming a non-consequentialist theory of right, it is always in principle possible that the action a moral agent ought to do in a given situation is not the morally best action. It seems clear, however, that Williams would deny (C.1), since consequentialist theories of right do not allow for any kind of moral conflicts.

It is possible, however, to reformulate the psychological argument in order to avoid the difficulty noted above. Williams might argue that in the Agamemnon case, and in situations similar to the Agamemnon case, moral agents feel regret for failing to fulfill the morally overridden obligation in spite of fulfilling the morally overriding obligation. As a result, (3') becomes:

(3'') Pursuing the military mission is the morally overriding obligation in the circumstances.

Now, it might be argued that from (1'),(2'),(3''), (5') and the fact that the moral agent feels regret for failing to fulfill the obligation to refrain from killing in the given circumstances, (4') seems to follow. That is, given the new formulation (3'), it seems that there is some evidence for (T1'). There are, however, some important problems
with Williams' attempt to establish (4'). It might be argued that the psychological argument in attempting to establish (4') in fact establishes, at best, the following:

(4'') There is some moral reason to perform the action recommended by the overridden obligation, and there are good moral reasons to perform the action recommended by the overriding obligation.

If the psychological argument established (4''), then, it might be argued that it had been shown that overridden obligations are actual obligations\(^7\). That is, it might be argued that in spite of being overridden, obligations still remain morally binding in the sense that, for example, excuses or reparations are not uncalled for in those situations.\(^8\) If the psychological argument established (4''), then, it would have been shown that in the Agamemnon case, and in cases similar to the Agamemnon case, it was true that conflicting obligations obtained. But it does not follow directly from the claim that moral agents have conflicting obligations in the situations noted above that moral agents in those situations morally ought to perform the actions recommended by those obligations. But, clearly, if Williams is arguing for the existence of cases in which obligations conflict, rather than cases in which ought-claims conflict, then what he claims seems to be true, but not particularly important. It might
be argued, however, that the psychological argument attempts to establish not (4'), but the following more interesting claim:

\[(4'')\) Moral agent \(A\) ought to fulfill the overriding obligation in circumstances, \(C\), and it would be morally wrong for \(A\) to fail to fulfill the overridden obligation in \(C\).

If the psychological argument provides evidence for (4''), then it seems clear that there is evidence for the claim that there exist cases in which incompatible ought-claims obtain. That is, if there is evidence for (4''), then there is evidence that there exist moral conflicts of the kind formulated in (T1'). Though it is not clear that Williams intended to argue for (4'') rather than (4'), it does seem clear that if the psychological argument supports (4''), then there is evidence for an interesting and problematic kind of moral conflict, viz. a dilemmatic situation. (4''), on the other hand, does not seem to present a troublesome kind of conflict at all. In what follows then, the extent to which the psychological argument supports (4'') will be considered.

Williams considers two main objections to the claim that the psychological argument establishes (4''). The first objection will be referred to as the 'irrationality of regret' objection. The second objection will be referred to as the 'objection from natural motivation'. It will be argued that though Williams seems to
adequately reply to each of the objections he considers, there is a further, more serious objection to the psychological argument which is not considered. The more serious objection concerns the appropriateness of feeling regret in the moral conflict situations noted by Williams. It will be argued that it order to establish (4''), it must be argued that regret is appropriate, (in a sense to be specified) in the cases noted by Williams. It will be argued further that Williams fails to show that regret is appropriate in those cases.

Consider the objection from the irrationality of regret. It might be argued that if a moral agent has fulfilled the overriding obligation in a given circumstance, and it is not the case that the moral agent regrets having gotten into the moral conflict situation in the first place, then it is irrational for the moral agent to feel regret for not fulfilling the overridden obligation in the given circumstances.9 It might be the case that it is rational, however, to feel regret that the situation had to arise, or that one has to fail to fulfill the overridden obligation, etc. The propositional regret, the regret that a certain state of affairs obtains, it is argued, would account for the feeling of regret which moral agents seem to have in the circumstances noted by Williams, rather than the fact that the moral agent did anything morally wrong in that situation.

Williams argues that if the claim that it is irrational for moral agents to feel regret for failing to fulfill the overridden obligation in the circumstances noted is meant pejoratively, then the claim seems
false. That is, if the objection is that a fully admirable moral agent (presumably rational) would not feel regret in the circumstances noted, that a moral agent would in so doing be 'morally bad', then the objection does not seem very strong. Williams argues that such reactions do not appear to be necessarily a bad thing, nor a moral agent who has such reactions pro tanto less admirable than one who does not.¹⁰ This seems to be the case, it is argued, since the notion of an admirable moral agent cannot be all that remote from that of a decent human being, and decent human beings are disposed in some situations of conflict to have the sort of reactions noted above.

There are broader reasons, it seems to me, to hold that Williams' position is correct concerning the rationality of feeling regret for failing to fulfill an overridden obligation in certain circumstances. Suppose that the claim that the moral agent is irrational for having such feelings is not meant pejoratively in the sense that the agent has thereby violated some moral norm, but in the sense that the agent has violated some norm of rationality.

There are at least two ways to make out this objection. Consider the following version of the objection: It is an irrational action to maintain a disposition (or to dispose oneself) to feel regret in the types of situations under discussion. Then the claim that it is irrational to have such feelings in such circumstances could only be maintained if it could be shown that failing to remedy the disposition to feel regret is an unjustifiable action. But that claim seems to be
false. It might well be that having the feeling of regret in the relevant kinds of cases encourages moral agents to so order their lives that they become involved in fewer moral conflicts than they would if they did not feel regret in the cases referred to above. It seems rational to be disposed to feel regret for failing to fulfill the overridden obligation in the kinds of circumstances noted, then, since it provides motivation to live in such a way that most of one’s obligations become fulfilled. It is clear then that there are plausible ways to justify a moral agent’s failure to remedy a disposition to feel regret in the kinds of cases noted. And Williams’ position seems to be correct.

Nonetheless, consider the following formulation of the objection: the action of maintaining the disposition to feel regret in such circumstances (or of disposing oneself to feel regret) may not be irrational, but the feeling itself in such circumstances is irrational. On this formulation, the objection is that the feeling of regret is irrational in the sense of being inappropriate. This objection of course assumes, inter alia, that there are norms governing the appropriateness of feeling regret, which is a matter of some controversy. Nonetheless, this formulation of the objection is far more serious than the former and will be taken up fully further on.

Consider, now, the objection from natural motivation. It has been argued, against Williams, that even if it is conceded that moral agents feel regret in the kinds of circumstances Williams notes, and
also conceded that a fully admirable moral agent would, on occasion, have such regrets, it might nevertheless be argued that this is not to be connected directly to the structure of moral conflict. That is, a moral agent may have regrets because he has had to do something distressing or appalling, but this is not the same as having regrets because he has thought that he has done something that he ought not to have done, or failed to do something that he ought to have done. The objection may be put in another way: regrets may be experienced in terms of purely natural motivations, and these are not to be confused, whether by the theorist or the rational moral agent, with moral motivations, i.e. motivations which spring from thinking that a certain course of action is one that one ought (ought not) to take.

The objection from natural motivation, it seems, argues that though moral agents might be rational in feeling regret in dilemmatic situations, the moral agent does not feel regret for failing to fulfill the overridden obligation, but feels regret for some non-moral reason. The feeling of regret, then, does not indicate that the moral agent has done anything morally wrong in the Agamemnon-type cases, but rather has done something that is appalling to the agent but nonetheless morally right.

Williams argues that the sharp distinction that the objection makes between natural and moral motivations is just unrealistic. If such a sharp distinction were granted, then it would have the appearance of explaining the cases of feeling regret only where the
moral agent can be thought to have a ground of regret or distress independently of his moral opinions about the situation. So, if the moral agent has caused pain to someone, in the course of fulfilling the overriding obligation (and he is aware that he is fulfilling the overriding obligation), it might be said that any regret or distress he feels about having caused the pain is independent of his specifically moral view about what he has done: he is just naturally distressed at the thought of having caused someone pain.\footnote{12} But there are cases in which such a view could not account for the feeling of regret. A moral agent may, perhaps, feel regret because he has broken a promise in the course of fulfilling an overriding obligation where everything else is equal: no one is harmed or seriously let down, etc. The moral agent’s regret at having broken a promise must surely arise via a moral thought: i.e. as a result of his believing that he did something that he ought not to have done in such a case. Moreover, it does not seem that it can be claimed that the feeling of regret in such cases (i.e. cases in which there are no natural motivations for feeling the regret) are irrational (in the sense of being the result of maintaining a disposition which it is irrational to maintain), since Williams has already dismissed that objection from irrationality above.

Williams seems to be arguing here that there is a causal connection between the belief that the moral agent did something that he ought not to have done, and the regret felt by the moral agent. The point of the objection from natural motivation is that if it is
granted that the feeling of regret in dilemmatic situations is rational, then it must be denied that what is felt is regret for failing to fulfill the overridden obligation (or any moral reason, for that matter). It seems the objection from natural motivation is based on the claim that if it were rational to feel regret for failing to fulfill the overridden obligation, then it would have to be the case that in failing to fulfill the overridden obligation one has done something morally wrong. But, by hypothesis, the moral agent has done what he ought to have done in the Agamemnon-type cases or dilemmatic situations. As a result, it cannot be the case that in failing to fulfill the overridden obligation one has done something morally wrong. It is concluded that if it is rational to feel regrets in Agamemnon-type cases, then it cannot be because one believes that one did something that one ought not to have done, rather the regret must be a response to some other, non-moral, or natural motivation.

Williams reply to the objection from natural motivation seems, at least in part, correct. There seems to be nothing conceptually mistaken with maintaining that it is rational for moral agents to feel regret for failing to do what they believe they ought to have done (i.e. fulfill the overridden obligation). That is, the feeling of regret in the given circumstances may be rational, and be a response to a moral rather than a natural motivation: i.e. to a belief that one did what one morally ought not to have done. The feeling is rational, that is, in the sense that developing or maintaining a disposition to feel regret in
such situations is a rational action. As noted above, however, this
claim is distinct from the claim that the feeling itself is
inappropriate. However, it is important to note that though feeling
regret for failing to fulfill the overridden obligation is rational in
dilemmatic situations, it does not follow from this that the feeling
indicates that the moral agent in such circumstances has done
something morally wrong. It might well be the case that the feeling
of regret for failing to do what one believes one ought to have done in
Agamemnon-type cases, (whether or not one in fact ought to have done
it), encourages moral agents to take their obligations seriously, and
to continue to take them seriously. It would seem that feeling regret,
then, in the Agamemnon-type cases is rational (again, in the sense
specified above), whether or not the moral agent has in fact done
what he ought not to have done. The objection from natural
motivation fails because it assumes that if the feeling of regret for
failing to fulfill the overridden obligation in dilemmatic situations is
rational, then it must be the case that the moral agent in those
circumstances has done something morally wrong.

It seems that the psychological argument can be successfully
defended against both the objection from irrationality and the
objection from natural motivations. It should be noted however that
the defense of the psychological argument was based on the claim
that it can be rational to feel regret for failing to fulfill an
overridden obligation, or for failing to do what one believes one ought
to have done, in spite of the fact that one did not do anything morally wrong. Though the psychological argument has been successfully defended against the foregoing objections, it seems clear that the argument has not been defended against the objection that it fails to show that moral agents in dilemmatic situations have in fact done something morally wrong. Moreover, if the psychological argument does not show that the relevant moral agent has done something morally wrong, then at best it might be used to establish (4''), but it cannot be used to establish (4''').

Consider, now, the objection from the appropriateness of regret. It might be objected that though it is rational to feel regret for failing to fulfill the overridden obligation in dilemmatic situations, in the sense that it is rational to develop the disposition to feel regret, it is nonetheless inappropriate to feel regret in those situations. Though it is difficult to specify all of the conditions of appropriate-regret-feeling, at least the following conditions seem to hold:

(R) If agent $S$ appropriately regrets having done some action $A$, then (i) $S$ has in fact contributed to the occurrence of $A$, and (ii) $A$ is morally wrong.$^{13}$

Now, it might be denied, immediately, that it is appropriate to feel regret only in cases where one has in fact done something
morally wrong. Though it seems correct to say that there are cases in which one appropriately feels regret and has not done anything morally wrong, it also seems clear that Williams cannot maintain such a position with regard to regret. If regret does not indicate that something morally wrong has been done, then the psychological argument cannot be used to support (4'') above. Since without the assumption of (R), (4'') cannot be established, it will be assumed, at least temporarily, that (R) is correct.

Suppose that Williams maintains that it is the case that feeling regret in dilemmatic situations is not only rational, but it is also appropriate. If the feeling of regret is appropriate in the sense specified above, then it would not only be true in dilemmatic situations that the moral agent ought to fulfill the overriding obligation, but also that it would be morally wrong for the moral agent to fail to fulfill the overridden obligation. So that it would also the case that he ought not to fail to fulfill the overridden obligation. Dilemmatic situations would then seem to provide evidence for (4'').

However, if the psychological argument did establish that it is appropriate to feel regret in the cases that Williams' cites, then it would seem to have established too much. Consider that if it is, in fact, morally wrong to fail to fulfill overridden obligations then, it would seem, in any case in which a choice is made between fulfilling an overridden obligation and fulfilling an overriding obligation, choosing to act in accordance with the overriding obligation entails
doing something morally wrong. But there seem to be cases in which moral agents act according to overriding principles and do nothing morally wrong. Consider a case in which a doctor fails to keep a promise to play golf because of an obligation to a patient. Or consider a case in which a moral agent lies in order to preserve an innocent life. In these cases it is extremely difficult to argue that the agents involved did anything at all which could be considered morally wrong.

It might be argued, however, that though it is true that in every case in which obligations conflict failing to fulfill the overridden obligation is morally wrong, this is not to be confused with the claim that the moral agent is blameworthy for having failed to fulfill the overridden ought-claim. So that, it might be argued, if a distinction is made between act evaluation and agent evaluation, then the regret felt by moral agents in Agamemnon-type cases is appropriate, and does indicate that it is morally wrong to fail to fulfill the overridden ought-claim, but the agent cannot be blamed for the action he has failed to perform.

The distinction between act evaluation and agent evaluation, however, is typically based on the possibility of excusing the actions of moral agents. So that, for example, the actions of a kleptomaniac are morally wrong, but the agent is not blameworthy since he cannot control his behavior. But in dilemmatic situations, it is not clear what sort of excuse there could be. It might be argued that it is not "morally possible" to fulfill both obligations. That is, doing what had
to be done, from the moral point of view, precluded the possibility of fulfilling the overridden obligation. As a result, though the moral agent did something morally wrong in failing to fulfill the overridden ought-claim, it is not the case that the agent is blameworthy. But it seems to follow from this argument that it is not the case that fulfilling the overridden obligation had to be done, morally, and yet it would have been morally wrong to fail to fulfill that obligation. It is not clear in what sense the moral agent failed to do all that he had to do morally, since by hypothesis he did do what morally he had to do.

It might be argued that moral agents in Agamemnon-type cases have done something morally wrong, but are not blameworthy because it is not physically possible to fulfill all of their obligations in those circumstances. Since it is not physically possible to fulfill all of their obligations, it clearly seems to follow that they cannot be blamed for failing to do so. However, the reason a moral agent is not blameworthy for failing to fulfill obligations which are physically impossible to fulfill is because such obligations are typically not considered to be morally binding. So that if the physical impossibility of fulfilling the obligations is the basis of the excuse for failing to fulfill all of the obligations, then, although it follows that the moral agent is not blameworthy, it also follows that it is not morally wrong to fail to fulfill all of the obligations in the given situation.

It seems that it cannot be maintained that the feeling of regret in Agamemnon-type cases is appropriate, and that therefore, there is
no evidence for (4''). It was noted above that if (4'') could not be established, then the psychological argument presented no evidence for the kind of moral conflict formulated in (T1). The psychological argument does seem to provide evidence for (4''), however. Minimally, then it might be argued that the psychological argument provides evidence for the claim that overridden obligations are actual obligations. If it could be shown that overridden obligations were actual obligations, then it would seem that the psychological argument at least shows that 'prima facie' obligations are not to be contrasted with actual obligations, but that prima facie obligations are themselves actual. In fact, the psychological argument seems to provide some evidence for the claim that though overridden obligations are actual obligations, it is not the case that actual obligations entail all-things-considered ought claims. The following relations among deontic terms would then seem to hold:

(1) Jones has an obligation to do A.

entails that,

(2) Jone ought, other things being equal, to do A.

But (1) does not entail,
(3) Jones ought; all-things-considered to do A.

And (1) does not entail,

(4) Jones ought to do A.

The psychological argument, in supporting (4'), would show that though Jones has an actual obligation, as stated in (1), it is still possible to deny (3). This analysis of deontic terms suggested by the psychological argument is particularly useful, it seems, in providing an account of the regret felt by moral agents in the kind moral conflict situations noted by Williams. It might be argued that the regret is for failing to fulfill the overridden, actual, obligation, but not for failing to do what the moral agent ought to have done all-things-considered, or for doing something which is morally wrong.

2. Ruth Marcus' Defense of The Psychological Argument:

It was argued above that one may rationally, in a certain specified sense, feel regret for failing to fulfill an overridden obligation in spite of the fact that in doing so one did not do anything morally wrong. As a result, it was argued, the appeal to the rationality of the feeling of regret in Agamemnon-type cases was not sufficient to show that the moral agent in such circumstances did something wrong. In order to establish that in Agamemnon-type cases
the moral agent has done something morally wrong, it was argued, it had to shown not that the feeling of regret for the overridden action was rational, but that it was appropriate in the sense defined above. Under the assumption that the feeling of regret for failing to fulfill the overridden obligation was appropriate, it was shown that Williams could establish that there exist moral conflict situations of the type presented in (T1') above. However, it was shown as well that under that assumption it could be shown that in almost every context in which a moral decision is made the moral agent does something morally wrong. It was argued, as a result, that the assumption must be mistaken, and Williams argument for the existence of moral conflicts of the type presented in (T1') was shown to be unacceptable.

Ruth Marcus argues explicitly for the claim that feeling guilt for failing to fulfill an overridden obligation in dilemmatic situations is appropriate. Unlike Williams, Marcus attempts to refute the objections which have been presented directly to the claim that in dilemmatic situations the feeling of guilt is appropriate. As was noted above, if it can be shown that the feeling of guilt is appropriate in the relevant circumstances, then it can be argued that there is good evidence for the claim that there exist genuine moral conflicts of the type specified in (T1') above. There are at least two serious objections to the claim that feeling guilt in Agamemnon-type cases is both rational and appropriate. It will be argued in what follows that
Marcus can adequately refute only one of the objections. Ultimately, it will be argued, Marcus' argument for (T1') is unacceptable.

It has been argued against Marcus that it is part of the concept of guilt that one cannot appropriately feel guilt in cases where one has performed (and knows that one has performed) the action for which there are morally overriding reasons. Since in Agamemnon-type cases there are morally overriding reasons in favor of performing one of the alternative actions (by hypothesis), and it is not contrary to the hypothesis that the moral agents in such circumstances are aware that one of the conflicting actions morally overrides the other, it follows that it is inappropriate to feel guilt for performing the morally overriding action in those types of cases. Whether or not the argument from the concept of guilt is convincing depends importantly on how the norms for the appropriateness of feeling guilt are specified. Consider the following attempt to partially specify the norms of appropriate guilt-feeling:

\[(AG) \text{ Moral agent } S \text{ appropriately feels guilt for failing to perform action } A \text{ in circumstances } C \text{ only if:} \]
\[(i) \text{ It is possible for } S \text{ to perform } A \text{ in } C.\]
\[(ii) S \text{ morally ought to perform } A \text{ in } C.\]
\[(iii) \text{ There is no alternative action } B \text{ to } A \text{ in circumstances } C \text{ such that } B \text{ entails } \neg A, \text{ } S \text{ performs } B \text{ and } B \text{ is morally preferable to } A \text{ in } C.\]
(iv) S believes (i)–(iii).

Now, it seems clear that in dilemmatic situations it is possible for the moral agent to fulfill the overridden obligation, at least before either of the obligations in the situation are met. And it might even be granted, for the purposes of the concept of guilt argument, that the moral agent in such a situation ought to fulfill the overridden obligation. But it is clear as well that in dilemmatic situations the action performed by the moral agent (i.e. the action which the agent has an overriding obligation to perform) precludes the fulfilling of the overridden obligation, and is morally preferable to fulfilling the overridden obligation. So that it seems that it is inappropriate to feel guilt in dilemmatic situations.

In reply to the concept of guilt objection Marcus denies that condition (iii) is a norm of agent guilt. Part of what is implied in rejecting (iii) is that it must be allowed that in certain cases it might be impermissible to perform all of the causally or logically necessary conditions of fulfilling an overriding obligation. This does seem to be the claim Marcus is defending (or, at least, is committed to defending), since in dilemmatic situations failing to fulfill the overridden obligation is, it is argued, morally wrong, and hence impermissible. But failing to fulfill the overridden obligation is at least causally necessary for fulfilling the morally overriding obligation. Let A be the morally overriding obligation and let ¬A be
the morally overridden obligation. Marcus seems to contend that in
dilemmatic situations the following hold:

(1) OA
(2) O¬A
(3) ◊A
(4) ◊¬A
(5) ¬◊(A & ¬A)

Marcus does not contend that the ought-claim expressing the
overridden obligation is different in kind from the ought-claim
expressing the overriding obligation. That is, Marcus does not suggest
that the overridden obligation be expressed in an 'other things equal',
or 'prima facie', ought-claim. Though, as was noted above, Marcus
does contend that one of the obligations is "stronger", so to speak,
than the other. It is clear why Marcus does not contend that the
overridden obligation is expressable as an 'other things equal' ought-
claim. If that were the case then it would not be morally wrong to
fail to fulfill the overridden obligation, because in dilemmatic
situations other things are not equal. There is, by stipulation, an
overriding obligation in dilemmatic situations. But if Marcus contends
that dilemmatic situations are characterized by (1)-(5), then it
seems there is no clear distinction between an 'overriding' obligation
and an 'overridden' obligation. Marcus seems to assimilate overridden
obligations to overriding obligations. And if it is denied that there is
such a distinction, and that one ought to fulfill all obligations, overridden and overriding, then, as was the case with Williams, moral conflicts abound. Virtually every time one acts on a moral decision one has done something morally wrong. For, in each case in which a moral decision is made a moral agent could choose to perform an action which will result in some minimal moral good, but which is not obligatory, all things considered, in the given situation.  

It could be argued, however, that it is not the case that it is morally wrong to fail to fulfill every morally overridden obligation, but only a certain class of overridden obligations. But it seems clear that any attempt to specify that class of overridden obligations will depend on some arbitrary distinction, and will be susceptible to a slippery-slope objection. So, even if Marcus escapes the objection from the concept of guilt and denies (iii) above, it is clear that she must allow that moral agents are in moral conflict situations in nearly every circumstance requiring a moral decision. It seems that on these grounds alone Marcus's argument can be rejected.

It seems that the psychological argument cannot be employed in showing that there exist dilemmatic situations. However, not all arguments in favor of genuine moral conflicts are arguments for the existence of such conflicts. Since the arguments presented against genuine moral conflicts are typically not arguments against the claim that moral conflicts in fact exist, but against the logical possibility of such conflicts, there have been several arguments attempting to
show that in fact genuine moral conflicts are logically possible. The arguments in favor of the logical possibility of genuine moral conflicts have attempted to show that genuine moral conflicts are ruled out by axioms and sets of axioms of a deontic logic which is not neutral among competing ethical theories and positions. The argument in favor of genuine moral conflicts attempts to show, then, that the deontic axioms do not express logical truths, but rather express substantive ethical claims. As a result it has been argued that deontic logic does not preclude the possibility of genuine moral conflicts on logical grounds, but only by appeal to certain ethically biased principles.

It will be argued in the following chapter that the psychological argument might be employed not in an attempt to show that there exist cases in which an overriding ought-claim conflicts with an overridden ought-claim, but rather in an attempt to provide some evidence for the claim that genuine moral conflicts are logically tenable. Since the argument for the logical tenability of genuine moral conflicts is an argument for a claim which is much weaker than the argument for the existence of dilemmatic situations, and since the Agamemnon-type cases at least seem to be intelligible, (i.e. seem to express a logically possible state of affairs) and, moreover, since moral agents do tend to feel guilt in such situations, it is argued that it is not unreasonable to assume that genuine moral conflicts are possible. If that is the case, then the
burden of proof shifts to those who treat genuine moral conflicts as logically untenable. This argument, and other arguments for the logical tenability of genuine moral conflicts, will be considered in the following chapter.
Notes


2 It has been argued in fact, that the existence of dilemmatic situations presents some evidence for the claim that genuine moral conflicts of the kind specified in thesis (1) are logically possible.

3 See Moral Conflicts and Deontic Logic for a discussion of the difficulty of formulating the "problem" of genuine moral conflicts.

4 See Bernard Williams, 'Ethical Consistency', op. cit., and Ruth Marcus,'Moral Dilemmas and Consistency', op. cit.

5 'Ethical Consistency', op. cit. p.111.

6 'Ethical Consistency' op. cit., p. 110-111. Williams presents a version of the case which is somewhat more brief than the one presented here.


8 Cf. Ruth Marcus, 'Moral Dilemmas and Consistency', op. cit. pp. 131-133. Marcus argues, in part, from the claim that 'explanations and excuses are in order' to the claim that there exists a moral conflict. But it seems clear that the fact that excuses are in order is no evidence for the existence of a moral conflict.

9 See B. Williams, 'Ethical Consistency', op. cit. pp.111-112.

10 Ibid., p.111.
11 ibid., p.111. Williams' formulation of the objection differs, but not in any important way, from the formulation provided here.

12 ibid., pp. 112-113.

13 See Amelie O. Rorty, 'Agent Regret', in Explaining Emotions, (University of California Press, 1980). The conditions presented by Rorty, however, are quite different than those specified here.

14 If it is just too obvious that regret is appropriate in cases where one has not done anything morally wrong, then it might be argued, on behalf of Williams, that what moral agents feel in Agamemnon-type cases is more accurately described as 'guilt' or remorse. If it can be shown that guilt is appropriate in those cases then the psychological argument could be used to support (4'').

15 This is to deny (CP) in SDL above, or a principle analogous to (CP)

16 For instance, one can in any given choice situation choose to send a certain small sum of money to Save the Whales.
CHAPTER III.
The Logical Possibility of Genuine Moral Conflicts

It has been argued that none of traditional arguments which have attempted to establish that there exist certain types of genuine moral conflicts have succeeded. It was argued, in particular, that the psychological argument does not provide sufficient evidence for the claim that there exist any kind of genuine moral conflict. The arguments in favor of genuine moral conflicts, however, have not always been arguments for the claim that moral conflicts exist. Often, it is the case that those who argue in favor of genuine moral conflicts argue only that moral conflicts are logically possible.

Though the claim that genuine moral conflicts are logically possible seems much more plausible than the claim that genuine moral conflicts in fact exist, it has been widely held that the assertion that there are genuine moral conflicts is not only false, but logically inconsistent. It has been argued, for instance, against the moral theory of W.D. Ross that the principles of Ross' theory would quite easily give rise to conflicting obligations and that in virtue of that fact that the theory is patently inconsistent. Ross carefully defended himself against the charge of inconsistency, while agreeing that if his theory generated conflicting obligations, it would be
Ross argued, as is well-known, that the principles which form his theory concern "prima facie" rather than "actual" (i.e. all-things-considered) obligations, and that conflicts between prima facie obligations are not really conflicts at all. John Stuart Mill also seems committed to view that no adequate moral theory can allow for genuine moral conflicts. And more recently John Rawls has argued that it is a formal constraint on the choice of any ethical principles that there be an appropriate ordering on conflicting claims. Though it is not always clear that the moral theorists were worried about the "logical" inconsistency of allowing conflicting obligations, the claim that the obligation to do some action is inconsistent with the obligation to refrain from doing that action is now typically taken as a logical truth of most systems of deontic logic.

Since the possibility of genuine moral conflicts has been ruled out on logical grounds arguments in favor of the thesis that genuine moral conflicts are possible have typically been attempts to show that most systems of deontic logic contain axioms which are not neutral among competing ethical theories and positions. That is, it is argued that the principles of deontic logic preclude the possibility of certain logically tenable ethical positions: in particular the position that genuine moral conflicts are possible. Those favoring the claim that genuine moral conflicts are possible deny that the deontic axioms precluding moral conflicts express logical truths, and argue
that in fact the deontic axioms express substantive ethical claims which are, at best, contingently true.

Among the arguments presented against the claim that the deontic axioms express logical truths has been the 'psychological argument'. It has been argued that though it might not be the case that the psychological argument establishes the claim that there exist genuine moral conflicts, nonetheless it does provide good evidence for the claim that genuine moral conflicts are logically possible. It is argued, that is, that since the Agamemnon case and the Sartre case, and cases similar to these, at least seem to be intelligible (i.e. they do not obviously contain contradictory claims), and since moral agents do seem to feel guilt in such situations, it is not unreasonable to assume that genuine moral conflicts are possible. The psychological argument in this context is employed to establish that the presumption should be that genuine moral conflicts are possible. It is employed, that is, to establish an epistemological claim concerning the possibility, rather than the existence, of genuine moral conflicts. The psychological argument, if successful, would shift the burden of proof to those who treat genuine moral conflicts as logically untenable.

Among the arguments presented in favor of genuine moral conflicts, aside from the psychological argument, has been a set of independent arguments against several of the relevant deontic axioms. It has been argued, specifically, that several of the deontic
axioms which have been employed in arguments against the tenability of genuine moral conflicts are in fact ethically biased, and should not form part of the logic of obligation. These arguments attempt not merely to shift the burden of proof to those who deny that moral conflicts are possible, but attempt to show that deontic principles which preclude the possibility of moral conflicts are not logical truths, and that moral conflicts in fact are possible.

It has already been noted that the problem of genuine moral conflicts has traditionally been formulated in terms of standard deontic logic. As has been noted above, traditionally it has been claimed that the thesis that genuine moral conflicts are possible is logically inconsistent with the axioms of standard deontic logic. It was claimed, that is, that given the assumption that genuine moral conflicts are possible, and the axioms of standard deontic logic, it was possible to derive a contradiction in that logic. The solution to the problem presented by those who favor genuine moral conflicts was the rejection of one or more of the deontic axioms. The solution presented by those who favored the deontic axioms was the rejection of the assumption that genuine moral conflicts are logically possible. It was shown in chapter (1), however, that the problem of genuine moral conflicts cannot be formulated in standard deontic logic. It was also argued in chapter (1) that it could not be concluded that genuine moral conflicts present no problem at all for moral reasoning, but only that genuine moral conflicts present no problem for standard
deontic logic. In section (2) below there will be an attempt to reformulate the problem of genuine moral conflicts in terms of the logic of what moral agents ought-to-do. It will be argued in section (2) not only that the traditional arguments are valid but also that, given the psychological argument, there is a presumption in favor of the assumption made in each of the arguments: the assumption, that is, that moral conflicts are possible. As a result it will be argued that the solution to the problem of genuine moral conflicts appears to involve the rejection of one or more of the deontic axioms.

There are two kinds of arguments which have been presented against the claim that genuine moral conflicts are logically possible. In section (2) arguments which have been presented directly against the claim that genuine moral conflicts are possible will be considered. The deontic principle which precludes the possibility of genuine moral conflicts directly has been referred to as the deontic consistency axiom. The arguments presented directly against the possibility of genuine moral conflicts then can viewed as arguments in favor of the deontic consistency axiom. The arguments which will be considered typically depend on distinguishing prima facie "oughts" and all-things-considered "oughts". It is argued that "conflicts" between prima facie oughts are possible, but conflicts between all-things-considered oughts are not possible. These arguments attempt to solve the problem of genuine moral conflicts by reducing (in a sense to be specified) the purported conflicts between all-things-
considered 'oughts' to conflicts between prima facie 'oughts', rather than by rejecting one or more of the deontic axioms. The most recent systematic attempt to argue against the possibility of genuine moral conflicts in this way has been presented by R. M. Hare. Hare's solution will be considered in section (2). Another solution to the problem of genuine moral conflicts which also argues directly against the possibility of genuine moral conflicts has recently been presented by Azizah Al-Hibri. Al-Hibri's argument also depends on clearly distinguishing conflicts between prima facie 'ought' and conflicts between all-things-considered 'oughts'. The argument presented by Al-Hibri will also be considered in section (2).

In section (3) a new approach to dismissing the logical possibility of genuine moral conflicts will be considered. It will be argued that the new approach has two clear advantages over the approaches of Hare and Al-Hibri. First, there is an attempt in section (3) to provide a more rigorous analysis of the concept of an 'all-things-considered' ought-claim than is provided by either Al-Hibri or Hare. The analysis provides a clearer basis for arguments in favor or against certain purported axioms governing the all-things-considered 'ought', particularly, the consistency axiom. Second, a more rigorous analysis of the concept of a prima facie 'ought' is presented. It is argued that there are two distinct concepts of the prima facie 'ought', which are easily confused. The analysis of prima facie 'oughts' is important, it will be argued, in providing a way of explaining why
certain deontic axioms have been found unacceptable, particularly the consistency axiom.

In section (4) alternative solutions to the problem of genuine moral conflicts are considered. There are alternative ways of avoiding the derivation of a contradiction in classical deontic logic aside from the rejection of the possibility of genuine moral conflicts. Several arguments have been presented which attempt to establish that certain deontic axioms, aside from the consistency axiom, are simply not logical truths. These solutions do not attempt to argue directly for the possibility of genuine moral conflicts, but attempt to argue indirectly, through the rejection of one or more of the deontic axioms (aside from the consistency axiom) which are inconsistent with the claim that genuine moral conflicts are possible. It will be argued, however, that in each case, the rejection of the deontic axiom is based on a confusion between one of the two types of prima facie 'oughts', and the all-things-considered ought. It is argued in section (4) that the deontic axioms which have been rejected in the alternative solutions to the problem of genuine moral conflicts are not coincidentally deontic axioms which do not hold for prima facie oughts. It is argued, further, in section (4) that the reliance on intuitive concepts of all-things-considered ought-claims and prima facie ought-claims in part explains why the deontic axioms have been rejected. Given a more rigorous analysis of the concept of an all-things-considered ought, it
can be shown that most of the rejected axioms do in fact govern the all-things-considered ought.

2. Reformulating The Problem of Genuine Moral Conflicts:

It was argued in chapter (1) that the inconsistency thesis is false. The inconsistency thesis states the following:

(IT) The thesis that there exist genuine moral conflicts of the kind for which there is some evidence is inconsistent with the axioms of standard deontic logic.

It was shown in chapter (1) that if it is assumed both that there exist genuine moral conflicts of the kind for which some evidence has been provided, and assumed that the thesis that such conflicts exist can be rendered in (SDL), it was still not possible to derive a contradiction in that logic. The traditional formulation of the problem of genuine moral conflicts, it was argued, was mistakenly formulated in terms of standard deontic logic. It is worth noting, though it might be somewhat obvious, that from the fact that the inconsistency thesis is false it follows directly that what might be called the 'strong inconsistency thesis' is false. The strong inconsistency thesis states that the logical possibility of genuine moral conflicts is inconsistent with the axioms of standard deontic logic. So that it is
clear that in standard deontic logic the logical possibility of genuine moral conflicts does not result in any inconsistency either.

An adequate formulation of the problem of genuine moral conflicts, it was argued, would require each of the following, none of which formed part of standard deontic logic:

(i) Ought-claims must express personal norms directing agents to do some action in a given circumstance.
(ii) Obligations must be closed, minimally, under causal consequence (so that whatever is entailed causally by the performance of a given obligatory action is itself obligatory).
(iii) Version of the 'ought-can' principle must be, minimally, as strong as the claim that if one ought to do some action, then it is causally or physically possible to perform that action.

Each of the conditions noted above are met in a modified version of Von Wright’s classical deontic logic or (CDL). It will be argued that since (CDL) meets conditions (i)-(iii), the problem of genuine moral conflicts can be adequately formulated in (CDL).

The problem of genuine moral conflicts which will be considered is expressed in the strong inconsistency thesis for (CDL):

(IT*): The claim that genuine moral conflicts are logically possible is inconsistent with certain axioms of (CDL).
could be more explicitly stated. In fact the problem of genuine moral conflicts concerns the logical possibility of conflicts between all-things-considered ought-claims, rather than "conflicts" between prima facie ought-claims, or between a prima facie and an all-things-considered ought-claim. The type of moral conflicts which will be considered, then, is the type schematically presented in thesis (1) above. Typically, moral "conflicts" between prima facie ought-claims are considered possible but uninteresting, since they are often treated as epistemological conflicts only. It will be argued, further on, that this claim is in part true: the conflicts are not merely epistemological. In chapter (II) it was argued that there are no convincing arguments in favor of the claim there exist conflicts between prima facie and all-things-considered ought-claims. No arguments have, so far forth, been provided against the logical possibility of such genuine moral conflicts. The possibility of genuine moral conflicts of that sort will be shown to be dependent on the possibility of genuine moral conflicts between all-things-considered ought-claims. However, this claim too will be considered further on.

Let's consider the possibility of formulating the problem of genuine moral conflicts in terms of Von Wright's classical system of deontic logic, (CDL). Classical deontic logic differs from standard deontic logic in at least two philosophically important ways. In (CDL) the deontic operators 'O' and 'P' are prefixed to names of acts, they
are not prefixed to propositions. At least one result of this is that iteration of deontic operators is not permissible in (CDL). That is, since 'O' is prefixed only to names of acts, and 'OA' is not a name of an act, it follows that 'OOA' is not well-formed in (CDL). For the same reason mixed formulas, for example 'A→OA', are also not well-formed sentences of the language either. Also, since the deontic operators are prefixed to names of acts, the system of propositional logic which constitutes the basis of (CDL) is not, strictly speaking, a logic of propositions, but rather a logic of act-names. As a result, the notion of a truth-value is replaced by an analogous notion of a "performance-value" when considering the value of the conjunction, or disjunction or etc. of actions. Whereas a proposition may be true or false, an act can be performed or not performed. So that though the formalism of propositional logic is retained (viz. propositional variables ranging over act-names, the notions of conjunction-act, disjunction-act, and so on.), they are given the rather unusual interpretation in (CDL) of being 'performance-functions'. However, the connectives of propositional logic are given their truth-functional reading when considering the value of, for example, the conjunction or disjunction of deontic statements. So (CDL) also contains two sorts of logical connectives, unlike standard deontic logic. It seems clear already that (CDL) will be suitable for expressing only a relatively small portion of moral discourse. It can
be shown, however, to adequately formulate the problem of genuine moral conflicts, i.e. (IT*).

Classical deontic logic is formed by introducing into the language of propositional logic (i.e. interpreted as the logic of act-names) sentences of the form, 'OA' which are meant to express propositions of the form, 'S ought to do A'. It is important to note that in (CDL) 'O' is prefixed to names of generic actions rather than to names of individual actions. That is, the act-names refer to general characteristics of acts, for example 'theft' or 'murder' or, say, 'truth-telling'. The act-names do not refer to individual acts, for example, individual thefts or individual murders. In (CDL), then, the symbols 'A', 'B', ... will be interpreted as standing for generic acts, or kinds of acts, or act-predicates, rather than for act-individuals.\(^{10}\) The proposition that 'S ought to do A', then, states that the moral agent S ought to perform some kind of action, A. In (CDL), reference to specific moral agents will be left implicit for the sake of simplicity. The classical system of deontic logic is axiomatized by the following schemas:

\[
\text{PP. } P \lor P \rightarrow P
\]

\[
\text{DD. } P(A \lor B) \iff (P \lor P)B
\]
together with the rules of inference of propositional logic, and the following rule of extensionality:

**RE.** If 'A' and 'B' are logically equivalent, 'PA' and 'PB' are logically equivalent.

(CDL) also contains the following definition of obligation:

**Df.O** $O A \iff \neg P \neg A$

(PP) is the principle of permission. It states that for any act-type 'A', it is the case that either S is permitted to do A or S is permitted to do $\neg A$. This is equivalent to the claim that it is not the case that S ought to do A and S is forbidden to do A. No act-type is both obligatory and forbidden. (DD) is the principle of deontic distribution. It states that if S is permitted to do the disjunction of two act-types, then S is permitted to do each of the act-types forming the disjuncts.

Before attempting to formulate the problem of genuine moral conflicts in terms of (CDL), it will be useful to present the following theorems of (CDL):
OP. \( \text{OA} \rightarrow \text{PA} \)

OD. \( \text{OA} \rightarrow \neg \text{O-A} \)

OC. \((\text{OA} \& \text{OB}) \rightarrow \text{O(A} \& \text{B})\)

(OP) is one of the two laws stating the relation between obligation and permission (the other is \(\text{Df.O}\)), it follows directly from the principle of permission. It states that if \(S\) ought to do act-type \(A\) then \(S\) is permitted to do act-type \(A\). (OD) is the deontic consistency axiom. It follows directly from (OP) and (Df.O) and states that if \(S\) ought to do \(A\) then it is not the case that \(S\) ought to do not \(A\). This is the principle which directly rules out the possibility of at least certain types of moral conflicts on logical grounds. (OC) is the principle of deontic distribution for obligation in (CDL). It states that if \(S\) ought to do act-type \(A\) and \(S\) ought to do act-type \(B\), then \(S\) ought to do act-type(s) \(A\) and \(B\).

So far forth it is clear that (CDL) has only met adequacy condition (i). It contains ought-claims which direct individual moral agents to do a kind of action. It is also clear that it is not possible to derive in (CDL) the deontic principles required to meet conditions (ii)-(iii). As a result it must be argued that the required principles can be added to (CDL), as logical truths. This is not an argument that
in fact they are logical truths, but that they are reasonable candidates for logical truths. A defense of the claim that they are logical truths will be presented further on. The question concerning the addition of such principles to (CDL) is, then, philosophical rather than logical.

Consider, first, adequacy condition (iii). It states that in order to formulate the problem of genuine moral conflicts, (IT*), a version of the 'ought-can' principle which is minimally as strong as the claim that 'ought implies physically possible' is required. This, it seems clear, is a fairly unorthodox version of the 'ought-can' principle. The principle is usually considered to be much stronger than 'ought implies physically can'. However, within (CDL) it is possible to derive the weakest version of the 'ought-can' principle. Assuming that '¬A' is a logical truth it can be shown in (CDL) that:\[ K \cdot \Box A \rightarrow P \neg A \]

This might be rendered somewhat more freely as 'what I cannot but omit, I am permitted to omit'. But by contraposition this just amounts to:

\[ K' \cdot OA \rightarrow OA \]
(K') just states that if S ought to do A then it is logically possible that he do A. But it has already been argued that this version of the 'ought-can' principle is too weak to use in the formulation of the problem of genuine moral conflicts. There was a good argument for regarding the weakest version of the 'ought-can' principle as an axiom of what ought-to-be, or in standard deontic logic. In standard deontic logic the weak version of the 'ought-can' principle is just equivalent to the consistency axiom. Both of these axioms concern conflicting propositions not conflicting actions. Since propositions, unlike actions, can "conflict" only in the sense of being logically inconsistent, standard deontic logic only need contain principles which preclude ought-claims from recommending logically inconsistent states of affairs (propositions). There are particularly strong arguments, however, in favor of adding the stronger version of the 'ought-can' principle to (CDL), as a logic of what agents ought-to-do, which were irrelevant when considering the logic of ought-to-be.

It is often argued that 'ought implies can' because a person cannot be blamed for not doing what he cannot do. Moreover, if a person cannot be blamed for failing to do something, then he/she cannot be under an obligation to do it. Being under an obligation to do something seems to presuppose that the action can be done. Since standard deontic logic concerns impersonal norms, the appeal to 'blameworthiness' is irrelevant, but in (CDL) the concern is with personal norms directed at particular individuals. The principle, then,
seems to be a plausible candidate for a deontic axiom. The principle, on any version, is controversial. But the fact that it is controversial does not entail that the principle is not a logical truth. Given the considerations noted above, and the fairly widespread acceptance of the principle, it does not seem unreasonable, at least at the outset, to treat the stronger 'ought-can' principle as a logical truth.

Letting 'M' be the symbol for physical possibility, the following version of the ought-can principle will be added to (CDL):

\[ K^* \text{ OA} \rightarrow \text{MA} \]

\((K^*)\) is read as follows, 'if S ought to do A, then it is physically possible for S to do A.'

Consider, now, condition (ii) above. It stated that in order to adequately formulate the problem of genuine moral conflicts it must be the case that ought-claims are closed, minimally, under causal consequence. So that, whatever is entailed causally by the performance of a given obligatory action is itself obligatory. But it was argued that in standard deontic logic ought-claims are closed, at best, only under logical consequence. But it seems that a stronger version of the closure principle is desirable in order to cover cases like the following, concerning what moral agent's ought-to-do: suppose that I think that I ought to waltz and discover that doing so
would cause my mother-in-law to be shocked. I know that I ought not
to shock her, and so I decide that I was wrong about waltzing in the
first place. The argument goes in the following way: If I waltz, I
shock; but I ought not to shock; so ¬(I ought to shock); hence by
reductio, ¬(I ought to waltz). It seems clear that here 'oughts' are
transferred from one action to another not because of the logical
consequence of the proposed action, but because of the causal
consequence of the action.15 The strong principle, moreover, seems to
be employed very frequently in reasoning about what one ought to do:
a moral agent determines the causal consequences of what he thinks
he ought to do in order to determine whether they too appear to be
what he ought to do. If not, then he can argue by contraposition that
the initial position was wrong, he ought not to do it. It seems, then,
plausible to add to (CDL), at least initially, the stronger version of
the deontic closure principle.

Let 'N' symbolize physical necessity. The following version of
the closure principle should be added to (CDL):

\[
\text{CP. } N(A \rightarrow B) \rightarrow (O \rightarrow B)
\]

(CP) should be read as follows: If S's doing A causally entails S's
doing B, then if S ought to do A then S ought to do B. Given (CP) it
follows that if S's devoting all of his time and energy to the Peace
Corps. causally entails that S does not devote all of his time and
energy to Save the Whales, then if S ought to devote all of his time and energy to the Peace Corps, then he ought not to devote all of his time and energy to Save the Whales.\(^16\)

The principles (CP) and (K*) are crucial in formulating the problem of genuine moral conflicts. In the absence of (CP) and (K*) contingently based moral conflicts would present no logical problem at all. As was noted above, contingently based genuine moral conflicts are those conflicts between ought-claims recommending actions which are not contingently possible to perform. Two actions are not contingently possible to perform just in case given the contingent facts in a given situation, and the set of causal laws, it is physically impossible to perform both of the actions. The adequacy conditions noted above, then, which require (CP) and (K*), might be considered the adequacy conditions for formulating the problem of contingently based genuine moral conflicts. It is sometimes argued, however, that not only are contingently based moral conflicts possible, but what might be called 'theory-based' moral conflicts are possible. It is possible that a moral theory contain general principles which are intrinsically in conflict. Such a moral theory would contain general principles which are in principle unfulfillable: e.g. 'One ought always to tell the truth', and, 'One ought never to tell the truth'. Maintaining such a set of principles would be relatively undesirable, from the point of view of moral theory, but, it is argued, there is nothing wrong with maintaining both of these principles from a logical point
of view. The problem of 'theory-based' moral conflicts can be formulated without appeal to either (K*) or (CP). So that arguments concerning whether (CP) and (K*) ought to be rejected or maintained are relevant to establishing the logical possibility of contingently based genuine moral conflicts, but are irrelevant to establishing the logical possibility of 'theory-based' moral conflicts. The possibility of theory-based moral conflicts will not be considered in this section.

Consider, now, the following arguments attempting to establish the inconsistency thesis, (IT*). There are two arguments:

[Argument-1]:

(1) OA
(2) OB
(3) \neg \phi(A \land B)
(4) (OA \land OB) \rightarrow \phi(A \land B) OC
(5) OA \land OB 1,2, PL
(6) OA \land OB 4,5 PL
(7) OA \land OB \rightarrow \phi(A \land B) K*
(8) \neg \phi(A \land B) 3,7 PL

[Argument-2]:

(1') OA
(2') OB
(3') \neg \phi(A \land B)
(4') \square(A \rightarrow B) \rightarrow \phi(OA \rightarrow O-B) CP
(5') \square(A \rightarrow B) 3', Df.
(6') OA \rightarrow \neg O-B 4',5' PL
(7') OB \rightarrow \neg O-B OD
(8') O-B 1',6' PL
It should be clear that arguments (1-2) are each valid\textsuperscript{17}. But arguments (1-2) are valid only when considering moral conflicts between ought-claims recommending physically incompatible actions. It was argued in chapter (1) that the moral conflicts for which some evidence has been presented are typically conflicts between ought-claims recommending contingently incompatible actions. Formulating these moral conflicts requires that the 'ought-claims' in arguments (1-2) be relativized not only to particular individuals, but also to specific circumstances. Reference both to individuals and to circumstances will be left implicit. Henceforth, then, statements of the form '0A' should be read, 'S ought to do A in C'.

It is worth emphasizing that another argument which has often been presented in attempting to establish (IT*) is, in fact, irrelevant here. The argument establishes not that contingently based moral conflicts are inconsistent with the principles of (CDL), but that theory-based moral conflicts are inconsistent with the principles of (CDL). The argument proceeds as follows\textsuperscript{18}:

[Argument-3]:

\[
\begin{align*}
(1'') &: 0A \\
(2'') &: 0-A \\
(3'') &: \neg\circ(A \& \neg A) \\
(4'') &: 0A \rightarrow PA
\end{align*}
\]
Without the assumption of (CP), it could not be the case that 'OA' and 'O¬A' obtained unless it was assumed that some moral theory contained intrinsically inconsistent general moral principles. If (CP) is assumed, then argument-3 is essentially the same argument presented in argument-2. If (CP) is not assumed, then it must be argued that theory-based moral conflicts are possible, not merely that it is possible for 'OA' and 'O¬A' to obtain. For the fact (if it is a fact) that 'S ought to do A' is consistent with 'S ought to do ¬A' does not show that theory-based moral conflicts are possible. An independent argument is required. The possibility of theory-based moral conflicts, as was noted above, will not be considered in this section.

It seems, then, that the inconsistency thesis is correct when considered as a claim about the logic of what moral agents ought-to-do. The problem resulting from the possibility of genuine moral conflicts is clear when formulated in (CDL): a contradiction can be straightforwardly derived. It might be suggested, however, that the so-called "problem" of genuine moral conflicts as formulated in (CDL) is not so serious a problem. Granting that premises all of which are true or acceptable cannot entail a contradiction, there are clear ways
to avoid the derivation of a contradiction in this case. The problem is avoided by the rejection of one or more of the deontic axioms, or by the rejection of the claim that genuine moral conflicts are logically possible. No doubt, either of these alternatives would solve the problem of genuine moral conflicts. Consider, however, the alternative of rejecting one or more of the deontic axioms of (CDL). In order to avoid deriving a contradiction the following principles would have to be rejected: (A) and either (B) or (C), or (D); and either (E) or (F) below:

(A) \(\neg (O A \land O \neg A)\):
It is not the case that S ought to do A and that S ought to fail to do A.

(B) \(O A \rightarrow PA\):
If S ought to do A, then S is permitted to do A.

(C) \(O \neg A \rightarrow PA\):
If S is permitted to do A, then it is not the case that S ought to fail to do A. And if it is not the case that S ought to fail to do A, then S is permitted to do A.

(D) \(\Box (A \rightarrow B) \rightarrow (O A \rightarrow OB)\):
If S's doing A causally entails S's doing B, then if S ought to do A then S ought to do B.

(E) OA---->MA:
If S ought to do A, then it is physically possible for S to do A.

(F) (OA & OB)---->O(A & B):
If S ought to do A and S ought to do B, then S ought to do A and B.

Each of (A) through (F) are principles of moral reasoning which we commonly employ, regardless of our theoretical leaning. That is, it seems that the employment of (A) through (F) does not depend on a prior commitment to this or that moral theory. So that, though it is clear that the rejection of certain members of (A)-(F) would solve the problem of genuine moral conflicts, it is by no means clear which members, if any, to reject. And, certainly, those arguing in favor of the possibility of genuine moral conflicts are not in agreement concerning which principles ought to be rejected.

Consider, on the other hand, the rejection of thesis (1). Thesis (1) states that genuine moral conflicts between all-things-considered ought-claims are logically possible. It is difficult to argue that a state of affairs is logically possible. Typically, in "arguing" that some state of affairs is logically possible, that some state of affairs obtains at some possible world, an appeal is made to the
'intelligibility' or 'conceivability' of that state of affairs. This is by no means an unproblematic method of determining whether a state of affairs is possible. However, if we are to appeal to these criteria of possibility, at least at the outset, then thesis (1) certainly seems to express a logically possible state of affairs. Though rejecting thesis (1) would solve the problem of genuine moral conflicts, there seem to be good reasons for not rejecting thesis (1).

Though it is clear what must be done, in a very general sense, to remove the problem of genuine moral conflicts, it is very unclear what must be done in specifically. In section (3) below further consideration will be given to the direct arguments in favor of the thesis that genuine moral conflicts are logically possible. The arguments attempt to establish that the epistemic presumption should be in favor of the claim that genuine moral conflicts are logically possible. It will follow, if these arguments are correct, that the presumption should be that the deontic axioms precluding moral conflicts are logical truths, but rather substantive ethical claims.

3. The Direct Argument in Favor of the Possibility of Genuine Moral Conflicts:
Consider the traditional illustrations of genuine moral conflicts which have been presented. For example, consider the Sartre case:

I will refer to the case of a pupil of mine who sought me out in the following circumstances. His father [during the war] was inclined to be a "collaborator"; his elder brother had been killed in the German offensive of 1940 and this young man . . . burned to avenge him. His mother was living alone with him, deeply affected by the semi-treason of his father and by the death of her oldest son, and her consolation was in this young man. But he, at this moment, had the choice between going to England to join the Free French Forces or of staying near his mother and helping her to live. . . .

Although the Sartre-case has been employed in an attempt to establish that there exist genuine moral conflicts, it has also been employed in an attempt to establish that genuine moral conflicts are logically possible. Van Fraassen has argued that the Sartre case (and other similar cases) are prima facie best interpreted as cases involving a conflict between two all-things-considered ought-claims. Van Fraassen argues that in the case presented above, a reasonable person might strike a balance between the conflicting demands. In fact, he argues, that may be what 'reasonable' means in this context. But it clearly does not follow that there is a morally right balancing in the sense in which there is a moral solution to the "dilemma" that occurs if a murder cannot be prevented without a lie.
In response it might be argued, with respect to cases like the Sartre case, that though they appear to present a conflict, prima facie, there is no reason to believe that careful moral argument will not always suffice to resolve the conflicts. Consider, however, that if it is granted that moral ought-claims conflict prima facie, then the presumption should surely be that the conflicts are real, and the burden of proof seems to be on those who deny that they are real.

Van Fraassen is clearly arguing here, not merely for the logical possibility of genuine moral conflicts, but for the existence of such conflicts in the actual world. The difficulty with van Fraassen's argument is that, first, it is not at all obvious that the Sartre case is "best interpreted" as a case of moral conflict between all-things-considered moral conflicts, in spite of the fact that there does appear to be some sort of conflict. Second, Van Fraassen's claim that the presumption should be in favor of the reality of moral conflict, given the appearance of moral conflict is just unconvincing. Straightforwardly resolvable moral conflicts between prima facie obligations appear to conflict, but it cannot be concluded on the basis of such an appearance that the presumption should be that the conflict is irresolvable. Nonetheless, there is an interesting way in which van Fraassen's argument can be altered to avoid the foregoing difficulties.

Bear in mind that to oppose the logical possibility of moral conflicts is to maintain a very strong thesis. In order to defend such a
thesis it must be shown that the state of affairs described by (T1) is 'unintelligible' or 'incoherent'. Appealing to the 'intelligibility' of a state of affairs is, in effect, appealing to individual intuitions concerning the possibility of that state of affairs obtaining. The difficulty of approaching the problem in this way, of course, is that there is no way to handle conflicting intuitions about the possibility of states of affairs. This is just the problem that arises for van Fraassen's first line of argument. That is, the approach of appealing to intuitions can be employed both by those who deny the claim that moral conflicts are possible and by those who argue against that possibility. And the result is that there is no way clearly to settle the question. But consider that the Sartre case (and similar cases) need not be presented as "counterexamples" to the claim that genuine moral conflicts are impossible. Given the strength of the opposing thesis, van Fraassen need only claim that it is not by any means obvious that the Sartre case (and the similar cases) are not instances of genuine moral conflicts. It is not clear, that is, that the Sartre case is an instance of an irresolvable moral conflict between all-things-considered ought claims. Van Fraassen's modified claim can be defended, at least in part, by appeal to the 'psychological argument' presented above. There is clearly evidence for the claim that such conflicts are not obviously resolvable given that moral agents seem to feel regret and even guilt in cases like the Sartre case.
If it is granted that the Sartre cases is not clearly a case of resolvable moral conflict (if, that is, it is granted that there is a good deal of room for argument concerning this point) then it must be granted that we do not know simply by observation that there is a resolution to the conflict. But this is to grant that it is at least possible (alethically) that we should learn that the Sartre case is a genuine moral conflict. But it seems clear that those who maintain that genuine moral conflicts are impossible must deny that we could ever learn that the Sartre case is an instance of a genuine moral conflict. According to van Fraassen's modified argument, since it is epistemically possible that the Sartre case is an instance of a genuine moral conflict, it follows that it is logically possible that the Sartre case is a genuine moral conflict. It seems to follow that the burden of proof is on those who deny the logical possibility of genuine moral conflicts.

Van Fraassen's argument is convincing because he does not claim that the Sartre case contains, in fact, a conflict between all-things-considered ought claims, or even that the Sartre case contains what appears intuitively to be a conflict between all-things-considered ought claims. Rather, the argument is for the much more modest claim that it is not obvious that the Sartre case is not an instance of a genuine moral conflict. Van Fraassen's conclusion rests on what seems to be an uncontroversial epistemological claim. And his conclusion seems to follow uncontroversially: that the burden of
proof is on those who deny the logical possibility of genuine moral conflicts.

Given the direct argument in favor of the thesis that genuine moral conflicts are possible it seems to follow that the presumption is that they are logically possible. But clearly it must also be granted that a contradiction cannot be derived from a set of claims all of which are true. So, the presumption must be that one or more of the deontic principles employed in arguments (1-2) above does not express a logical truth.

There are two ways to defend the claim that genuine moral conflicts are logically impossible. One can defend the deontic axioms occurring in arguments (1-2) above, and argue indirectly that genuine moral conflicts are not possible. Or, one can argue directly against the assumption of arguments (1-2): i.e. the claim that such conflicts are possible. In chapters (IV)-(VI) below the direct arguments against the claim that genuine moral conflicts are possible will be presented. As was noted above, the direct arguments against the possibility of genuine moral conflicts might also appeal to individual intuitions concerning the Sartre case, and similar cases. But, as was the case with the argument in favor of genuine moral conflicts, such arguments are fairly unconvincing. In considering the possibility of genuine moral conflicts, the arguments in chapters (IV)-(VI) attempt to clarify the distinction between 'prima facie' ought-claims and 'all-things-considered' ought-claims. The thesis of the direct arguments
against the possibility of moral conflicts is that the failure to clearly distinguish between prima facie and all-things-considered ought-claims is what has resulted in the proposal that genuine moral conflicts between all-things-considered obligations are logically possible.
Notes


2 There are several others who also hold this view. See, for example, David Lyons, *Forms and Limits of Utilitarianism* (Oxford University Press, 1965) p.21; and Hector-Neri Castaneda, *The Structure of Morality* (Charles C. Thomas, 1974).


4 Given the argument of chapter (I), at least one notable exception to this is standard deontic logic.

5 This is to say that the principles of deontic "logic" are not, in fact, logical principles, but ethical principles.

6 Von Wright refers to his the logic presented in "Deontic Logic", *Mind*, Vol. LX, No. 237, January, 1951, as 'classical deontic logic' or (CDL). (CDL) differs from standard deontic logic most importantly in the fact that in (CDL) the deontic symbols operate on act-types, or kinds of actions, while in standard deontic logic the deontic symbols operate on propositions. Von Wright has recently modified the system of (CDL) in "Deontic Logic---A New Approach" in Practical Reasoning: Philosophical Papers Volume I (Cornell University Press, 1983). The modified version of (CDL) will be considered in what follows.


8 Von Wright has argued that the notions of a truth-function and a performance function are strictly analogous. As a result we can speak meaningfully of the negation-act of a given act, as well as the 'conjunction-act', 'disjunction-act', 'implication-act' and 'equivalence-act' of two given acts. See G. H. Von Wright, 'Deontic Logic', *Mind*, Vol. LX, No. 237, January 1951. pp. 1-4.

9 See Von Wright, 'Deontic Logic', ibid. pp. 1-7. Von Wright argues that the ambiguity between truth-functional readings and performance-functional readings of the connective does not easily lead to
confusion, and, as a result, is to be preferred to the introduction of two special sets of symbols.

10 See Dagfinn Føllesdal and Risto Hilpinen, 'Deontic Logic: An Introduction' op.cit. pp.9-11.


12 See Brian Chellas, Modal Logic: An Introduction, (Cambridge University Press, 1980), pp. 190-202. The two principles are in fact provably equivalent in even the weak version of standard deontic logic considered by Chellas.

13 It might be argued that the fact that a moral agent cannot be blamed for failing to do an action does not entail that it is not the case that he ought to do the action. The action may be the morally right action in the given circumstances, and it might be the case that the agent ought to do that action, and it might also be the case that the agent is not blameworthy if he fails to perform the action. That is, a distinction can be made between act-evaluation and agent-evaluation. On this view however it seems that claims such as, "S ought to do A" are not claims about the agent in question, they do not state that "S has an obligation to do A", rather they are claims about the action. They state that the action 'A' is the morally right action in the circumstances. But of course this is only a claim about the moral rightness of the action. There are many other morally relevant considerations which must be considered before claiming that the action should be performed by S. At least one of those considerations is the possibility of S's performing the action.

14 Cf. Geoffrey Sayre-McCord, 'Deontic Logic and The Priority of Moral Theory', Nous, Vol. 20, No. 2, (1986). McCord states: "the principle that "ought" implies "can" runs head on into the ethical doctrines of those religions, such as Calvinism, which are committed to predestination." McCord argues that since such positions are as tenable as positions which assert that ought implies can, the principle of deontic neutrality demands abandoning the assumption that what is obligatory is possible. At best what McCord can conclude, it seems to me, is not that 'ought-can' is not a logical truth, but that we temporarily suspend judgement concerning whether it is a logical
truth. To deny that it is a logical truth would require that we maintain that if a logical truth is not an obvious truth, then it is not a logical truth. But this is to conflate the epistemological status of a claim with its logical status. Not all logical truths are obvious.

15 See Bruce Vermazen, 'The Logic of Practical 'Ought'-Sentences', *Philosophical Studies*, 32, (1977). pp.3-13. Vermazen ultimately rejects any version of the closure principle in favor of what he refers to as the 'inheritance principle'. The rejection of the stronger version of the closure principle is based on the fact that even the weak version of the principle seems gives rise to the 'Good Samaritan Paradox'. This is taken by Vermazen as independent evidence against any version of the principle.

16 Although (CP) as it stands does seem to handle cases like the "Peace Corp-Save the Whales" case, it does not handle the "Mother-in-Law-Shocking" cases. In order for (CP) to handle those cases it must be assumed that the axioms are relativized to certain circumstances, as well as to individuals. So that given a set of circumstances, C, and the set of physical laws, L, it is physically necessary that if I waltz, I shock.

17 Other than the assumptions made in each of the arguments (1-3), the arguments contain only necessary truths, or purported necessary truths. Since the deontic axioms which preclude the possibility of moral conflicts are true in every 'possible world', it seemed an unnecessary complication to formulate the arguments using further alethic operators. This would only be necessary if there were some possible world in which the deontic axioms did not hold: that is just the position that is in dispute, and against which I am arguing. So that, in spite of the claim that it is 'the possibility' of genuine moral conflicts which results in the derivation of an inconsistency in (DL), it seems unnecessary to formulate the arguments using the 'possibility' and 'necessity' operators. Nonetheless, in case there is any doubt, the arguments could be formulated, briefly, as follows:

[Argument-1*]:

(1) ◊((OA & OB) & ¬◊(A & B)) A
(2) □ ((OA & OB)<---◊(A & B)) OD,RN
(3) ◊ (O(A & B) & ¬◊(A & B)) 1,2 Sub.
(4) □ (O(A & B)<---◊(A & B)) K*,RN
(5) ¬◊¬(O(A & B)<---◊(A & B)) Df.◊
(6) \( \neg \square(O(A \land B) \land \neg \square(A \land B)) \)  
5, PL  
3,6 *@

[Argument-2*]:  
(1') \( \square((O \land OB) \land \square(A \rightarrow \neg B)) \)  
A  
(2') \( \square((O \land OB) \land (OA \rightarrow O \lor B)) \)  
CP, MP  
(3') \( \diamond((O \land OB) \land O \lor B) \)  
2', MP  
(4') \( \neg \diamond(O \lor B \land O \lor B) \)  
OD, RN  
3',4' *@


CHAPTER IV
R.M. Hare and the Problem of Moral Conflicts

Hare's analysis of two kinds of general moral principles, prima facie and critical, and his discussion of the relation between these two kinds principles, are central to his discussion of the logical possibility of genuine moral conflicts. In fact, if Hare's analysis of general moral principles is correct, then neither genuine moral conflicts nor even dilemmatic situations are possible. All purported moral conflicts are treated as epistemic conflicts. In what follows, Hare's characterization of the 'two kinds' moral principles and the relations holding between them will be discussed in detail. Following this discussion it will be shown how the analysis of moral principles provided by Hare precludes the possibility of genuine moral conflicts and dilemmatic situations. Finally, several objections to Hare's analysis will be presented and discussed.

Hare argues that it is readily agreed that it is sometimes the case that a person thinks that he ought to do action A, and thinks that he ought to do action B, but cannot do both A and B. Hare considers the following illustration of such a situation:
Suppose that I have promised to take my children for a picnic on the river at Oxford, and then a lifelong friend turns up from Australia and is in Oxford for the afternoon, and wants to be shown round the colleges with his wife. Clearly, I ought to show them the colleges, and clearly I ought to keep my promise to my children. Not only do I think these things, but in some sense I am clearly right.\textsuperscript{3}

Hare argues that, in general, it seems that if I ought to do A, and doing B would preclude my doing A, then I ought not to do B. So that, in the case above, if I ought to take my friend around the colleges, this involves a decision, in some sense, that I ought not to take the children for their picnic. But then it seems that I both ought and ought not to take the children for their picnic. And it is a small step to the conclusion that I ought to both take them and not take them for their picnic. This obviously runs counter to the claim that ‘ought implies can’.\textsuperscript{4} The argument that Hare presents here is, roughly, the same as argument-(2) presented in chapter (II) above. Hare, however, does not attempt to derive a contradiction, but rather attempts to show that the assumption that moral conflicts are possible “runs counter” to the principle that ‘ought implies can’.\textsuperscript{5} Similarly, Hare argues that even if we do not make the move from saying that I ought to do A to saying that I ought not to do B, because doing B would preclude my doing A, we can still get a breach of the principle that ought implies can by going from the statement that I ought to do A and I ought to do B to I ought to do A and B. This argument, it seems, is roughly the same as argument-(1) above. Again, however, Hare is concerned not to derive a
contradiction, but to show that the assumption that moral conflicts are possible results in a breach of the principle that 'ought implies can'. It seems clear then that Hare concedes that if moral conflicts are possible, one or more of the principles he employs in the arguments above must be rejected.

However, Hare contends, without presenting any argument, that the rejection of the 'ought-can' principle, or the rejection of the deontic distribution principle would be rather heroic measures to take in attempting to solve the problem of moral conflicts. The logical and linguistic intuitions which give rise to these principles are all right, according to Hare, as far as they go. Hare argues that the problem is that there is some ambiguity, or at least difference of use, affecting the term 'ought' as it occurs in different contexts. What is required, according to Hare, is an understanding of the two levels of moral thinking, and of the different ways that 'ought' is used in each of them. Corresponding to the two levels of moral thinking are two kinds of moral principles: prima facie principles and critical principles. Hare's thesis is that 'ought' as it occurs in prima facie principles does not preclude the possibility of moral conflicts (in a rather broad sense of "moral conflict"), but 'ought' as it occurs in critical principles does preclude the possibility of moral conflicts. The defense of the thesis begins with an initial attempt to distinguish prima facie principles and critical principles.
General moral principles may be divided into two broad sub-classes of moral principles: (1) critical moral principles and (2) prima facie principles. Both sorts of general principles are universal prescriptions, the most important difference between them lies in the 'generality-specificity' dimension. Prima facie principles, because of their function, must be relatively simple and general, i.e. unspecific. Critical principles, on the other hand, can be of unlimited specificity. To say that prima facie principles and critical principles are characterized by 'universality' is to say that the principles do not contain individual constants (e.g. a proper name, definite description, or any other singular term, since these refer to a specific individuals.) and they are governed by a universal quantifier: viz. 'All', 'No', 'Never' etc. The universality of critical principles is clearly compatible with the specificity of those principles. To see this consider the following principles:

(A) Always keep one's promises.
(B) Always keep one's promises except where keeping a promise requires failing to tell the truth.

Both (A) and (B) are universal principles, given how 'universal' was defined above, but (B) is clearly more specific than (A). So, specificity is not contrasted with universality, rather it is contrasted with generality; and specificity and universality are not incompatible. This distinction is important, and will be considered in greater detail later in this section. At present let's consider
briefly, and later in more detail, another important distinction between prima facie principles and critical principles.

It is possible to reason, morally, employing either prima facie moral principles or critical moral principles. That is, according to Hare, there is a 'level' of moral reasoning which uses prima facie principles and a separate level of moral reasoning in which critical principles are used. The former level of moral reasoning Hare refers to as the 'intuitive level', the latter is referred to as the 'critical level'. Hare argues that 'those who claim that there are irresoluble conflicts of duties are always those who have confined their thinking about morality to the intuitive level. ... But at the critical level there is a requirement that we resolve the conflict, unless that we are to confess that our thinking has been incomplete'. Hare's claim, then, is that there is a method of reasoning, morally, which enables one to resolve all moral conflicts. This method employs (in a sense to be specified) critical moral principles. So, critical moral principles are importantly related to moral conflict-resolution. Also, there is a method of reasoning, morally, in which moral conflicts are irresoluble. This method, the intuitive method, employs prima facie moral principles. And so, it is clear that prima facie moral principles are importantly related to the possibility of irresoluble moral conflicts.

It seems then that Hare's treatment of moral conflicts requires two distinct concepts of 'a moral principle'. It is important
in presenting Hare's position on moral conflicts that the distinction between these principles be made as clear as possible. Let's consider in more detail Hare's concept of prima facie principles. And, following this, a more detailed exposition of Hare's concept of a critical moral principle will be considered.

2. Hare on Prima facie Principles:

Hare's concept of a prima facie principle differs considerably from any view of prima facie principles considered so far. They are principles which cannot be defined fully in terms of the strength or weakness of the moral reasons we have for behaving according to them. That is, it is not the case that prima facie principles are just those principles which provide some moral reason for compliance, or which possess some 'presumption' in their favor. Moreover, they are not moral duties, in Ross' sense, which have a "tendency" to be, say, actual duties. Rather, Hare characterizes prima facie principles functionally. Prima facie principles are, first, the sort of principles which function both in moral learning and in moral teaching. As such they they cannot be formulated in sentences of unmanageable length. That is, according to Hare there is a degree of complexity of moral principles 'beyond which we are unable to learn those principles. . . .' Hare's suggestion then is that there must be a limit to the qualifications, or ceteris paribus clauses, contained in prima
facie principles if they are to be learnable. Prima facie principles, then, are characterized by a high degree of generality.

Prima facie principles also function as practical guides to moral behavior. So that there is a practical reason, aside from the psychological reason, for limiting the complexity of prima facie principles. That is, Hare claims that since the situations in which we find ourselves are never precisely similar to one another, any principle which is going to be useful as a practical guide will have to be general enough to be applicable to a variety of situations all of which have certain salient features in common. Such general principles make it possible to make moral decisions given ordinary contingencies.

Hare also contends that prima facie principles make moral conduct possible in the sense that without the use of prima facie principles we 'expose ourselves to constant temptation to special pleading.' In practice, it is easy, according to Hare, to cook our moral thinking to suit our own interest. That is, if it is the case that one must decide whether it is moral to lie or to tell the truth, where lying is also, coincidentally, the self-interested alternative, then without a general principle against lying, it is too easy to decide the case in one's own favor. Hare provides here another psychological reason in favor of reasoning with prima facie principles on moral matters.
It is clear then that prima facie principles have a particular function in moral reasoning. They are the type of principles which are required if morality is to be made practical. That is, without such principles making moral decisions would be a more involved procedural process; so involved, Hare would claim, as to be impracticable in the typical situations requiring a moral decision. It is clear as well that moral principles which function in such a way must possess a high level of generality. That is, they cannot be overly complicated by exception-clauses. There are, however, important characteristics of prima facie principles which are unrelated to their function in moral reasoning. Some of these are characteristics which they possess in virtue of being moral principles.

Hare claims that prima facie principles are not merely convenient rules of thumb, but are in fact universal moral prescriptions. To claim that prima facie principles are 'prescriptive' on Hare's view, means, by definition, that they entail imperatives, in the strong sense of 'logically entail', when they are used evaluatively. That is, according to Hare, one cannot without contradiction, assent to a prima facie principle 'One ought always to do X' (to tell the truth, or to keep promises, or etc.) and not assent to the command or mandate, 'Do X'. So, it is clear that prima facie principles do not merely give one 'a moral reason', or 'a good reason' to behave in a particular way. Rather, the relation between the prima facie principle and one's actions is much stronger than this. Prima
facie principles logically entail, by means of imperatives, certain courses of action by those who accept those principles. These are characteristics of all moral principles, according to Hare, whether or not they are prima facie.

It is important to note that though prima facie principles do entail (by means of imperatives) certain courses of action by those who accept them, and though such principles are universal, nonetheless it is possible for one to accept a prima facie principle and, consistently, not do what is recommended by that principle. Hare claims that it is clear that prima facie principles are universal in the sense that they start with a universal quantifier, and contain no singular terms. But there is also a sense in which they are not 'universal': they are not universally binding. That is to say, they admit of exceptions, they are overridable by other moral principles. This does not conflict with the claim that prima facie principles are prescriptive, however, because in the cases in which such principles are overridden, they simply do not apply. If in fact they did apply, then they would require a certain action. Now, though it is clear that prima facie principles may be overridden, Hare's view of 'overridingness' is somewhat unusual. To say, for example, that the principle, (a)'One ought never to tell lies' has been overridden by the principle (b) 'One ought never to tell military secrets to strangers in wartime' is not, on Hare's view to qualify (a) to read (a*)' One ought never to tell lies, except when doing so will preserve military secrets during
wartime'. When prima facie principles are overridden there is no qualification of those principles, no exception-clauses added. Moreover, the moral opinion held in (a) is not abandoned when it is overridden, one may still hold (a) in its general form. It is not the case either, as was mentioned above, that (a) is no longer prescriptive. Hare claims that it remains prescriptive in spite of being overridden. What does occur in cases where one prima facie principle overrides another is not only that we act on one of the principles rather than another, but also that we think that we ought to act on one even though it involves disregarding the other. What makes it possible to 'disregard' the overridden moral principle is the fact that we just do not apply the principle in situations where it is overridden. In effect, to say that a principle is overridden in a certain situation, on Hare's account, is just to say that we do not apply the principle in that situation. It is this notion of overridingness which also makes it possible that the overridden principle remain prescriptive. This view of overridingness seems unusual because it would seem necessary to the claim that one principle overrides another, or takes precedence over another, or is more important than another, or etc., that there in fact be two principles which apply to a given case. But on Hare's view of overridingness, two principles need not apply. In fact the prescriptivity of moral principles necessitates that only one of the conflicting principles apply.
There is one final characteristic of prima facie principles which should be considered. It is not always the case that when two prima facie principles conflict one of the principles is overriding. In cases of what Hare calls 'more serious conflicts', cases where do not 'feel sure' that one of the principles overrides the other, we may be forced to examine the prima facie principles themselves. In such cases, instead of overriding one of the principles, we may qualify one of the principles from then on. However, we do not arbitrarily choose to qualify one principle or other. The modification of prima facie principles proceeds in a more rational manner. Consider, for example, the following case: there are clearly situations in which the principles, (a') 'One ought always keep one's promises', (b') 'One ought always tell the truth', come into conflict. In such cases one can do either (a') or (b') but not both. Ideally, in such cases one would determine all of the effects of acting in such a way that (b') is violated, and then determine all the effects of acting in such a way that (a') is violated. Now, if one prefers, morally, the first set of effects, and makes the decision to act in such a way, then one has implicitly chosen to add an exception clause to, and so to modify (b'). Again, if one prefers the second set of effects, then it is (a') that is modified. In either case, the result is that one of the prima facie principles becomes inapplicable, and hence does not yield an imperative for that situation. Following this procedure, given the limitations on our knowledge of the effects of our actions, and
deciding on a course of action which results in a modification of one of our moral principles, is making what Hare calls 'a decision of principle'22. So, it should be clear that, in certain cases, prima facie principles do not, initially, guide our choice of actions. Rather the action which we choose to perform modifies our prima facie principles. This claim about prima facie principles strongly suggests another characteristic: viz., that there is implicit in such principles a ceteris paribus clause, which would make sense of such qualifications. Hare, however, does not claim that these principles contain, implicitly or explicitly, such clauses.

The characteristics prima facie principles have, then, in virtue of being moral principles, are universality and prescriptivity. It is also the case that prima facie principles are such that, in certain situations, they may be overridden. This characteristic is not shared by all moral principles, according to Hare: critical principles, for instance, cannot be overridden. It was also shown that, in certain instances, prima facie principles may be modified through a decision of principle. (or through what Hare later calls 'critical thinking'). Critical principles, which will be discussed in what follows, also can be modified through critical thinking, or a decision of principle. Let's consider Hare's analysis of critical moral principles.

3. R. M. Hare on Critical Principles:

Critical principles resemble prima facie principles in being both universal and prescriptive. They contain no reference to specific
individuals, and they are governed by universal quantifiers. The prescriptivity of these principles does not differ from the prescriptivity of prima facie principles: both sorts of principles, when used evaluatively, logically entail imperatives. Clearly, then, just as it was with prima facie principles, critical principles are also action-guiding. Critical principles, however, have the important and distinctive characteristic that they may be, and typically are, formulated in a highly specific way. That is, whereas prima facie principles had to be, given their function, relatively general, the function of critical principles requires that they be relatively specific. Let's consider the function of critical principles in more detail.

It was their function in ordinary moral decision-making which required that prima facie principles be formulated in a way which would permit the evaluation of a variety of changing moral situations. The generality of prima facie principles allowed them not only to accommodate differing moral situations without change of principles, but also allowed a relatively rapid evaluation of those situations. Critical principles, on the other hand, have a function in moral reasoning which requires that they be formulated in a highly specific way. Consider the following functions of critical principles:

(i) The resolution of conflicts between prima facie principles.
(ii) The formulation of a set of prima facie principles which are as specific as possible given their function in moral reasoning.

Let's briefly consider the function specified in (ii). The concern of this section, however, will be primarily with (i). To see how critical principles would be relevant to the formulation of a set of prima facie principles it is important to note, first, the relation between critical principles and critical thinking. Given any particular moral situation, there will be a set of alternative actions, \((a_1, a_2, \ldots, a_n)\) where \(n \geq 1\), from which the moral agent will have to choose. Since Hare's theory of obligation is consequentialistic, the determination of the morally right action depends solely on the effects of those actions taken individually. Now, if the moral agent in the given situation is an ideal critical thinker then he will, according to Hare, "at once be able to scan all of the relevant properties of the situation, including all of the consequences of all of the alternative actions, and decide which among the alternatives produces the most preferable effects"\(^{24}\). The ideal critical thinker, "the archangel", is defined as one with superhuman powers of thought, superhuman knowledge, and no human weaknesses. In effect, the ideal critical thinker is a moral agent for whom simple utilitarianism (or, act utilitarianism) presents no practical problems. That is, on each new occasion requiring a moral decision, the ideal critical thinker may evaluate the
case in a simple utilitarian manner. Now, since for any simple utilitarian principle there is an analogous general utilitarian principle which yields the same moral judgements, the same recommendation, in the same circumstances, it should be clear that the application of a form of utilitarian generalization to the actions chosen by the ideal critical thinker will yield a set of specific moral principles which, taken collectively, are also extensionally equivalent to the simple utilitarian principle\(^2\). This set of specific moral principles is what Hare refers to as the set of 'critical principles'. Clearly, the set of critical principles obtained by means of the ideal critical thinker are also ideal.

The set of critical principles which are employed in choosing prima facie principles however, are unlike the former set in that they are defeasible. It is this defeasible set of principles which are used to choose prima facie principles. Though Hare does not offer separate names to distinguish the two sets of principles, let's refer to the defeasible set of critical principles as 'critical-2' principles, and to the indefeasible set of principles as 'critical-1' principles.

It seems clear that critical-2 moral principles are theoretically preferable to prima facie principles. Critical-2 principles are characterized not only by universality and prescriptivity, but they are also universally binding. That is, critical-2 principles do not admit exceptions and they cannot be overridden. Prima facie principles lack both of these theoretically desireable
characteristics. In fact it seems clear that it would be impossible for prima facie principles to fulfill their practical function without these theoretical shortcomings. Nonetheless, in choosing prima facie principles for practical use the effort is to preserve the desireable practical characteristics noted above while attempting to approximate the desirable theoretical characteristics, 'specificity', etc., of the critical-2 principles. This, very briefly, is how critical-2 principles are used in choosing prima facie principles.

Critical-2 principles also function in the manner stated in (i) above. That is, they function in the resolution of moral conflicts between prima facie principles. As Hare states, if the principles have been well-chosen, conflicts will arise only in exceptional cases. Moreover, there will be cases of moral conflicts where, without employing critical thinking or critical-2 principles, we will feel sure that one of the principles is more important or overriding. But it might also be the case, Hare claims, that a conflict may force us to examine the prima facie principles themselves, and instead of overriding one of the principles, qualify one or both of them from then on. In this case, one may proceed as though one were choosing new prima facie principles in the manner discussed above. There is another way in which critical-2 principles may function in resolving moral conflicts. It might be the case that a moral agent is sure that one or both of the prima facie principles must be qualified, but not be sure how. In this situation the agent can decide about the particular
case, overriding one of the principles, and leave reflection on the
principles themselves for another time, when he is in a better
position to do it rationally. That is, in cases where it is
impracticable to think critically, Hare suggests that we act upon the
prima facie principle which seems correct in that situation, rather
than attempt any lengthy calculation of the effects of choosing one or
the other of the principles.

Hare claims that any attempt to resolve moral conflicts
without employing the critical principles and critical thinking
cannot succeed. Consider the suggestion that all that is needed for the
resolution of moral conflicts are prima facie principles. In cases
where the prima facie principles conflict the procedure will be to
qualify or modify one of the principles which seems to apply to the
situation by introducing some exception-clause which will make the
principles no longer conflict. So, for example, if the principle

(P1.): 'One ought never to do an act which is F' conflicts, in some
situation with (P2.): 'One ought never to do an act which is G', and it is
decided that acting in accordance with (P1.) would be less evil than
acting in accordance with (P2.), then it would have to be the case
that (P1.) has changed. (P1.) would now read, (P1.'): 'One ought never to
do an act which is F unless it is it is necessary in order to avoid an
act which is G'. Now, clearly (P1.') is much longer than (P1.), and the
lengthening process has just begun. After several such conflicts the
length of the principles would be unmanageable. The principles would
lose their practicality. They would not be useful in the making of ordinary moral decisions. The suggestion that a hierarchy of prima facie principles could be devised, telling one when one prima facie principle was overriding in relation to another, is also unacceptable. In this case, though the prima facie principles would remain fairly simple and manageable, the second-order principles which provided the instructions in conflict situations would, in a short while, become too complex to be of any use. There are, moreover, no other more useful methods solving moral conflicts through prima facie principles alone. What is required, according to Hare, is the employment of critical thinking and critical principles.

Critical principles, then, are similar to prima facie principles in that they are both prescriptive and universal. However, critical principles have a feature not shared by prima facie principles: they are universally binding, they cannot be overridden. Moreover, the function of critical principles differs from that of prima facie principles: critical principles function in resolving moral conflicts and in choosing prima facie principles. It was argued, importantly, that because prima facie principles must remain simple enough to be used in ordinary moral decision-making, the function assigned to critical principles could not be fulfilled by prima facie principles. It was shown, that is, that prima facie principles were rendered uselessly complex when employed to resolve moral conflicts.
Now that Hare’s analysis of moral conflicts has been discussed in detail, and his method of resolving such conflict presented in detail, several objections to Hare’s approach to the problem of moral conflicts will be considered. The discussion is presented in the following section.

4. Objections to Hare’s Analysis of Moral Conflicts:

Consider the following moral conflict situation:
(Case I.): Suppose S has promised that he will read and comment on a paper which a colleague wishes to present for publication. Suppose as well that a lifelong friend of S's arrives on campus and wants to be shown around the university. And further suppose that S's time is so limited that he cannot both evaluate the paper and return it to his colleague, and also show his friend around the campus. If he chooses to read the paper, his friend will be gone before he completes the evaluation. And if he decides to show his friend around, then the paper will not be completed before its due-date.

The following claims about (Case I.) seem to be true:
(1): (OP): S ought to read and evaluate the paper.
(2): (OQ): S ought to show his friend around the campus.
(3): It is not contingently possible that S fulfill both (OP) and (OQ).
(4): OP overrides OQ.

It seems clear, on Hare's theory of obligation, that if (1) is the case, then S must hold either a prima facie or critical principle in virtue of which (1) is true. Let's assume that S holds the following prima facie principle:

(5): One ought never to break career-affecting promises made to one's colleagues.

Similarly, assume that (2) is the case in virtue of the the following prima facie principle:

(6): One ought never to act in such a way as to discourage friendship.

(3) seem uncontroversially true. It is true by the definition of 'contingent impossibility'. In this case, given the applicable prima facie principles, (5) and (6), it seems that (4) is also true. That is in situations like (Case 1) above, where we 'feel sure' that one of the conflicting prima facie obligations is more important than the other, the particular moral judgement derivable from that general principle can be, without any appeal to critical principles or thinking, taken as overriding.
In discussing the foregoing case let's keep in mind the characteristics of prima facie principles noted above. Hare claims that:

(PF1) Prima facie principles are not universally binding, i.e. they are overridable.

(PF2) Prima facie principles are universal prescriptions, i.e. when used evaluatively they logically entail imperatives which guide an agent's action.

(PF3) When a prima facie principle is overridden it is not qualified so as not to apply to the particular situation in which it is overridden. It is simply not applied in the situation.

Hare claims that (PF2) is true simply because prima facie principles are moral principles. (PF2) however, is not true on the basis of the fact that prima facie principles are moral principles, since it is not the case that critical principles fail to be universally binding. Hare must allow that prima facie principles are overridable since they are the sort of principles which, because of their generality, often come into conflict, but because of their function, must remain general. If prima facie principles were not overridable, then at least one of the following undesirable results will occur:
(U1): When prima facie principles conflict, neither of the principles is overridden, but at least one of the principles will be qualified so as not to apply to the conflict-situation.

(U2): When prima facie principles conflict neither of the principles is qualified, and neither of the principles is overridden, but both are taken as applicable to the conflict-situation.

(U1) is undesirable for reasons noted above. Briefly, the attempt to modify prima facie principles each time they conflict will result in principles of such complexity as to make them impractical in ordinary moral decision-making. (U2) is also undesirable since it cannot be the case that prima facie principles are both universally prescriptive and, in cases of moral conflict, such that they are neither overridable nor modifiable. Consider (Case I) above. The moral judgements derivable from the (5) and (6) entail imperatives which conflict. If (U2) were correct then, both of the imperatives would be applicable in the given case. For Hare, the relation between the imperatives is the same as the relation between the corresponding indicative statements predicting one's behavior, they are contraries. The conjunction of the imperatives, then, is self-contradictory. So, if (U2) were correct, moral conflicts would involve the assertion that two contraries are
both true. Moreover, if (U2) were correct then conflicting prima facie principles would fail to be action-guiding. This is also undesirable since it is central to the function of evaluative language, on Hare's account, that it guide our action and choices. It is clear, then, that Hare must accept (PF3) above. If (PF3) is not accepted, then either (U1) or (U2) must be accepted. And we have shown them both to have undesirable results.

Part of what is desirable about Hare's concept of 'overridability' is that it does not require that the overridden prima facie principle be qualified. And as was noted, it is a feature required by the function of prima facie principles that they remain fairly general. Nonetheless, Hare's concept of overridability, though fairly clear when applied to conflicts between, say, aesthetic and moral principles, is problematic when applied to cases of unmixed moral conflicts.

Consider the following conflict between an aesthetic principle and moral principle presented by Hare:

Suppose that I have in my room in College a scarlet sofa, and that my wife gives me for my birthday a magenta cushion to go on it; and suppose that I am, as far as aesthetics goes, vehemently of the opinion that one ought not to juxtapose scarlet and magenta. I may nevertheless think that I ought to keep the cushion on the sofa; because I may think, so far as morals go, that one ought not to hurt the feelings of, or lie to, one's wife.
Hare argues that in such conflicts one does not qualify the aesthetic principle to read: 'One ought never to juxapose scarlet and magenta, except when this is necessary in order not to hurt one's wife's feelings'. Such a principle, Hare argues, would be a 'hybrid monster' both moral and aesthetic and neither. There is nothing, it seems to me, intrinsically wrong with the sort of qualifications Hare opposes, nonetheless Hare does not rest his argument against such qualifications on the possibility of qualifying a principle into a 'hybrid monster'. Hare argues that in perhaps the most important sense of the term 'moral', moral principles cannot be overridden in the way noted above, but only altered and qualified to admit exception. This characteristic, according to Hare, is connected with the fact that moral principles are superior to, or more authoritative than, any other kind of principle. The reason there is no need to qualify the aesthetic principle is because implicit in the fact that the principle is an aesthetic one, and not a moral one, (which is aside from the content of those principles), is the fact that in every case where it conflicts with a moral principle, the moral principle prevails. Hare argues that, as a result, when an aesthetic principle and a moral principle conflict there is no need to qualify one's aesthetic opinions or to abandon them. The limit put on the authority of the principles allows one to maintain their generality, and their precriptivity.

Consider, however, the concept of overridingness as extended to conflicts between moral principles. Hare states that the account
of overridingness just sketched would make it impossible for one moral principle to be overridden by another, or by any other prescription. But, he claims there are moral conflicts, which are resolved by allowing one moral principle to override another. Moral conflicts, that is, on the intuitive level of moral reasoning, involving at least one prima facie principle, can be resolved by allowing one of the principles to override the other. The feature noted in (PF1) above is what allows them to be overridden: prima facie principles are not definitionally universally binding. Hare claims, moreover, that an overridden prima facie principle is not abandoned when overridden, but rather it is possible to go on holding them while allowing that in particular cases one may break them.

Further on Hare argues that the fact that prima facie principles are overridable does not entail that they are not prescriptive. If the principles were applied in the particular circumstance in which they are overridden, they would require a certain action, but they are just not applied in that circumstance. (PF3) is what allows that overridden moral principles remain prescriptive. Moral principles then, on Hare's account, are not those principles which are treated as 'overriding' every other type of prescription. Hare in fact allows that a prima facie moral principle might be overridden by other non-moral prescriptions, like desires.32

There seem to be several problems with the concept of overridingness as applied to purely moral conflicts. Consider first
that though Hare treats the cases of moral conflicts involving at least one prima facie principle as relevantly analogous to cases of mixed conflicts, the cases are importantly different. In the case of mixed conflict noted above, between an aesthetic and moral principle, there is no mention of the applicability of the aesthetic principle. Hare does not argue, and there seems no need to argue, that the aesthetic principle is not applied in the given situation, and does not yield a prescription in that situation. The aesthetic principle is not overridden in the sense that the principle is not applied, but in the sense that the moral principle carries more authority, or is superior, to the aesthetic principle. In the case of purely moral conflicts, the case is different. Hare argues that prima facie principles are overridden in the sense that they are not applied in the given situation. Hare states nothing further on how one goes about not applying a moral principle. Presumably, not applying the overridden prima facie principle involves something more than acting on the overriding principle. It seems consistent to act on an overriding principle and apply the overridden principle.

Nonetheless, even if it assumed that the process of 'not applying a principle' can be made clear, consider the resulting concept of overridingness. If the fact that a prima facie principle is overridden entails that the principle is not applied, then there could be only a small number of moral conflicts situations in which one principle overrides another. In characteristic cases of moral conflicts, at least
two moral principles conflict. The difficulty presented by the moral conflicts situation (if it is a case of resolvable conflict) is to determine which way to resolve the conflict. But if only one principle is applied, then there is no conflict of moral principles. There may be some uncertainty about which principle to apply, but these are epistemic uncertainties, not moral uncertainties. The question in such circumstances is not 'which action is morally binding?' but 'which action should I apply, and make morally binding?'. The former involves moral doubts, the latter involves non-moral epistemic doubts. In choosing which principle to apply—that is, which principle to make prescriptive in that situation—one cannot do anything which is morally wrong, it seems, since the principles do not yield a command or mandate to do some action in that situation until they are applied. If this were not the case, then it would seem that (PF1) and (PF2) would be inconsistent. But then Hare does not account for the fact that in typical moral conflict situations the moral agent seems to be deciding, with the possibility of moral error, which of the alternative principles to fulfill. Hare also fails to provide any account for the moral sentiments which seem to characterize such situations: e.g. the regret that is often felt in acting on one of the principles rather than the other, and what might be called the 'contrary-to-duty' actions, such as apologizing or attempting to excuse or justify acting on one principle rather than another.33
There is a reply that could be offered on behalf of Hare, it seems, regarding the problem of overridingness as applied to moral conflicts. Hare states that:

In simpler cases [of moral conflict] we may 'feel sure' that some principle, or some feature of a situation is in that situation more important than others. We shall then be able to sort the matter out intuitively, letting one principle override the other in this case, without recourse to critical thinking... Though this intuitive sorting out may seem to offer a straw at which intuitionists can clutch, it is obvious that it will not be available in more serious conflicts.34

In more serious cases of moral conflicts Hare states that the conflict may force us to reexamine the prima facie principles themselves and instead of overriding one, qualify them from then on. This sort of reply would allow that prima facie principles in fact apply in particular cases of conflict. However, the problem with this reply is that resolving moral conflicts in this way results in overly complex prima facie principles. If prima facie principles become too complex, they can no longer function in practical reasoning as prima facie principles. What is needed, it seems, is an account of overridingness which allows prima facie principles to be applicable in cases of conflict but which does not appeal to the qualification of prima facie principles in resolving such conflicts. On Hare's account, either it is not the case that both principles apply, or it is the case that the conflict is resolved by qualification of the principles.
Part of the difficulty with Hare’s analysis of prima facie principles is his attempt to make (PF1) and (PF2) consistent. It is characteristic of all moral principles, according to Hare that they are universalizable and universally prescriptive. But, being universally prescriptive is consistent with being overridable, according to Hare. Suppose, however, that it is granted that (PF1) and (PF2) are consistent. It seems that the consistency of (PF1) and (PF2) has considerable implications for Hare’s view of moral reasoning. It remains the case, as Hare has argued, that accepting a singular moral judgement involves accepting a corresponding universal moral judgement. However, it does not follow, without some further facts, that singular moral judgements entail corresponding imperatives, or singular prescriptions. The singular moral judgement entails the imperative only if either the moral judgement is a critical moral judgement, or the moral judgement is being ‘applied’ in the given circumstance. As was noted above, on Hare’s analysis, the fact that there are exceptions to a given general moral principle does not preclude that principle from being universally prescriptive, nor does it necessarily alter the generality of the principle. But, then, consider the the singular prescriptive judgements which Hare has argued are not universalizable. For instance, consider the case where A has borrowed money from B and failed to return the money, and B has borrowed money from C and failed to return the money. Now, Hare argues that if B attempts to universalize the singular prescription,
'Let me put A into prison' he is committed to the universal principle, 'Anyone who is in my position ought to put his debtor into prison'. Since B is in the same relation to C that A is to B, it follows that B is committed to holding the prescription 'Let C put B into prison'. But, Hare argues, since B has, by hypothesis, a strong inclination not to go to prison, he is unwilling to accept the prescription that C put B in prison. As a result B is unable to accept the universal principle, and unable to treat his singular prescription as a moral principle. But it seems that though B cannot treat the principle as a critical principle, he can treat it as a prima facie principle. For it seems that B may allow that his desire not to go to prison overrides the universal principle in his own case. This would not entail that the principle is not prescriptive, or that the principle is not universal. It would entail only that the principle is not universally binding. The result is that it is possible to treat the singular prescription as a prima facie moral principle. Similarly there seems little to say against the Nazi maintaining that his principle is a prima facie moral principle. For the Nazi might maintain that he is willing to universalize his prescription that all Jews be killed in spite of the fact that he himself might have to assent to the prescription 'Let me be killed'. For the Nazi might hold that his desire not to be killed overrides the "moral" principle in his own case. It seems that there is no further argument against the Nazi in such a case. And this seems a fairly undesirable result.
There is a more important argument against Hare's analysis of prima facie and critical moral principles, however. Consider the objection presented against Van Fraassen's argument in section (2) above. The objection stated that though there are prima facie irresolvable moral conflicts, and though it may seem that there is no single morally right action in certain circumstances, nonetheless there is reason to believe that careful argument will be sufficient to resolve them. This seems to be just the position Hare is attempting to defend. Hare argues that in each case of apparent moral conflict there will be a resolution forthcoming, either through the employment of critical principles or through allowing one of the principles to override the other. Nonetheless, what Hare needs to show, given Van Fraassen's argument, is not that there is no reason to believe that there will not be a resolution to apparent moral conflicts in each case, but rather that there could not be a moral conflict between all-things-considered ought-claims. Though Hare might have provided reasons to believe that there will be a resolution in the cases of moral conflicts which do arise, he has not shown that in principle there could not be a conflict between two all-things-considered ought-claims. As a result, the burden of proof remains on those who deny that moral conflicts between all-things-considered ought-claims are logically possible.
Notes

1 This seems to be Hare's position, but it is not the only alternative to maintaining that genuine moral conflicts exist or are possible, and it is a fairly extreme view. See the discussion of dilemmatic situations above, chapter (II).

2 This is not an attempt at a systematic exposition of Hare's moral theory, though a good deal of it would be relevant to the discussion of the possibility of genuine moral conflicts. Rather, I discuss fairly selective portions of Hare's theory which seem importantly relevant to the discussion of moral conflicts. So, everything that Hare could say, given his broader moral theory, is not presented; but most of what he does say in the way of moral conflicts is presented.


4 Ibid., p.27 ff.

5 Though, it seems clear on Hare's moral theory that it is already a contradiction to say 'S ought to do A' and 'S ought not to do A'. This is the case since Hare contends that ought-claims used 'evaluatively' by definition entail imperatives. Since these are moral 'oughts' they (with of course, certain exceptions) are being used evaluatively. And, on Hare's moral theory the commands which are entailed by the ought-claims above, 'Do A!' and 'Do not do A!' are contradictories, in the indicative sense. Possible more importantly, Hare treats the following claims as logical contraries: 'Hard to port!' and 'Hard to starboard!'. The two orders contradict one another, Hare claims, in the sense that their conjunction is a self-contradiction. So, far from even questioning whether 'OA' and 'O-A' are contraries, he treats them as contradictories. It even seems to be the case, on Hare's theory, that 'OA' and 'OB' might be contraries: i.e. if it is not possible (in some sense) to obey, 'Do A!' and 'Do B!'. See R.M. Hare, The Language of Morals, (Oxford University Press, 1952.) pp. 17-31 and 163-179.

6 Ibid., p. 28. Hare makes a point of stating that in support of these principles there is no need to appeal to "moral" intuitions. One can
rely on logical and linguistic intuitions alone. It seems to follow, though he does not explicitly state the claim, and clearly does not defend the claim, that Hare holds that the principles to which he appeals ('ought-can', etc.) express logical rather than moral truths.

7 The concepts of 'prima facie principles' and 'critical principles' that Hare discusses are very different from the traditional concepts of 'prima facie' and 'actual' or 'absolute' or 'all-things-considered' ought-claims. This will be clear from the discussion which follows.

8 See R. M. Hare, Moral Thinking: Its Levels, Method and Point, op. cit. p.60.

9 ibid., p. 41.

10 ibid., p.25.


12 ibid., p. 35.

13 ibid., p. 36.

14 ibid., p. 38.


16 ibid., p. 169.

17 See Moral Thinking: Its Levels, Method and Point, op. cit. pp. 57-60.

The prima facie principles are overridable by critical principles, or another prima facie principle, or when we take "a moral holiday".

18 See R.M. Hare, Freedom and Reason, (Oxford University Press: 1963) pp.168-171. Hare presents his notion of 'overridingness' here as applied to conflicts between aesthetic and moral claims. It is worth quoting Hare at some length here: "Sometimes when two evaluations or (in general) two prescriptions conflict (not in the sense that they contradict each other, but in the sense that, the facts being what they are, we cannot act on both.) we allow one to override the other. I interpret this term as meaning not only that we in fact act on the one and not the other, but that we think that we ought to act on one even though it involves disregarding the other. For example, suppose that I have in my room in College, a scarlet sofa, and that my wife gives me for my birthday a magenta cushion to go on it; and suppose that I am, so far as aesthetics goes, vehemently of the opinion that one ought not to juxtapose scarlet and magenta. I may nevertheless think that I
ought to keep the cushion on the sofa; because I may think that, so far as morals go, one ought not to hurt the feelings of or lie to one's wife.

Note that in order to hold the opinion that I ought to keep the cushion on the sofa, I do not have to abandon any aesthetic opinions, or even qualify them. . . . [In] the cushion case I have not qualified my aesthetic principle by altering it to read, 'One ought never to juxtapose scarlet and magenta, except when this is necessary not to hurt one's wife's feelings. Such a principle would be a hybrid monster, both moral and aesthetic and neither. What I have done is to keep the aesthetic principle unaltered, but to let it be overridden by the also unaltered moral principle."

The relation of 'overridingness' is one which, Hare seems to argue, holds between kinds of prescriptions: e.g. aesthetic and moral. But Hare argues that the relation also holds between prima facie moral principles and other moral principles (critical or prima facie). See Moral Thinking: Its Levels, Method and Point, op. cit., p. 55.

19 See R.M. Hare, Moral Thinking: Its Levels, Method and Point, op. cit., p. 59.


22 See The Language of Morals, op. cit. 52-78. Hare does not consider the case in which neither of the alternatives is preferable. Presumably, he would hold that in such cases there is no moral difference between the two alternatives, one may do either one. This is the typical utilitarian, or more generally, consequentialist, approach to such cases.

23 See R. M. Hare, Moral Thinking: It Levels, Methods and Point, op. cit., p. 41.

24 ibid., p. 44.

25 See Davis Lyons, Forms and Limits of Utilitarianism, (Harvard University Press, 1965). Chapters I-IV. The claim is, in effect, that rule utilitarianism and act utilitarianism are extensionally equivalent, i.e. they yield the same recommendations in the same circumstances. The claim is by no means uncontroversial, but it is not central to the discussion to follow, and it is taken to be true by Hare.

27 ibid., p. 32.
28 ibid., p. 35.
29 See R. M. Hare, The Language of Morals, op. cit., p.23.
31 ibid., p.169.
33 For further detail concerning what I refer to as the moral sentiments occurring in moral conflict situations see chapter (II) above.
34 See R. M Hare, Moral Thinking: Its Levels, Method and Point, op. cit. pp. 50-51.
35 See R. M. Hare, Freedom and Reason, op. cit., p. 92.
P. H. Nowell-Smith and E. J. Lemmon provide the following explication of the notion of a 'paradox' as used in deontic logic. In discussing a version of the deontic closure principle, (CP), they state: 

"[The deontic paradoxes] are not logician's paradoxes, like Russell's class paradox: [they] reveal no logical antinomy or contradiction within the calculus. It is simply that principles like the [closure principle] give, when interpreted, a result which is not only surprising but unpalatable."1 It can be called a deontic paradox, that is, if what can be derived from the basic truths or axioms of the logic is, when interpreted, in conflict with widely shared moral intuitions. Generally, systems of deontic logic have been appraised, it seems, in just this way.

It was shown above that from the axioms of (CDL) it was not only the case that the consistency theorem could be derived:

\[
\text{OD.} \quad \neg (O \land O \neg A)
\]
But the following is also a theorem of (CDL)\(^2\):

\[ \text{OD}^* \iff \neg((\text{OA} \land \text{OB}) \land \neg\text{M(A} \land \text{B})) \]

It might not be clear that there is anything to offend the intuitions when (OD) is interpreted. It simply states that it could not be the case that a moral agent ought to perform actions whose descriptions are logically incompatible. However, it has at least been argued that (OD\(^*\)), when interpreted, does conflict with widely shared moral intuitions. (OD\(^*\)) states that it could not be the case that a moral agent ought to perform actions which are physically incompatible. (OD\(^*\)) seems paradoxical, it has been argued, particularly in light of cases of moral conflicts like the Sartre case, the Agamemnon case and the Plato case, each of which seem to present exceptions to (OD\(^*\)), and in light of the relatively commonly held belief that in fact obligations do conflict. Given Nowell-Smith's and Lemmon's concept of a 'deontic paradox', then, it seems that (OD\(^*\)) can be considered paradoxical.

Azizah Al-Hibri Cox adopts the view of Nowell-Smith and Lemmon and treats the Sartre case and the Plato case (the Sartre paradox and Plato paradox) as deontic paradoxes. In fact Cox refers to both of the paradoxes by the same general name, 'the conflict-of-duty paradox'. One reason for giving them a common name, according to Cox, is that in discussing conflicts of duties philosophers have not
usually distinguished between the two cases. Another reason is that both paradoxes question the principle that moral ought-claims do not conflict. Cox argues, in fact, that the Sartre paradox and the Plato paradox question the consistency theorem, (OD), above. It is already been shown, however, that the Sartre paradox presents no challenge to (OD) at all. Nonetheless, the Sartre paradox and the Plato paradox do present a challenge (OD*). Cox's defense of the consistency theorem will be construed in what follows as a defense of (OD*).

Cox's general line for resolving the Plato paradox and the Sartre paradox is adopted from Bengt Hansson. According to Hansson, the general line of a 'solution' is to point out that the concepts involved are ambiguous: one sense is employed when the deontic axioms are judged to be acceptable, and another sense is employed when the theorem derived from those axioms is said to be counterintuitive. This approach does not differ substantially from the approach of R. M. Hare discussed above. Hare also appealed to the ambiguity of the deontic concept of obligation in attempting to resolve the problem of genuine moral conflicts. Conflicts of obligations, in the sense of prima facie obligations, are possible according to Hare, but conflicts of obligation, in the sense of all-things-considered obligations, are not possible. Similarly, Cox's general line of argument is to show that the principle, (OD*), is unintuitive when interpreted as precluding conflicts between prima
facie obligations, but is acceptable when interpreted as precluding conflicts between actual (all-things-considered) obligations.

Hansson has suggested several reasons for approaching the problem presented by the deontic paradoxes, in particular the conflict-of-duty paradox, as problems arising from an ambiguity in deontic language. Hansson has argued that no matter what original deontic logic we take as a starting point, it is clear that deontic logic started axiomatically. If we view deontic logic as a branch of metaethics, it clearly differs from most earlier theories of ethics as, e.g. utilitarianism, which started with the analysis of the concept of duty, an approach that would today be called 'semantic'.

The difficulty with the axiomatic approach is that it seems to presuppose that one has a clear idea of the concept one wants to axiomatize. We have to be able to say about a proposed formula whether or not it is a necessary consequence of our conception of that idea. The axiomatic method is suitable, that is, for someone who is interested in investigating the consequences of a view that he already holds, but not for someone who is still looking for an adequate analysis of an idea. The paradoxes of deontic logic arise, according to Hansson, because the logic of obligation has preceded any adequate analysis of the concept of obligation. The resolution of the conflict-of-duty paradox, and the other deontic paradoxes, would follow on the presentation of an adequate analysis of the concept of obligation.
The relation between an adequate analysis of the relevant deontic concepts and the resolution of the conflict-of-duty paradox, however, is not, at least immediately, clear. There are, it seems, several ways in which an analysis of the relevant deontic concepts might resolve the conflict-of-duty paradox. Consider what might be called the 'empirical approach'. An adequate analysis of the concept of obligation might reveal that the purported violations or counterexamples to (OD*) are in fact not counterexamples at all. It might be argued that each of the purported cases of moral conflicts are cases of conflicts between ought-claims expressing a kind of (possibly only an apparent) obligation whose logical behavior is not governed by (OD*). The advantages of this approach are that it preserves the deontic principle and also attempts to account for the intuition that cases like the Sartre case at least seem to illustrate genuine moral conflicts. The disadvantage of this approach is that the argument proceeds empirically: considering individually each of the purported cases of moral conflicts which have been presented. On this approach it can at best be shown that all of the counterexamples which in fact have been presented can be interpreted as cases of conflicts between ought-claims whose logical behavior is not described by (OD*). It cannot be shown, given the empirical approach, is that any counterexample which might be presented could only be interpreted as a case of conflict between ought-claims which are not governed by (OD*).
Consider what might be called the 'a priori approach'. An adequate analysis of the relevant deontic concepts might resolve the conflict-of-duty paradox in the following way. An adequate analysis of the concept of obligation might reveal that genuine moral conflicts between all-things-considered ought-claims are in principle impossible. It might follow, that is, from the analysis of an all-things-considered obligation that moral conflicts between ought-claims expressing such obligations could not occur. The advantage of this approach is that it rules out on logical grounds the possibility of moral conflicts between all-things-considered ought-claims. The disadvantage of this approach is that in the absence of independent argument in favor of an analysis of all-things-considered obligations which rules out, logically, moral conflicts, the analysis runs the risk of begging the question against the possibility of moral conflicts.

Cox adopts the empirical approach to resolving the conflict-of-duty paradox. The analysis of obligation presented by Cox is both an interpretation and an elaboration of the analysis of obligation provided by W. D. Ross. Following the analysis of the concept of obligation, Cox's attempt to resolve the conflict-of-duty paradox will be considered. In the final section several objections will be presented to Cox's proposed resolution to the conflict-of-duty paradox, and, generally, to the empirical approach to the problem of genuine moral conflicts. Ultimately, it will be argued that Cox's solution to the conflict-of-duty paradox does not succeed. Further, it
will be argued that the empirical approach to resolving the contrary-to-duty paradox is unsound, and any attempt to resolve the conflict-of-duty paradox, (i.e. the problem of genuine moral conflicts), based on the empirical approach could not be successful.

2. Cox on Prima Facie and Actual Obligations:

Cox's analysis of the concept of obligation follows fairly closely, at least initially, Ross' analysis of the concept of obligation. According to Cox, an actual obligation is an obligation which is grounded in considerations relating to the whole situation. A prima facie obligation, on the other hand, is grounded in considerations relating only to certain aspects of the situation. Cox differs from Ross in maintaining that it is not actions that are prima facie or actually obligatory, but state of affairs described by obligations that are prima facie or actually obligatory. Cox argues that:

"For while an act may well be prima facie obligatory in respect of one character and prima facie forbidden in virtue of another it becomes actually obligatory or forbidden only in virtue of the totality of its ethically relevant characteristics."9

Cox differs from Ross in maintaining that it is not actions that are prima facie or actually obligatory, but state of affairs described by obligations that are prima facie or actually obligatory. Cox argues that when all of the aspects of a particular situation are considered, a prima facie obligation may be overridden. That is, the the total aspects of a situation may reveal that the 'prima facie disobligeroriness' of the state of affairs described by the obligation
outweighs its prima facie obligatoriness, and as a result, once all of
the aspects have been considered, the prima facie obligation will not
become actual. A prima facie obligation, according to Cox, expresses
only the tendency of a state of affairs to be obligatory.\textsuperscript{10} It does not
express the fact that a state of affairs is obligatory. Cox maintains
that states of affairs are what are prima facie obligatory or actually
obligatory because she treats the conflict-of-duty paradox as a
paradox for standard deontic logic. Since in (SDL) states of affairs
are what are considered to be obligatory or not obligatory, Cox
applies the terms 'prima facie' and 'actual' to states of affairs rather
than to acts.\textsuperscript{11} Otherwise, Cox's basic distinction between prima
facie and actual obligations does not differ importantly from Ross' distiction.

Cox follows Ross also in maintaining that prima facie
obligations are not a kind of obligation, and in fact are not real
obligations at all. Though the phrase, 'prima facie obligation' seems to
suggest that prima facie obligations are a kind of obligation, they are,
according to Cox, something quite different. For, we are not at all
bound, morally, to bring about a state of affairs which is only prima
facie obligatory. We are bound only to bring about a state of affairs
whose prima facie obligatoriness in those respects in which it is
prima facie obligatory most outweighs its prima facie
disobligatoriness in those respects in which it is prima facie
Consider the following illustration, presented by Cox:

Suppose that you found a deserted infant in the park, crying of hunger. Based on this aspect of the situation, you have a prima facie obligation to give the infant a bottle of milk. But suppose further that the infant is wearing a medical tag which inform you that he is allergic to milk, but not, say, to juice. Assuming that there are no further morally relevant aspects to this situation, you can conclude on the basis of the totality of considerations relating to the whole situation that you have an actual obligation to give the infant juice.

The conclusion illustrates that a prima facie obligation is not an obligation at all, according to Cox, but a step in the process of determining what is an obligation given the situation.

Cox defines an actual ought-claim as one which is based on the totality of considerations relating to the whole situation. Prima facie ought-claims are defined as claims based on only certain aspects of the situation. The specific features of a given situation (or, in Ross' terms, 'action') which are morally relevant are not discussed by Cox. Presumably, following Ross, Cox would maintain that states of affairs in which promises are kept or in which reparations are made, as well as states of affairs which are characterized by a fair distribution of pleasure or happiness, or which are characterized by beneficience, are those (among others) which ought, prima facie, to be brought about. It should be noted, however, that in the case cited above Cox determines both what is prima facie obligatory and what is
actually obligatory without appeal to any prior set or hierarchy of prima facie principles. In characterizing the case cited Cox relies solely on an intuitive grasp or impression of what is and is not morally relevant, and of what is or is not the most weighty of the morally relevant considerations. This method of determining actual obligations, even in less complex cases, is from a theoretical standpoint fairly undesirable. That is, ultimately, the moral decision procedure is not based on any principle. Decisions are based, rather, on what seems morally appropriate. The difficulties of basing decisions of what is actually obligatory on what seems morally appropriate, of course, become more serious as more complex cases are considered.

Though prima facie obligations are not 'real' obligations, and actual obligations are real, the distinction between prima facie and actual obligations should not be confused with the distinction between real and apparent obligations. Ross notes that the term "prima facie" is misleading in that it suggests that one is speaking only of an appearance which a moral situation presents at first sight, and which may turn out to be illusory. In fact both Ross and Cox hold that to state that some state of affairs is prima facie obligatory is to state an objective fact about that state of affairs. Cox argues that the fact that a prima facie obligation has an objective foundation in the nature the situation and is not merely an illusion can be shown easily in cases where the aspects of the situation under consideration
are themselves complex. The complexity of an aspect leads to a thorough process of deliberation in order to determine which prima facie obligations are in fact based on this aspect. It follows, argues Cox, that results reached in such cases are not reached at first sight, not mere illusions. The following sort of case seems to be what Cox has in mind: Suppose that all that you know concerning a particular situation is that two people are drowning, one of whom is much younger than the other, and both of whom are related to you in the following ways: the older person is your cousin, and the younger, say, is your nephew. Now, the problem is who should be saved, from the moral point of view, given that you can only save one of the two individuals. This one aspect is complex. Presumably one has special obligations to relatives, but the 'stringency' of those obligations is unclear. It may be very difficult to determine which prima facie obligations are based on the given aspect. One may have a prima facie obligation to try to save both, or just the younger, or just the older. So, prima facie obligations, far from being what appears to be obligatory, at first glance, often require a good deal of deliberation to discover. Prima facie obligations are not just 'obligation-seemings', they are in fact objectively based.

Both prima facie obligations and actual obligations are 'conditional obligations'. The truth of a prima facie ought-statement is clearly conditional upon those aspects of the situation on which it is based. Similarly, though perhaps less obviously, the
truth of an actual ought-statement is conditional upon the totality of aspects of a situation in which it is asserted. To see that actual ought-statements are also conditional consider the Sartre case. The paradox derives its force, according to Cox, from the assumption that Sartre has related to us all of the morally relevant circumstances of the situation and has left nothing out. Suppose, however, that the situation was as described by Sartre except for the additional fact that the son also had five siblings, to whom the mother was also greatly attached, and who were willing to stay by the mother's side. It seems clear that such a factor reduces the dilemma greatly. It introduces another aspect to the situation by introducing a new circumstance, which decreases the moral weight of one of the conflicting statements, viz., the statement that the young man ought to stay with his ailing mother. Of course, upon further investigation of the situation it might be discovered that all five siblings have been jailed by the occupying forces. This, it seems, would reverse the previous situation and bring back the earlier conflict of duty in fuller force, since now the mother is pictured as one burdened with the pain of having been separated in her last days from all of her children but one. The fact that what is actually obligatory seems to be altered by simply adding certain facts to the case shows that actual ought-claims are conditional.

The fact that actual and prima facie ought-claims are conditional is particularly important to Cox's approach to the
resolution of the conflict-of-duty paradox. Cox argues that it follows from the conditionality of ought-claims that moral rules appear to conflict only because we mistakenly try to analyze them in terms of unconditional rather than conditional statements. If they are regarded as concealed conditional statements, an adequate analysis of the conditions will always remove the possibility of conflict. Cox's approach to resolving the conflict-of-duty paradox, as was noted above, is an empirical approach. The rationale, then, for adopting the empirical approach, according to Cox, is both the fact that actual and prima facie ought-claims are not absolute, but conditional 'oughts', and the fact that an adequate analysis of the conditions on which the ought-claims are based will always remove the possibility of conflict. The close scrutiny, then, of apparent moral conflict situations will always result in the resolution of those conflicts.

The conditionality of actual and prima facie ought-claims suggest that the adequate analysis of moral situations will always determine which of the prima facie ought-claims are actual ought-claims. However, determining actual ought-claims on the basis of prima facie ought-claims is not always a straightforward matter. In certain cases the consideration of the situations as a whole may rebut all prima facie ought-statements. Consider for example a circumstance $C_1$ on the basis of which the following prima facie ought-claim can be asserted: 'It ought to be the case that $A$' (or, $S$ ought to do $A$). Suppose that given the circumstance $C_2$ the following
prima facie ought-claim can be asserted: 'It ought to be that B' (or, S ought to do B). Now, if it is the case that (C\(_1\) & C\(_2\)) obtains, it cannot be concluded straightforwardly that it ought to be the case that A and that it ought to be the case that B. The totality (C\(_1\) & C\(_2\)) can lead to deontic assertions that are quite different from either of the presumptions asserted on the basis of C\(_1\) alone or on the basis of C\(_2\) alone. Consider the following case: Suppose Joe is witnessing his two sons drowning. If Joe jumps into the water to save his children, he can save only one child. The process would take him two and a half minutes, and the child would require no further medical treatment. Joe is standing near an emergency phone. It would take him one minute to make a phone call, and two minutes for help to arrive for both of his sons. Suppose that both sons can survive until the summoned help can arrives, but only at the cost of being hospitalized. Consider the following circumstances: let C\(_1\) be the circumstance in which one of the sons is drowning; let C\(_2\) be the circumstance in which the other son is drowning; let (C\(_1\) & C\(_2\)) be the circumstance in which both sons are drowning. If C\(_1\) obtains it seems that Joe ought to jump in to save the child, since this would avoid the added pain of hospitalization. Similarly, if C\(_2\) obtained Joe should jump in to save that child. However, if (C\(_1\) & C\(_2\)) obtained, it seems that Joe ought to phone for help, since that would save both children, despite requiring them to be hospitalized. This kind of case shows, according to Cox, that prima facie ought-claims based on individual circumstances in a
particular case may be rebutted when the situation as a whole is considered.

Concerning the resolution of the Sartre paradox and the Plato paradox, it could be the case, given Cox's analysis of the concept of obligation, that in each case both of the conflicting ought-claims are rebutted. Close examination of the Plato case and the Sartre case might reveal that neither of the prima facie ought-claims based on specific aspects of the situation are ultimately binding. Rather, it might be discovered that there is some distinct obligation which is ultimately binding in the given situation. In any case, the determination of the actual obligations holding in a particular circumstance is based, according to Cox, on the empirical method. In what follows Cox's attempt to apply the empirical method to the resolution of both the Plato case and the Sartre case will be discussed.

4. Difficulties with Cox's Resolution of the Conflict-of-Duty Paradoxes:

Consider the Plato paradox: A friend leaves me with his gun saying that he will be back for it in the evening, and I promise to return it when he calls. He arrives in a distraught condition, demands his gun and announces that he is going to shoot his wife because she has been unfaithful. I ought to return the gun, since I promised to do
so--a case of obligation. And yet I ought not to do so, since to do so would be to be indirectly responsible for a murder, and my moral principles are such that I regard this as wrong. According to Cox, the Plato case belongs to a class of cases where a person both ought and ought not to do something. On the other hand the Sartre case belongs to a class of cases where there is some, but not conclusive evidence that one ought to do something, and some but not conclusive evidence that one ought not to do that thing. Recall that in the Sartre case a student who had lost his brother in the war against Germany wanted to avenge him by joining the Free French Forces. The young man also had a mother who was deeply wounded by the death of her oldest son and became deeply attached to this son. The crux of the paradox, according to Cox, is that there is good but not conclusive evidence in favor of the claim that the student ought to stay by his mother's side, and good but not conclusive evidence that he ought to join the Free French.

Though Cox distinguishes the Plato paradox and the Sartre paradox in the manner noted above, it is not clear, at least by inspection, that such a distinction can be maintained. Nonetheless, even if the distinction between the cases is granted, Cox clearly misdescribes each of the cases. It is not the case that in the Plato paradox the moral agent ought to do some action, A, and also ought not to do that action, ¬A. At best there is an inference to these ought-claims. In fact, in the Plato paradox, the moral agent ought to do A
and the agent ought to do B, and A and B are in some (less than logical) sense incompatible. The Sartre case is misdescribed by Cox in a similar way. The moral agent in the Sartre paradox has good but not conclusive reasons in favor of one action, A, and good but not conclusive reasons against another action, B, and A and B are in some sense incompatible. The Plato paradox and the Sartre paradox present, as a result, no problem for the consistency theorem, as was noted above, but they do present a problem for (OD∗) above.

Cox attempts to resolve the Plato paradox using the empirical approach. Given one aspect of the situation described in the paradox, viz. that he promised his friend that he would return the gun, Cox argues that the following prima facie ought-claim can be asserted: 'he ought to return the gun to his friend'. On the other hand, given another aspect of the situation, viz. that his friend wants to kill his wife with the gun, the following prima facie ought-claim seems to obtain: 'he ought not to return the gun to his friend'. Consideration of the total situation rebuts the first prima facie ought-claim while confirming the second prima facie ought-claim. And this seems to be in accordance with typical intuitions about the case.21

The empirical approach to the resolution of the Plato paradox, however, seems unconvincing. It seems that what Cox has shown is that the Plato paradox can be interpreted in a way that resolves the paradox, but that much was known already. It is also already known that the Plato paradox can be interpreted in a way that leaves the
paradox unresolved. Cox does provides a justification for the empirical approach to the resolution of the Plato paradox. Cox argues that since ought-claims, as ordinarily stated, are ambiguous, i.e. it is not usually clear whether they are prima facie or actual ought-claims, the consistency theorem (or OD*) can be interpreted in in two important ways. This is what has been responsible for the confusion concerning the validity of the consistency theorem, or (OD*). If the consistency theorem and (OD*) are taken to be statements concerning prima facie ought-statements, then they are obviously not valid. Plato’s paradox is an obvious counterexample to them. On the other hand, if the consistency theorem and (OD*) are taken to be statements concerning actual obligations, then Cox claims that it is valid. Plato’s paradox cannot be used in this instance as a counterexample to those principles. Cox states, that is, that if the Plato paradox is presented as a counterexample to (OD*), then it must be shown that the Plato case is one in which the conflicting ought-claims can only be interpreted as actual ought-claims. That is, presenting the Plato paradox as a “counterexample” to the deontic principle requires that a certain interpretation of the Plato case be defended. A convincing objection to the problematic interpretation, then, would require only that there be an alternative interpretation of the Plato case which resolves the paradox. And it seems that Cox has provided such an interpretation of the Plato case. The empirical approach to the resolution of the paradoxes, which resolves the paradoxes by appeal
to an intuitive interpretation of the facts, is justified provided that the Plato paradox and the Sartre paradox are presented as counterexamples to (OD*). This is the case since the counterexamples also depend on an interpretation of the cases in question.

In spite of the fact that the empirical approach to the resolution of the paradoxes is appropriate when the Plato case and the Sartre case are presented as counterexamples to (OD*), it is clear that in fact the direct argument for the possibility of moral conflicts is not an attempt to present either case as a counterexample to the deontic principle. That is, those arguing in favor of the possibility of genuine moral conflicts do not claim that either the Plato case or the Sartre case are illustrations of conflicts between all-things-considered, or actual, ought-claims. It is clear that if those arguing in favor of genuine moral conflicts were claiming anything that strong they would have ultimately to rely on an appeal to intuition, and an attempt to sway differing intuitions concerning how the cases are to be characterized. The argument in favor of the possibility of genuine moral conflicts, however, does not even attempt to show that the Plato case and the Sartre case could be interpreted as cases in which all-things-considered ought-claims conflict. It is argued only that it has not been shown that the Plato case and the Sartre case do not contain conflicting all-things-considered ought-claims.23 If it is to be maintained that genuine moral conflicts are logically impossible, then it must be shown that
it is not possible to interpret the Sartre case, and similar cases, as conflicts between all-things-considered ought-claims. It seems clear that Cox's claim that the Plato case can be interpreted as a case involving prima facie ought-claims, one of which is ultimately rebutted, is an unconvincing resolution if it is not presented as an alternative, equally compelling, interpretation of the Plato and Sartre cases.

The difficulty of the empirical method to resolving the paradoxes becomes clearer in Cox's attempt to resolve the Sartre paradox. The solution to the Sartre paradox, according to Cox, is less obvious than that of the Plato paradox, since the moral situation is more complex. It is therefore advisable, according to Cox, to analyze the case in a thorough and systematic manner. Consideration of individual aspects of the case lead to the following prima facie ought-claims: 'the moral agent ought to join the Free French Forces', and 'the moral agent ought to stay with his ailing mother'. According to Cox, the weight of the moral obligations are roughly equal, although their exact value cannot be determined. This means that when both of the prima facie ought-claims are compared, neither will outweigh the other. The Sartre case differs in this respect, it is argued, from the Plato case.\textsuperscript{24}

The consideration of the case as a whole, moreover, does not seem to produce a change in the weights of the prima facie ought-claims, though it does reveal them as conflicting. One might conclude,
Cox argues, that it follows that the prima facie ought-claims are actual ought-claims, and since they conflict, we have produced a counterexample to (OD*). Even if the possibility of discovering an actual ought-claim which differs from the two presumptions is dismissed, it still cannot be straightforwardly concluded that the case presents a counterexample to (OD*). According to Cox, reduced to the bare minimum, this case presents the problem of determining an actual ought-claim solely on the basis of two conflicting prima facie ought-claims of equal weights. This is how Cox construes the problem presented by the Sartre case. It should be clear, however, that of the Sartre case presents no problem at all if this is what is meant by 'the problem of the Sartre case'. After all, there is no reason to hold that the situation is in fact characterized as it is described: there is no reason to hold that the weights of the ought-claims are equal here. It can just as convincingly be denied as asserted that the Sartre case contains equally weighted ought-claims. It cannot so easily be denied, however, that the Sartre case does not obviously present a case in which the ought-claims are not equally weighted. Cox, however, does not consider this to be the problem of the Sartre case.

According to Cox, a moral agent who maintains the principle (OD*) (who maintains that moral conflicts are logically impossible) will not consider the Sartre case as a counterexample to (OD*). On the contrary, such a moral agent will find the solution to the problem
straightforward. When the situation is considered as a whole, it becomes clear that there is no acceptable moral criterion for choosing to confirm one presumption instead of the other. Furthermore, they cannot both be confirmed, by the initial assumption. As a result the actual ought-claim which takes account of all aspects of the situation is the following: 'the moral agent ought to either join the Free French or to stay with his mother'. This actual ought-claim differs from each of the presumptions, and is superior to both of them in that it takes account of the situation as a whole. The moral agent, according to Cox, who maintains the principle (OD*), is free to fulfil his actual ought-claims in either one of two ways.26

On the other hand, Cox argues, a moral agent who denies (OD*), who denies that moral conflicts are logically impossible, will reach a different conclusion. He will agree that when the situation is considered as whole, there is no acceptable moral criterion for choosing to confirm one presumption instead of the other. But since he denies that genuine moral conflicts are impossible, his global considerations will lead him to confirm both of the presumptions. The Sartre case is then considered to present a case of conflicting actual ought-claims.

Cox argues that in the Sartre paradox, when the various circumstances and presumptions are looked upon as integrated parts of a totality, the fact that (OD*) or its negation is involved becomes immediately clear. The two presumptions looked upon together in the
context of the total situation, reveal the fact that they conflict. Consequently, consideration of the situation as a whole must take this fact into account before formulating the actual ought-claim. But this fact makes (OD*), or its negation—depending on the position of the moral agent on the issue—immediately involved in those global considerations. If (OD*) is rejected, then the actual ought-claim formulated also reflects this fact, as was noted above. If (OD*) is accepted, then the actual ought-claim formulated also reflects this fact. As a result, according to Cox, the Sartre case cannot be used to establish or refute (OD*) without begging the question. Therefore, Cox argues, the Sartre paradox does not refute (OD*).

Cox considers the acceptance or rejection of the claim that moral conflicts are possible as part of the the global considerations which must be taken account of in determining the actual ought-claim holding in the situation. That is, whether or not there are conflicting actual ought-claims in the situation is a matter of choice. Whether the situation is interpreted as a counterexample to (OD*) depends on one's antecedent views about the possibility of moral conflicts. But this is what is particularly problematic about the empirical approach to the resolution of the paradoxes. It permits that different constraints on interpreting a given situation be maintained by different individuals. The result is that there is no way to determine conclusively that genuine moral conflicts are, or are not, logically possible. Cox claims however, that she has presented a resolution to
the Sartre paradox. She claims to have shown that though it begs the question to argue that the Sartre case does not present a counterexample to \((OD^*)\), it also begs the question to argue that the Sartre case does present a counterexample to \((OD^*)\), and this is enough to resolve the Sartre paradox.

Things are in fact much worse than Cox thinks, however. Assume that the Sartre case were presented as a counterexample to \((OD^*)\). Then, if Cox is correct, this begs the question against the logical truth of \((OD^*)\). But clearly, if it were denied that the Sartre case was a counterexample to \((OD^*)\), this would be to beg the question in favor of the logical truth of \((OD^*)\). But, other things being equal, it is much better position to deny that a claim is a logical truth, than to assert that some claim is a logical truth. So, from an epistemic point of view, it seems that the burden is still on those who deny that the Sartre case is a counterexample. More importantly, however, as was noted above, the Sartre case is not, in fact, presented as a counterexample to \((OD^*)\) or any other deontic principle. The Sartre case is presented as a case in which it is not obviously the case that the conflicting ought-claims are not all-things-considered, or actual, ought-claims. Again, the fact that Cox has presented an interpretation of the case in which both of the conflicting ought-claims are rebutted does not show that the case could not be interpreted as a case of conflicting all-things-considered ought-claims. As a result, Cox resolution of the Sartre paradox is also unconvincing.
Cox presents three theses in attempting to resolve the paradoxes: (i) that deontic language (particularly the deontic term "ought") is ambiguous, and (ii) that moral 'oughts-claims' seem to conflict only because we mistakenly try to analyze them in terms of unconditional rather than conditional statements, (iii) if ought-claims are regarded as conditional statements, then an adequate analysis of the conditions will always remove the possibility of conflict. The more controversial claims, clearly, are stated in (ii) and (iii). The claim in (ii) provides an explanation, it seems, of why it might be asserted that certain cases, viz. the Plato case and the Sartre case, seem to illustrate genuine moral conflicts. The cases appear to illustrate genuine moral conflicts only given an inadequate analysis of the ought-claims occurring in such cases. The claim in (iii) states, on one reading, the empirical approach to the resolution of the conflict-of-duty paradoxes. On another reading, it states the a priori approach to the resolution of the conflict-of-duty paradoxes. Consider the following readings of (iii):

(iii) Necessarily, if ought-claims are regarded as conditional statements, then an adequate analysis of the conditions will always remove the possibility of conflict.
(iiib) As a matter of fact, if ought-claims are regarded as conditional statements, then an adequate analysis of the conditions will always resolve the conflict.

It is stated in (iiia) that conditional ought-claims could not in principle conflict. In order to state (iiia), it seems, an analysis of the concept of conditional ought-claims which precludes in principle the possibility of moral conflicts must be provided, and defended. It is stated in (iiib) that it will in fact never fail to be the case that if ought-statements are regarded as conditional statements, an adequate analysis of the conditions will remove the possibility of conflict. Cox does not attempt to provide an analysis of the concept of obligation such that (iiia) is true. Rather, Cox (and, for that matter, Hare and Ross) argue in defense of (iiib). As was noted above, the truth of (iiib) resolves the conflict-of-duty paradoxes (i.e. the problem of genuine moral conflicts) only on the assumption that the Sartre case and the Plato case, and other similar cases, are presented as counterexamples to (OD*). Since, as it was also noted, the Sartre case, et. al., are not presented as counterexamples to (OD*), the fact that (iiib) is true (if it in fact is true) is no reason to believe that genuine moral conflicts are not possible.

The approach that will be considered in the following section is the a priori approach to the problem of genuine moral conflicts. It will be argued, in fact, that the a priori approach is the only approach
that provides an adequate solution to the problem of moral conflicts. The a priori approach, however, also has a set of associated difficulties. If the possibility of genuine moral conflicts is precluded, in principle, given the analysis of all-things-considered obligations, it must still be argued that the analysis which has been provided is the correct one. It must be argued that the analysis does not beg the question against the possibility of genuine moral conflicts. This problem and others will be considered in what follows.
Notes

2 (OD*) follows from (K*) and propositional logic.
4 See chapter (I) for arguments against the claim that the moral conflicts for which some argument has been provided do not conflict with (OD). Al-Hibri, however, is working within standard deontic logic which does not contain (OD*). Nonetheless, many of her arguments in favor of (OD) apply equally to the stronger principle (OD*).
11 The problems with attempting to formulate the problem of moral conflicts in terms of standard deontic logic have already been considered in chapter (I). The interpretation of Ross' concepts of prima facie and actual obligation as applying to states of affairs does not seem to differ in any philosophically interesting way with Ross position that the terms apply to acts.
13 ibid., p.47

14 Ross in fact refers to the general principles recommending certain kinds of acts, prima facie obligations. For instance, it is prima facie obligatory to keep one’s promises. He also refers to certain singular moral judgements recommending that particular agents do a particular act as prima facie obligatory. For instance, an individual act of promise-keeping is, insofar as it is an "instance" of what is prima facie obligatory (viz. keeping one’s promises), prima facie obligatory. Cox glosses over this distinction.

15 W. D. Ross did recognize that moral decisions based on intuition (even in the sense of “intuition” as a kind of moral sense) were by no means known to be correct. Ross states that: "... We never know what act will in the long run be to our advantage. Yet it is certain that we are more likely to secure our advantage if we estimate to the best of our ability the probable tendencies of our actions. ..." And earlier on: "... When I am in a situation, as perhaps I always am, in which more than one of these prima facie obligations is incumbent on me, what I have to do is to study the situation as fully as I can until I form the considered opinion (it is never more) that in the circumstances one of them is more incumbent than the other; then I am bound to think that to do this prima facie duty is my duty sans phrase in the situation. ..." See W.D. Ross, The Right and the Good, op. cit. p. 32 and p.19. The retreat to moral skepticism is, in Ross’ case, is made in part to reply to the objection that intuitions seem to conflict concerning what is morally appropriate in certain circumstances. The difficulties of retreating to moral skepticism in complex cases are, with regard to the problem of moral conflicts, particularly troublesome. There is, it seems, no way to defend the position that genuine moral conflicts are logically impossible if no moral decisions are forthcoming in such complex cases. This will be discussed at length in what follows.


17 Ross does refer to actual duties as 'absolute' obligations occasionally, but it is fairly clear that Ross does not contrast absolute or actual obligations with conditional obligations. He refers
to actual or absolute obligations as being a 'toti-resultant attribute' which belongs to an act in virtue of its whole nature and of nothing less than this. That is, Ross states, any act which we do contains various elements in virtue of which it falls under various categories. In virtue of being a breaking of a promise, for example, it tends to be wrong; in virtue of being an instance of relieving distress it tends to be right. The tendency to be one's duty is a 'parti-resultant' attribute of an act, belonging to an act in virtue of some one component in its nature. Consideration of the whole nature of the act would be required to reveal whether it is obligatory or not. But then it seems that both prima facie obligations and actual (or absolute) obligations are conditional obligations. The former are conditional some relevant aspects of an act, the latter are conditional upon all relevant aspects of an act.

Also, in this context Ross is referring to a particular act on a particular occasion, (e.g. S's telling the truth in C at t) rather than to kinds of acts (e.g. telling the truth). In referring to the particular act as an absolute obligation, he does not have in mind what is typically meant by an absolute obligation, a universal moral judgement about a kind of act.

18 See Azizah Al-Hibri Cox, Deontic Logic: A Comprehensive Appraisal and a New Proposal, op. cit. p.64. Also see W.J. Rees, 'Moral Rules and the Analysis of 'Ought', Philosophical Review, 62 (1953). Cox's position that an analysis of the conditions upon which ought-claims are based will always resolve apparent conflicts is due to W.J. Rees. There are others, however, who hold similar positions. See, for instance, R.M. Hare, Moral Thinking: Its Levels, Method, and Point, (Oxford University Press, 1981). See also W.D. Ross, Foundations of Ethics, op. cit. pp. 84-86, and The Right and the Good, op.cit. pp.18-47.


21 Azizah Al-Hibri Cox, Deontic Logic: A Comprehensive Appraisal and A New Proposal, op. cit. pp.48-49. The resolution provided by Cox is also suggested by Lemmon, 'Moral Dilemmas', op. cit. p.49.
22 ibid., p. 49.
23 The argument is essentially due to B. van Fraassen, 'Values and the Heart’s Command', The Journal of Philosophy, Vol. LXX, No. 1, (1973). pp. 11-12. The argument is presented above in chapter III.
25 ibid., p.70.
26 ibid., p. 71.
CHAPTER VI
A New Approach to the Problem of Moral Conflicts

The analyses of obligation which have been considered so far have distinguished between actual or all-things-considered obligations and prima facie obligations. The distinction between all-things-considered or actual obligations and prima facie obligations provided the basis for the thesis that purported cases of moral conflicts are cases of conflict between prima facie rather than all-things-considered obligations. The claim that purported cases of moral conflict illustrate conflicts between prima facie obligations is, of course, an empirical claim. And the approach to resolving the problem of genuine moral conflicts which is based on interpreting individual cases of moral conflict as conflicts between prima facie obligations has been referred to as the empirical approach.

The difficulties with the empirical approach have been discussed above. Primarily, the difficulty with the empirical approach is that at best it can only establish that if the purported conflict situations are interpreted as cases of conflict between prima facie obligations, then there is no problem of genuine moral conflicts. No argument, however, has been provided for the claim that the conflict situations must be interpreted as conflicts between prima facie obligations.
obligations. Since it might be the case that the moral conflict situations illustrate genuine moral conflicts between all-things-considered obligations, the empirical approach has not succeeded in resolving the problem of genuine moral conflicts.

It is important to note that on the analyses of all-things-considered obligations considered so far it is not clear whether or not the concept of an all-things-considered obligation precludes the possibility of genuine moral conflicts. It seems clear, however, that if genuine moral conflicts between all-things-considered obligations are possible, then it must be the case that there is an adequate analysis of the concept of an all-things-considered obligation which permits genuine moral conflicts. And it seems equally clear that if an adequate analysis cannot be provided, then it can be concluded that genuine moral conflicts between all-things-considered obligations are not logically possible.

In what follows it will be argued, first, that there is no adequate analysis of the concept of an all-things-considered obligation which permits genuine moral conflicts. It will be argued, in fact, that there are clear counterexamples to analyses of the concept of all-things-considered obligations which permit genuine moral conflicts. Further an argument will be provided for a particular analysis of all-things-considered obligations which precludes the possibility of genuine moral conflicts. It should be noted however that if it can be shown that there is no adequate analysis of the
concept of obligation which permits genuine moral conflicts, that would be sufficient to show that purported cases of moral conflicts cannot be interpreted as cases of genuine moral conflicts between all-things-considered obligations. It would be sufficient, that is, to resolve the problem of genuine moral conflicts. The argument against the analyses noted does not depend on the plausibility of the argument in favor of a particular analysis of all-things-considered obligations.

2. W. D. Ross and G.H. von Wright on Actual Obligations:

One of the most appealing analyses of actual or all-things-considered obligations has been presented by W. D. Ross. As is well known, Ross distinguishes prima facie obligations from actual or all-things-considered obligations. The distinction is typically drawn on the basis of the claim that prima facie obligations only 'tend to be duties', whereas actual obligations are, in fact, duties. There is not only a moral distinction between prima facie and actual obligations, there is also an important metaphysical distinction. Consider Ross' division of prima facie duties:

Some duties rest on previous acts of my own. These duties seem to include two kinds, (a) those resting on a promise or what may fairly be called an implicit promise. . . . These may be called duties of fidelity. (b) Those resting on a previous wrongful act. These may be called duties of reparation. (2) Some rest on the previous acts of other men. These may loosely be described as duties of gratitude. . . .2
There are also, according to Ross, duties of justice, duties of beneficence, duties of self-improvement, and others. Ross suggests the division of kinds of prima facie duties in attempting to argue that there are several distinct circumstances which are morally significant, and which give rise to prima facie duties. What is important to note is that Ross seems to argue here that certain kinds of actions are prima facie obligatory. Ross also seemed to hold, however, that certain individual acts were prima facie obligatory. Ross argues the following:

I suggest 'prima facie duty' or 'conditional duty' as a brief way of referring to the characteristic (quite distinct from being a duty proper) which an act has, in virtue of being of a certain kind (e.g. the keeping of a promise), of being an act which would be a duty proper if it were not at the same time of another kind which is morally significant. . . .

Ross suggests here that it is an individual act, rather than a kind of act, which is prima facie obligatory. There seems to be nothing inconsistent in Ross' claiming that both individual acts and certain kinds of acts are prima facie obligatory. Rather, Ross seemed to hold that the fact that an individual act was prima facie obligatory was explained by the fact that it exemplified a kind of act which was prima facie obligatory.

The case is quite different with actual or all-things-considered obligations, however. Only particular acts or individual
acts are actually, or all-things-considered obligatory. That only particular acts can be all-things-considered obligatory, on Ross' analysis, is clear from Ross's claim that whether an act is an all-things-considered obligation depends on all of the morally significant kinds it is an instance of. The relation between prima facie duties and all-things-considered obligations also makes clear Ross' claim that only particular acts can be all-things-considered obligatory. Ross argues that:

Our judgements about our actual duty in concrete situations have none of the certainty that attaches to our recognition of the general [prima facie] principles of duty. Where a possible act is seen to have two characteristics, in virtue of one of which it is prima facie right, and in virtue of the other it is prima facie wrong, we are (I think) well aware that we are not certain whether we ought or ought not to do it. Again, our judgements about our particular duties are not logical conclusions from self-evident premises. The only possible premises would be the general principles stating their prima facie rightness or wrongness qua having the different characteristics they do have. In this respect the judgement as to the rightness of a particular act is just like the judgement as to the beauty of a particular natural object or work of art.

On Ross' analysis of all-things-considered obligations, the property of being all-things-considered obligatory is predicated of individual acts, while the property of being prima facie obligatory can be predicated of individual acts or predicated of kinds of acts. The analysis of all-things-considered obligations provided by Ross, aside
from difficult epistemological questions, is both simple and highly intuitive. Whether an individual act, in a particular circumstance, is all-things-considered obligatory is some function of the morally relevant properties that act exemplifies and fails to exemplify in the given circumstances, compared to the alternative acts in those circumstance. As Ross argues "we are only bound to do that act whose prima facie obligatoriness in those respects in which it is prima facie obligatory most outweights its prima facie disobligatoriness in those respects in which it is prima facie disobligatory". Nonetheless, though Ross analysis seems to capture certain intuitions concerning the concept of an all-things-considered obligation, there are several serious problems with Ross' analysis.

Consider, as a first approach to formalizing Ross' analysis of all-things-considered obligations, the following analysis presented by G. H. von Wright. Let it be agreed that deontic status can, in a genuine sense, be predicated of individual actions. Now, we can use 'F' for the property of being forbidden, 'O' for the property of obligatoriness, and 'P' for the property of permittedness. If we let 'a, b, c, . .' be individual names or constants, then 'F a' may be read as 'a is forbidden', '-F a' may be read as 'a is not forbidden'.

Deontic status can also be attributed to categories of acts, or kinds of acts, or generic acts. For the attribution of deontic status to generic acts we will use 'F' to stand for 'forbidden', 'O' for 'obligatory', and 'P' for permitted. In this case however, the deontic
terms are not used as predicates, but as operators. So, if \([M] \text{ a}\) says that the individual act, \(a\), is a case of murder, \(FM\) says that murder is forbidden, or that the kind of action called 'murder' is forbidden.

Now, consider what it might mean to say that an individual action \(a\) is forbidden. It seems that no individual action is forbidden or obligatory, etc., unless it has already been identified as an act of a certain kind. It can be assumed that, say, \(M\) is the essential property used for identifying the action. If there is a moral principle, \(FM\), prohibiting actions of the kind, \(M\), then \(a\) is a forbidden act. Of course, if it turns out that \(-[M] \text{ a}\) is true, then it does not follow that \(a\) is not prohibited. Clearly, \(a\) might also exemplify a different property which is in fact forbidden. Consider the following definition of what it is for an individual act \(a\) to be forbidden:

\[
(1) \quad [F] a =_df (EX)([X] a \& FX)
\]

(1) states that an agent's action on some occasion is forbidden if, and only if, in performing this action he does some kind of forbidden action. In a similar way we can define what it is for an individual action to be obligatory. The commission of an individual act is obligatory if and only if the action is of a kind such that it is forbidden to omit acts of that kind. Consider the following definition:

\[
(2) \quad [O] a =_df (EX)([X] a \& F(omission of X))
\]
(2) states that an agent's action on some occasion is obligatory if, and only if, in performing this action he does something which is forbidden to omit (or fail) to do. Since, (2) states that the individual act, on a given occasion, cannot morally be omitted, (2) can serve as a first attempt at a more formal analysis of the concept of an all-things-considered obligation.

There are several important features of von Wright's analysis. First, on the foregoing analysis the deontic qualification of generic acts is taken as primary or primitive, or undefined, and the deontic qualification of individual acts is taken as secondary. In this respect, von Wright's analysis can be taken as a more formal presentation of the analysis of Ross. Ross argues as well that the deontic status of individual acts is dependent upon, or is a function of, the deontic status of the kinds of actions it exemplifies. It is a feature of von Wright's analysis, but not of Ross', that it permits moral conflicts between all-things-considered obligatory individual acts. It is logically possible, that is, given the definition of an all-things-considered obligatory act provided in (2) that there are two incompatible individual acts, on a given occasion, each of which exemplifies a kind of act which is such that it is forbidden to omit that kind of act. Von Wright maintains, in fact, the following principle governing conflicts of individual acts. It is accepted, however, as a principle of "rationality" rather than as a logical truth:
(3) \[ F \neg A \land (e)([A] e \rightarrow [B] e) \rightarrow \neg F B \]

And (3) is equivalent to the following principle:

\[ (3') (e)([A] e \rightarrow [B] e) \rightarrow (0A \rightarrow \neg 0B) \]

The principle states, according to von Wright, that if all individual actions with an obligatory characteristic also have another characteristic, then this other characteristic cannot be (generically) prohibited. But, it seems that (3) and (3') are ambiguous. It is not clear whether the principle states that if all individual actions, in general, with the obligatory characteristic A also have B, then if OA then \( \neg O-B \). If that were what von Wright intended, then (3') would, even if logically true, preclude very few moral conflicts. However, (3') might state that if all individual actions with an obligatory characteristic, in a particular set of circumstances, also had another characteristic, in that particular set of circumstances, then if OA then \( \neg O-B \). On this reading it seems that (3') would, if taken as a logical truth, preclude the possibility of genuine moral conflicts. Nonetheless, von Wright claims that (3) or (3') is not a logical truth, but a principle of rationality. By referring to (3') as a principle of rationality, rather than a logical truth, what is intended is that a normative order which violates (3') is 'irrational', and that the
legislator, so to speak, should, in the name of rationality, insure that the normative order does not violate (3'). Clearly, however, maintaining (3') as a principle of rationality does not preclude the logical possibility of genuine moral conflicts between all-things-considered obligatory acts.

It seems that in presenting an argument against analyses of all-things-considered obligations which permit genuine moral conflicts it would beg the question to argue that it is a problem with those analyses that they permit conflicts. Clearly, that is, any convincing argument against such analyses must be based on reasons independent of the fact that they preclude or do not preclude the possibility of genuine moral conflicts. Consider the following, at least plausible, intuitions concerning the characteristics of all-things-considered obligations:

(i) In most cases of moral decision, there is an all-things-considered obligatory action.
(ii) In most cases of moral decision, there is only one all-things-considered obligatory action.
(iii) An all-things-considered ought-claim recommends an action which it is forbidden, morally, to fail to perform.
(iv) An all-things-considered ought-claim recommends an individual action.
Though undoubtedly no one of (i)-(iv) is indispensible, and it might even be the case that all of (i)-(iv) could ultimately be mistaken, they do provide an initial set of criteria for the evaluation of analyses of the concept of an all-things-considered obligation. It seems, in fact, that both those arguing in favor of genuine moral conflicts and those arguing against the possibility of moral conflicts would agree, at least initially, concerning (i)-(iv). In what follows, the von Wright-Ross analysis of the concept of all-things-considered obligations will be considered in light of (i)-(iv).

The von Wright analysis of all-things-considered obligations has the following attractive features: the analysis is consistent with (iv), all-things-considered ought-claims recommend individual acts. Moreover, individual actions are all-things-considered obligatory just in case they exemplify certain kinds of actions. Finally, the view is consistent with the claim in (iii), that it is forbidden to omit all-things-considered obligatory actions. As a result, it might be argued that von Wright has provided a plausible analysis of the concept of all-things-considered obligations which permits genuine moral conflicts. There are, nonetheless, serious problems with von Wright's analysis.

Consider the following, case (a): imagine a one way street in which parking is forbidden, and which terminates in a T-shaped junction. Suppose that on arrival at the junction it is obligatory that
the motorist turn right or turn left, although not obligatory that the motorist do any one of these. The generic action, that is, $X=(X_1$ or $X_2$) of turning right or left is obligatory, although neither of the generic actions, $X_1$, $X_2$ is obligatory. Suppose that a person at a specific time makes the specific act $a$ of turning left at the junction. Then $a$ exemplifies $X_1$, but then it is also of the more general kind $X$. But $X$, by hypothesis, is obligatory, and omitting $X$ is forbidden. By von Wright's definition of all-things-considered obligatory acts, then, $a$ would be all-things-considered obligatory. However, it seems clear that $a$ is not obligatory but optional in this case.\(^{13}\)

In the case above the only morally relevant kind of act is the kind, $X$. It is, in fact, morally forbidden to omit doing $X$ in the given circumstances. It seems plausible to claim that it follows that it is forbidden to omit doing any individual act that exemplifies $X$ in the circumstances. That is, provided that we are concerned with all-things-considered obligations, it seems plausible to claim that it is necessary and sufficient condition of an individual act's being obligatory in a given situation that it be an instance of a kind which is obligatory in that situation. But case (a) above seems to show that in determining whether an individual action is all-things-considered obligatory, it is not sufficient to consider just the morally relevant properties of individual acts. It is not the case, that is, that it is forbidden to omit an individual act just in virtue of the fact that the act exemplifies a kind of act which is forbidden to omit.
It might be argued with respect to case (a) that there are no disjunctive kinds of action. And, as a result, it might be argued, case (a) does not present a counterexample to von Wright's analysis of all-things-considered obligations. However, aside from the fact that this reply presupposes a satisfactory solution to the problem of how to describe generic actions, if it is not to be ad hoc, there are still other convincing counterexamples which do not rely on disjunctive kinds of acts.

Consider also the following, case (b): Suppose that it is required by the prevailing moral code that parents give a name to their children as soon as possible after birth. Suppose further that a child is born and his parents perform, at a certain time and place, a specific act $e$ of giving the child the name, say, 'Hector'. Now clearly $e$ is an instance of the generic act of giving one's child the name 'Hector'. But it is also an instance of the generic act of giving one's child some name or other. Since the latter kind of act is obligatory, so too is the individual act $e$. That is, it is forbidden to fail to do $e$ in the given circumstances, although it seems clear that the parents could have legitimately (morally) performed, instead of $e$, any one of a number of other acts of naming, in which names other than 'Hector' could have figured.14

Again, in case (b), the act of naming one's child 'Hector' is, at best, optional, though according to von Wright's analysis of all-things-considered obligatory acts, it is all-things-considered
obligatory. More importantly, case (b) does not rely on there being disjunctive kinds of acts. The difficulty with von Wright's analysis illustrated in case (b) arises, it seems, because moral demands are always finitely formulated demands. For any action, e, that satisfies a finitely formulated demand, there are innumerably many other possible actions, very similar to e, that would also satisfy the demand, i.e. which are morally identical to e.

The von Wright analysis does permit genuine moral conflicts between all-things-considered obligations, however, it also requires the rejection of (ii) above. And it would seem that even those arguing in favor of genuine moral conflicts would not want to contend that in most cases of moral decision there is more than one all-things-considered obligation. Moreover, it seems, they would not want to contend that case (a) and case (b) represent moral conflict situations. These objections, clearly, only reveal the inadequacy of von Wright's analysis of all-things-considered obligations. It seems then that minimally von Wright's analysis of all-things-considered obligations must be modified to avoid these problems.

It might be suggested that though it does not follow that individual acts which are of a kind which is obligatory are themselves obligatory, it does follow that if a generic action, G, is such that there are no generic actions which are deontically better, then all individual acts, e, which exemplify G are such that there are no individual acts which are deontically better. Further, it might be
suggested that to say of an individual action that there are no other individual actions which are deontically better is just to say that the action is all-things-considered obligatory. Consider the following alteration of von Wright's definition of an all-things-considered obligation:

\[ (4) \quad [0] a = \text{df} (\text{EX}(Y)([X] a \& \neg(Y B X))) \]

It is stated in (4) that the individual act \( a \) is all-things-considered obligatory if and only if there is some kind of action such that there is no other kind of action which is deontically better, and \( a \) is an action of that kind. The analysis of all-things-considered obligations provided in (4) does seem to avoid the problems presented by case (a) and case (b). The difficulty presented by case (a) was that the individual act of turning left at the junction was, on von Wright's analysis, forbidden to omit, where in fact it appears merely optional. However, given (4), it might be argued that turning left at the junction is not forbidden to omit, but rather is such that there is no other individual act which is deontically better. There are, of course, individual acts which are at least as good as turning left at the junction, viz. turning right at the junction.

Now, consider the problem presented by case (b) above. From the analysis provided in (4) it follows not that it is forbidden to omit naming one's child 'Hector' and that it is forbidden to omit naming
one's child, say, 'Roderick'. Rather, there is no individual act which is deontically better than naming one's child 'Hector', and none that is deontically better than naming one's child 'Roderick', and so on. It seems, then, that the analysis in (4) avoids the problem presented by case (b) as well.

The analysis provided in (4), however, requires the rejection of (iii) above, viz. that all-things-considered obligations recommend actions which are forbidden to fail to perform. It is the denial of (iii), in fact, that allows the avoidance of the problems presented by case (a) and (b). Consider, however, moral conflict situations given the analysis of all-things-considered obligations presented in (4). Presumably moral conflicts will have to be characterized as cases where there is a conflict between two obligations neither of which is deontically better than the other. But then it seems to follow that case (b) above presents a moral conflict situation, since naming one's child 'Hector' is deontically the same as naming one's child 'Roderick', and in naming one's child 'Hector' one thereby fails to name one's child 'Roderick'.¹⁶ But it seems fairly clear that case (b) does not present a moral conflict situation at all. On the other hand if the claims in case (b) are treated as optional (rather than obligatory), then purported cases of conflict between obligations, e.g. the Sartre case, must be treated as cases containing "conflicts" between claims that are not obligatory, but optional. In either case, the result seems clearly undesirable.
It was suggested above that at least one plausible characteristic of all-things-considered obligations was that such obligations recommend individual acts. And, in fact, one of the criterion proposed for the evaluation of analyses of all-things-considered obligations was (iv) above, that such obligations recommend individual acts. However, there do not seem to be any adequate analyses of the concept of all-things-considered obligations which meet criterion (iv). The plausibility of (iv), it seems, arises from the looseness with which ordinary language speaks of individual actions. For example, suppose that we ask of G. Gordon Liddy why he performed the act of the Watergate break-in, and he replies that it was, all-things-considered, what he ought to have done. In a sense we are asking Liddy to justify or explain a particular act: it was an act which appeared to be contrary, at least prima facie, to common sense. And in a sense Liddy's reply is the justification of an individual act. Despite the looseness of speech, however, Liddy is not claiming that the individual act that was carried out in all of its specificity was all-things-considered obligatory. He was only saying that it was all-things-considered obligatory that he perform an act of the kind, breaking into Watergate.

Consider also the following case: We ask a farmer why he slaughtered his herd of cows the day before. He replies, "I had to do it, some of them had foot and mouth disease, and the regulations on that score are very strict". Analogously to the case above, we are asking, in
a sense, the farmer to justify or explain a particular act, and the farmer, in a sense, is justifying a particular act. But, again, he is only telling us that it was obligatory that he slaughter his herd in a certain manner as soon as possible, that is, that he perform an act of the kind that gave rise to the question. Though in fact the regulations may specify in considerable detail the manner in which the business must be carried out, what they render obligatory, in the circumstances in which the farmer finds himself, is a generic act of a tightly circumscribed kind, and not an individual act of that kind.17

In what follows it will be argued that generic acts rather than individual acts are what ought to be considered all-things-considered obligatory. A particular analysis of the concept of all-things-considered obligations will be provided which treats "all-things-considered obligatory" as an operator on generic acts, or properties of acts, rather than as a predicate of individual acts. Further consideration will be given to the possibility of providing an analysis of all-things-considered obligations which permits moral conflicts. Ultimately, it will be argued that there are no adequate analyses of all-things-considered obligations which permit moral conflicts.

3. Generic Actions and All-Things-Considered Obligations:
Those who favor moral conflicts might contend that the arguments which have been presented above are, strictly speaking, arguments against a particular analysis of all-things-considered obligations which permits moral conflicts. Though the analyses so far have been defective, this does not show that there is no adequate analysis forthcoming. The difficulty with the forgoing analyses of all-things-considered obligations was that they treated the deontic status of generic actions as primitive, and the deontic qualification of individual acts as secondary. In fact, any adequate analysis of all-things-considered obligations, it might be argued, must treat the deontic status of individual acts as primitive, and the deontic status of generic acts as secondary.

Consider the following analysis in which 'B' is used to mean 'deontically better', 'e, f, g, . . .' are event (or action) variables, 'A' is a generic action, or property, and 'O' is the all-things-considered obligation operator:

\[
OA = df (e) \neg (Ef)(( A[e] \& \neg A[f]) \& f B e)
\]

It is stated in (5) that the kind of act, A, is all-things-considered obligatory if and only if for all individual acts, e, it is not the case that there is some act, f, such that e is A and f is not A, and f is deontically better than e. The analysis provided in (5) does permit ties among all-things-considered obligations. So, the analysis
permits genuine moral conflicts between all-things-considered obligations. Moreover, the problems presented by cases (a) and (b) above are no longer a problem, since no individual acts are treated as obligatory given (5). But it seems that even analysis (5) does not adequately define the concept of an all-things-considered obligation. Consider case (b), again. In case (b) the act of 'naming one's child' is a kind of act. But the act of 'naming one's child 'Hector' is also a kind of act, as is the act of 'naming one's child 'Roderick". In case (b) it was claimed that it was all-things-considered obligatory to name one's child as soon after birth as possible. But it is clear that all of the individual acts which are instances of the kind 'naming one's child 'Hector" are also instances of the kind 'naming one's child'. So, if it is all-things-considered obligatory to name one's child, then it is all-things-obligatory to name one's child 'Hector'. There is no act which is not an instance of the kind 'naming one's child 'Hector" which is deontically better than any of the individual acts which are instances of naming one's child 'Hector". But of course, by parity of reasoning, it is all-things-considered obligatory to name one's child 'Roderick'. The advantage of the analysis in (5) was that it permitted treating moral conflicts as ties between all-things-considered obligations. But if ties between all-things-considered obligations are moral conflicts, then the two kinds of acts, 'naming one's child 'Hector" and 'naming one's child 'Roderick' are conflicting obligations. The problem is analogous to the problem for (4) above. The result of (5), as it was for
(4), is that either non-moral-conflicts are treated as conflicts, or plausible cases of moral conflicts are treated as "conflicts" between optional, not obligatory, claims. Again, neither result is desirable for those arguing in favor of genuine moral conflicts.

Clearly not every analysis of all-things-considered obligations which permit moral conflicts has been considered. However, it is not obvious how to alter the analyses provided in (3), (4) and (5) to avoid the various problems which have been presented by case (a) and case (b) above. It might be suggested that though no adequate analysis of all-things-considered obligations which permit moral conflicts has been presented, it might still be the case that genuine moral conflicts are possible. It might be the case, that is, that moral conflicts are possible between incomparable all-things-considered obligations. This possibility will be considered further on.

There are analyses of all-things-considered obligations which avoid all of the problems noted above. Consider the following analysis:

\[(6) \quad OA = \text{df} (e)(f)((A[e] \& \neg A[f]) \rightarrow e B f)\]

It is stated in (6) that the generic act, A, is all-things-considered obligatory if and only if for all individual acts, e, f, if e is A and f is not A, then e is deontically better than f. Now it follows straightforwardly from the asymmetry of 'B' that genuine moral
conflicts are logically impossible. Moreover, the analysis avoids all of the problems noted above. In case (a), neither the generic act, ‘naming one’s child ‘Hector’, nor the generic act, ‘naming one’s child ‘Roderick’, are all-things-considered obligatory. And this might be the case even if it is maintained that in case (b) the generic act, ‘naming one’s child as soon as possible’ is all-things-considered obligatory. Similarly, in case (a) neither the generic act, ‘turning left at the junction’ nor the generic act, ‘turning right at the junction’ are all-things-considered obligatory. Though, again, it might be consistently maintained that the generic act, ‘turning right or left at the junction’ is all-things-considered obligatory. It is also the case that (6) could be altered in the following way:

\[(6') \quad F\neg A = \text{df} (e)(f)((A[e] \land \neg A[f]) \rightarrow e B f)\]

It is stated in \((6')\) that it is forbidden to omit A if and only if for all individual acts \(e, f\), if \(e\) is A and \(f\) is not A, then individual act \(e\) is deontically better than individual act \(f\). Provided with (6) and \((6')\), it seems that all of the criteria of an adequate analysis of all-things-considered obligations have been met, except, of course, (iv). And it seems that there is no adequate analysis of all-things-considered obligations which either permit or do not permit genuine moral conflicts on which obligatoriness is treated as a predicate of individual acts.
4. General Objections to Analyses (4)-(5):

In each of the proposed analyses of all-things-considered obligations (4)-(6), the analysis was based on the concept of 'deontic betterness'. Though no specific value was employed in the analyses of the concept of an all-things-considered obligations, the analyses appear to have a general axiological form: the 'rightness' (the all-things-considered obligatoriness) of actions is assumed to be some function of the 'value' (deontic betterness) of outcomes associated with the performance of those actions. Given the apparent axiological bias, it might be argued, it is no surprise that the analyses,[(4)-(5)], which are designed permit genuine moral conflicts are inadequate. It is not difficult to show, in fact, that in principle such analyses are inadequate. Consider the following: let '>' symbolize deontic betterness, so that 'a > b' is read as 'a is deontically better than b'; let 'I' represent deontic indifference defined in the following way:

\[(i) \quad aI b \iff \neg[(a > b) \vee (b > a)]\]

(1) is read 'it is deontically indifferent whether a or b if and only if it is not the case that a is deontically better than b or that b is
deontically better than \( a \); let '=' represent 'deontically as good as' defined as follows:

\[(ii) \quad a = b \iff [(a > b) \lor (b > a)]\]

Supposing, now, that relative to some set of circumstances, and some particular value, the possible alternative actions that a moral agent might perform are given a ranking or ordering. According to (4) and (5) above moral conflicts arise just in case actions in a particular case are deontically as good as each other. But given (i) and (ii), such actions should be considered indifferent, rather than conflicting. More importantly, it is difficult to deny either (i) or (ii). And any such analysis is clearly inadequate since there is an obviously important difference between conflicting actions and indifferent actions.

It is important to note, however, that the analyses provided in (4)-(6) do not, in fact, require any axiological assumptions. It is not assumed, that is, that the rightness (obligatoriness) of actions is a function of the value (goodness) of the outcomes associated with those actions. The only assumption of the analyses in (4)-(6) is that given any moral theory there is some relation (whether 'goodness' or 'rightness' or etc.) on the basis of which actions may be distinguished morally, and ordered morally. The name given to this relation in the foregoing analyses was the relation of 'deontic betterness'. But
instead of taking deontic betterness, or deontically best, as a
primitive relation, which might be misleading, the relation can be
further defined in terms of either the relation, 'at least as good as',
or the relation 'at least as right as', depending on whether the moral
theory in question is an axiological theory or a non-axiological
theory. 19 Consider the following definitions, letting 'B' represent
'deontically better than', '≥' represent 'at least as right as', '»'
represent at least as good as:

(Ax.) X B Y ←→ [X ≥ Y & ~ (Y » X)]

(Deo.) X B Y ←→ [X ≥ Y & ~ (Y ≥ X)]

Nonetheless, it is clear that the analyses in (4) and (5) above retain
the same difficulties if they are more explicitly stated using the
definition in (Deo.). Consider the following analyses:

(4*) [0] a =df (EX)(Y)([X a & ~[Y ≥ X & ~(X ≥ Y)]])

It follows from (4*), just as was the case with (4), that naming one's
child 'Hector' in the given situation (b) above, conflicts with naming
one's child 'Roderick', since the actions are 'at least as right as' each
other. Each of the actions, however, are in fact no more than optional.
The result is similar in the explicit definition of (5) using (Deo.):
It seems fairly clear that (5*) retains the problems of (5). Again, on the analyses in (5*) it is all-things-considered obligatory, in case (b) above, to name one's child 'Hector' and to name one's child 'Roderick'. The claim then that the analyses in (4)-(6) rely on axiological assumptions is mistaken. The same difficulties arise for those analyses whether they are analyzed axiologically or, as is explicitly rendered in (4*) and (5*), deontologically.

5. Semantic Analysis of All-things-Considered Obligations: Analysis (6)

Consider the following Hansson-type model structure for dyadic deontic logics.20 A structure of the form:

\[ M = (W, \geq, V) \]

is a Hansson-type model, where:

(a) \( W \neq \emptyset \) (\( W \) is a non-empty set of possible worlds)
(b) \( \geq \) is a subset of \( W \times W \) (\( \geq \) is a binary relation on \( W \))
(c) \( V : \text{Prop.} \times W \rightarrow \{T, F\} \) (\( V \) assigns to each world and proposition a truth-value, either T or F)
(d) \( \geq \) is transitive in \( W \)
(e) \( \geq \) satisfies the limit assumption (i.e. every non-empty subset of \( W \) has at least one \( \geq \)-maximal element.)
(d) and (e) guarantee that the worlds in $W$ are given a weak ordering (based, perhaps on, 'as least as right as', or 'at least as good as', or etc.) We are now in a position to say what it means for any sentence $A$ to be true at a world $x$ in Hansson-type models. We are concerned, of course, with sentences of the form '$O(A/B)$'. Consider the following, typical, truth-conditions for '$O(A/B)$' in dyadic deontic logics, given a model $M$:

\[
(TC) \models_x O(A/B) \iff \forall y(\models_y B \land \forall z(\models_z B \iff y \geq z)) \implies \models_y A
\]

In these truth-conditions the variables 'x', 'y' and 'z' range over $W$. The truth conditions in $(TC)$ are, informally, $O(A/B)$ is true at $x$ in $M$ if and only if all of the best (or most right, or etc.) $B$-worlds are $A$-worlds. More precisely, we might say, (given the limit assumption) that $O(A/B)$ is true at $x$ if and only if some ($A$ & $B$)-world is better (more right than) any ($\neg A$ & $B$)-world from the standpoint of $x$.21

It is important to note, however, that $(TC)$ does not provide the truth-conditions for all-things-considered obligations, and does not correspond to the analysis of obligation provided in (6) above. That is, given $(TC)$, '$O(A/B)$' expresses the conditional obligation that $A$ given $B$. But even if $B$ is true, it does not follow that there is an all-things-considered obligation that $A$. For it might be the case that $O(\neg A/ B \land C)$, and $B$ and $C$ might be true at $x$ as well.22 Assuming that '$O(A/B)$' is true, then $B$ provides a reason for there being an actual obligation.
that A, since in all the best B-worlds, A is true. But the reason is
defeasible, and hence the obligation is at best prima facie.

What must be considered in determining what is all-things-
considered obligatory is, clearly, not this or that fact, but all of the
morally relevant facts: i.e. all of the facts that might affect the
ordering of the worlds according to the relation, >. Let B* be all of
the morally relevant facts in a particular circumstance (in a
particular world). The truth-conditions for an all-things-consider
obligation in a given model M is the following:

\[(6^*) \models_x O(A|B*) \iff \forall y (\models_y B* \land \forall z (\models_z B* \rightarrow y > z) \rightarrow \models_y A)\]

Informally, (6*) states that it is all-things-considered obligatory to
do A just in case every world in which all of the relevant facts hold
(i.e. all of the relevant facts in x) and A holds, is better ('is more
right than', 'is morally preferable to', etc.) than any world in which all
of the relevant facts hold, and ¬A holds. The analysis on (6*) has the
several advantages over the analysis in (TC). The deontic alternatives
evaluable from x in (6*) are worlds which resemble x in nearly every
morally relevant respect. Evaluable worlds differ from each other and
x only in respect of the truth or falsity of A. It follows that the only
fact affecting the ordering of the relevant worlds according to '≽'
is the occurrence or non-occurrence of A in those worlds (and of course,
whatever follows from the (non-) occurrence of A). As a result, it is
not possible that \( O(A/B^*) \) is true at \( x \) while \( O(A/B^* \& C) \) is false at \( x \). Since if this were so, then \( C \) would have to be a fact affecting the ordering of the worlds from \( x \), and would have to be in \( B^* \). Moreover, \((6^*)\) states what actually ought to be in \( x \), since the truth of the obligation is based on all of the relevant facts in \( x \). The truth-conditions provided in \((6^*)\), then, correspond to the definition of all-things-considered obligation provided in \((6)\).

We are in a position now to consider a fairly serious objection which might be raised against \((6^*)\) and \((6)\). It might be argued that the analysis in \((6^*)\) assumes that there is always a single standard on the basis of which ought-claims can be compared. There are cases, it might be argued, in which a moral agent all-things-considered ought to do two actions which are both incompatible and morally incommensurable.\(^{23}\)

For instance, consider the case in which a moral agent can either further the cause of freedom or preserve the lives of his friends. Since, it might be argued, the value of 'freedom' cannot be compared with the value of 'life', it is at least possible that the agent ought all-things-considered to do both. And as a result the analysis in \((6)\) and \((6^*)\) fail.

The argument from incommensurability, as it stands, can be understood in either of the following ways. Either the charge against the analysis in \((6^*)\) is that it is assumed there that there is a single standard to morally evaluate particular actions, and there are cases
in which there is no standard at all, or that it is assumed in (6*) that there is a single standard while in fact there are cases in which more than one standard is employed to evaluate particular actions. Consider first the former formulation of the argument from incommensurability. If it is claimed that there are circumstances C in which it is not the case that alternative actions can be ranked from the point of view of some world x, then it follows that relative to C, there are no deontic alternatives to x. It follows as well that we have no distinctions in comparative goodness (rightness) from the standpoint of x. This is just to deny that x is a "normal" world.24 From the point of view of x, nothing is obligatory, and everything is permissible. So to deny that there is an ordering of worlds in each circumstance C, far from resulting in moral conflict, results in too few obligations.

Suppose, on the other hand, that it is argued that there are circumstances in which two standards of obligations must be employed to evaluate the alternative actions. As a result, it might be argued, from the point of view of some world x it might be the case that on one standard (say, measuring degrees of freedom, or degrees of rightness, or etc.) it is the case that 'O(A/B*)', but on another standard (say, measuring degrees of pleasure, or degrees of goodness, or etc.) it is the case that 'O(-A/B*)'. And this appears to present a moral conflict situations. Given the model-structure and the truth-conditions for 'O(A/B*)' provided above, however, moral conflicts are
clearly impossible. Consider then the following model structure. First, let's define an indexed relation, $R_{B^*}$, where $B^*$ is the set of all relevant information at a world, of Kripkean accessibility relations:

$$(K) \quad xR_{B^*}y \iff I\models y B^* \land \forall z(I\models z B^* \rightarrow y \geq z)$$

A model-structure will now be:

$$M^* = (W, R_{B^*1}, \ldots, R_{B^*n}, V)$$

And we now provide the following truth-conditions for 'O(A/B*)' in a model $M^*25$:

$$(6^*) \quad I\models xO(A/B*) \iff \forall y: xR_{B^*1}y \rightarrow I\models y A \lor \ldots \lor Vz: xR_{B^*n}z \rightarrow I\models z A$$

Now, informally $(6^*)$ states that it all-things-consider ought to be that $A$ just in case $A$ is true in all of some set of best worlds. What counts as the best worlds will differ, of course, as the alternativeness relation changes. It is clear however that the structure $M^*$ and the truth-conditions in $(6^*)$ permit moral conflicts. But it should be noted that the following principles are not validated on $M^*$:
\[(OC.C) (O(A/B^*) \& O(C/B^*)) \rightarrow O(A \& C/B^*)\]

OC.C of course is the counterpart of (OC), the closure principle of standard deontic logic.

\[(OD.C) \neg(O(A/B^*) \& O(-A/B^*))\]

(OD.C) is the conditional counterpart of the consistency axiom of (SDL), (OD). As a result we might say that moral conflicts are possible in the minimal system of conditional obligation which does not contain (OC.C) or (OD.C).

It might be concluded then that after all there is some analysis of all-things-considered obligations which is both plausible and which allows for moral conflict situations: viz. \((6^{*'})\). However, there are some fairly controversial assumptions associated with the analysis of all-things-obligations provided in \((6^{*'})\). It is assumed in \((6^{*'})\) that there is absolutely no way to compare the relevant alternatives given the distinct preference rankings. It follows from this that in almost every situation there are moral conflicts, since in every situation it is possible to rank alternative actions on each standard, and impossible, by hypothesis, to employ both standards to determine the single most preferable alternative. For instance, it may produce more pleasure in a circumstance if I buy myself a new car, but create more happiness if I use the money to buy my wife a new
car. Though this is clearly no conflict, it is treated as a conflict on the view above. Also, the possibility of moral conflicts above depends on the rejection of (OD.C) and (OC.C), which cannot easily be dismissed. In fact, dismissing (OD.C) simply begs the question against those who deny that moral conflicts are possible.

Suppose, however, that it were the case that (OD.C) and (OC.C) were rejected on the grounds that in the logic of incommensurable obligations they are not valid. It does not follow that are genuine moral conflicts are possible. The truth conditions for ought-claims in the logic of incommensurable obligations provided in (6*) allow only that it might be the case that relative some subset of all of the morally relevant facts in a given circumstance it is the case that 'OA', and relative to some distinct subset of all morally relevant facts in the same circumstance, it is the case that 'O~A'. But this is not to say that 'all-things-considered' it ought to be that A and all-things-considered, it ought to be that O~A. Since the obligations are not all-things-considered obligations, the result is not a genuine moral conflict.

The point may be put in a different way. What is allowed in the logic of incommensurable obligations is that it might be the case that, given all of the morally relevant facts relative to one moral principle (or theory), it is the case that OA, and given all of the morally relevant facts relative to some alternative moral theory it is the case that O~A. However, it is not possible that given all of the
morally relevant facts simpliciter it ought to be the case that OA and
given all of the morally relevant facts simpliciter it ought to be the
case that O-A. But, of course, this is just to say that distinct moral
theories may prescribe conflicting actions in a given circumstance.
It clearly does not follow from this that genuine moral conflicts
between all-things-consider obligations are possible.

The attempt to argue indirectly for the possibility of moral
conflicts, by rejecting one or more of the deontic axioms, will be
considered in chapter (VII) which follows.

5. Concluding Remarks:

None of the analyses of all-things-considered obligations noted
above which permit genuine moral conflicts seem to be adequate.
Nonetheless, it has still not been shown that genuine moral conflicts
are logically impossible. The analyses of all-things-considered
obligations provided in (6), (6'), (6*) and (6**) have certain virtues,
but it is by no means clear that any of the analyses is correct. And
certainly those who favor genuine moral conflicts will not find (6),
(6'), (6*) or (6**) acceptable, in spite of the fact that they are
preferable to (3), (3'), (4) and (5). As was noted above, there might
still be an adequate analysis of all-things-considered obligations
which permits genuine moral conflicts.
In what follows several arguments will be considered which attempt to show that the deontic principles which preclude the possibility of moral conflicts are not logical truths, but substantive ethical claims. These arguments are independent of the claim that genuine moral conflicts are possible, and they do not depend on any particular analysis of all-things-considered obligations. If it can be shown that the relevant deontic principles are not logical truths, then it seems it might be argued that even in the absence of an adequate analysis of all-things-considered obligations, genuine moral conflicts are logically possible. Of course, the argument depends on the tentativeness of the analyses presented in (6), (6'), (6*) and (6*'). If it can be shown that the relevant deontic principles are not logical truths, then it is more plausible to deny the adequacy of (6)-(6*'). On the other hand, if it can be shown that the deontic principles are logical truths, then (6)-(6*) would appear more plausible. And this seems consistent with the claim that (6)-(6*) provide the most adequate analysis of all-things-considered obligations considered so far forth.
Notes


3 ibid., p. 19.

4 ibid., pp.19-20.

5 ibid., p. 30-31.

6 See W. D. Ross, Foundations of Ethics, op. cit., p.85.


8 Neither von Wright nor Ross say anything further about what might be meant by the term 'individual action'. It does seem that what is intended is something more than actions which are individuals, since kinds of actions, or generic actions, are individuals, and both Ross and von Wright seem to want to distinguish individual actions from kinds of actions. By referring to some acts as 'individual acts' what von Wright and Ross mean, it seems, is that they are particular acts. And a particular act on an occasion may be an exemplification of several different kinds of acts (or generic acts).

9 Von Wright also distinguishes between two types of negation '-[F] a' and [-F] a'. The latter states that 'a is not-forbidden' or it lacks the property of being forbidden. According to von Wright, things which lack a given property fall within "the range of that property" though in fact they have not got it. This is to be distinguished from things outside the range of a property which could neither have nor lack the property.

10 See G. H. von Wright, 'On the Logic of Norms and Actions', op. cit., pp. 22-23. Von Wright talks about essential properties of individual acts, but his account does not require this, it seems.
It is also not difficult to show that (OD), the consistency principle, is just a special instance of (3).


ibid., p. 10

I use the term 'deontically better' instead of just 'better' since the latter term suggests that what ought to be done is a function of the value produced by actions. In fact, the basis on which it is determined that one kind of act is deontically better than another is left open. The 'betterness' among kinds of acts might be ordered the way that W.D. Ross orders the prima facie obligations, or by their conformance to some set of divine commands, or etc.

It might be suggested that the solution to this conflict is straightforward. Just name the child with both (or however many) names. Nonetheless, if one were to decide to name one's child just 'Hector', then, presumably, those defending genuine moral conflicts would have to claim that one has done something wrong.


Typically, indifference is defined in terms of the primitive binary relation, 'at least as good as' in the following way: let 'I' represent indifference, and let 'R' represent the binary relation 'at least as good as', then, (i') x I y <-> [ x R y & y R x]. It is worth noting that (i') is equivalent to (i). See Amartya K. Sen, Collective Choice and Social Welfare, (Holden-Day Inc., 1970).

It might be suggested that 'rightness' unlike 'goodness' does not admit of degrees. Nonetheless, even if rightness does not admit of degrees, so that all right actions are equally right, it is certainly sensible to speak of one act being as right as another. More importantly, whether or not rightness admits of degrees does not affect the argument which follows. Saying, then, that 'a is as right as b' can be construed as a manner of speaking for the purposes of the following argument.
These structures are sometimes referred to as $H_3$-models, after Bengt Hansson. See Lennart Aqvist, 'Dyadic Logic and the Logic of Preference', *Synthese* 66, (1986). See also Bengt Hansson, 'An Analysis of Some Deontic Logics', in Risto Hilpinen (ed.) *Deontic Logic: Introductory and Systematic Readings* (D. Reidel, 1971.) Aqvist presents the $H_3$-models for his logic $G$. The details of Aqvist's axiomatics are not relevant to the discussion to follow, however. Moreover, virtually any other model structure which takes a preference-theoretic approach to the semantics of dyadic deontic logic could be employed instead of the $H_3$-models.

These truth-conditions also correspond to David Lewis' truth-conditions for $O(A/B)$. See David Lewis, *Counterfactuals* (Harvard University Press, 1973), ch. 5.

See Barry Loewer and Marvin Belzer, 'Dyadic Deontic Detachment', *Synthese* 54, (1983). Loewer and Belzer provide a number of arguments against the model-structure of David Lewis, which is essentially the $H_3$-model structure. Their arguments need not be taken as impugning the $H_3$-model structure, however, as will be argued in what follows.

Cf. Walter Sinnott-Armstrong, 'Moral Dilemmas and Incomparability', *American Philosophical Quarterly*, Vol. 22, No. 2, (1985). Armstrong argues that because it cannot be shown that all moral requirements are cancelled when they cannot be ranked morally, it follows that there are moral conflicts. Consider the hedonistic utilitarians, they attempt to rank all moral requirements by measuring the quantities of pleasure and pain that are produced by each alternative. When they are equal, then what results is a disjunctive obligation. This approach fails according to Armstrong because complete reductions fail. If the two best alternatives produce the same amount of pleasure, but the first produces more pain, and everything else is equal, then the requirement not to adopt the first is stronger. This extra strength it is argued cannot be reduced to a loss of pleasure. Thus pleasure and pain are not a single standard. Similar considerations, according to Armstrong, show that other values, such as freedom and life, cannot be reduced to each other or to pleasure or pain. It follows that because complete
reductions fail, incompatible alternatives can produce losses in basically different (incomparable?) values, and in such cases there are moral conflicts. In what follows, however, it will be argued that Armstrong's conclusion is much too hasty. Even if there are incomparable values, no moral conflicts arise from them.


CHAPTER VII
Defending the Principles of Classical Deontic Logic

The strong inconsistency thesis was presented and defended in chapter (III) above. The strong inconsistency thesis stated the following:

(IT*) The logical possibility of genuine moral conflicts is logically inconsistent with certain theorems of classical deontic logic.

It was argued in chapter (III) that given the strong inconsistency thesis there are two types of arguments which could be presented in favor of the thesis that genuine moral conflicts are logically possible. The direct argument in favor of the thesis, which was independent of the status of the deontic theorems, was also presented in chapter (III). It would follow from the direct arguments in favor of the thesis, and (IT*), that one or more of the deontic theorems was not a logical truth, though the direct argument does not attempt, directly, to refute one or more of those theorems. There are also indirect arguments which could be presented in favor of the thesis. The indirect arguments in favor of moral conflicts attempt to show...
that the deontic axioms or theorems which preclude the possibility of moral conflicts do not express logical truths, and that, in fact, they are biased against the logically tenable ethical position that moral conflicts are possible. If it could be shown that the relevant deontic theorems are not logical truths, then it would follow that genuine moral conflicts are logically possible. More importantly, the thesis noted would seem to follow from the indirect arguments even in the absence of an adequate analysis of all-things-considered obligation permitting moral conflicts.

The indirect arguments in favor of genuine moral conflicts typically attack the following deontic principles:

\[ \text{CP} \quad N(A \rightarrow B) \rightarrow (O A \rightarrow O B) \]

\[ \text{OD} \quad O A \rightarrow O \neg A \]

\[ \text{OC} \quad (O A \land O B) \rightarrow O (A \land B) \]

\[ \text{K*} \quad O A \rightarrow M A \]

Each of these principles were introduced in chapter (III) as principles which seem to be commonly employed in moral reasoning, independently of any antecedent commitments to this or that moral theory. (CP) states that 'If S's doing act-type A causally entails S's
doing act-type B, then if S ought to do A then S ought to do B.' (OD) is the deontic consistency axiom, it states that 'if S ought to do A then it is not the case that S ought to do not-A.'¹ (OC) states that 'if S ought to do A and S ought to do B, then S ought to do A and B. Both (CP) and (OC) are closure principles: (OC) states in effect that obligations are closed under consequence—that a kind of action is obligatory if it is the consequence of obligatory actions; (CP) states in effect that obligatory actions are closed under causal consequence. (K*) is a version of the 'ought-can' principle. It states that 'if S ought to do action A, then it is physically possible for S to do A.'

Each of the deontic principles, (CP),(OC) and (K*), are crucial to the arguments for the strong inconsistency thesis: viz. argument-1 and argument-2 above. If it could be shown that none of the foregoing principles was a logical truth, then (IT*) would be shown to be false. And it would follow that the claim that moral conflicts are possible, though perhaps a controversial ethical position, would nonetheless present no logical problems. However, even if it can be shown that either (OC) or (K*) are not logical truths, it still would not be the case that genuine moral conflicts are logically possible. (CP) and (OD) are sufficient to show that genuine moral conflicts are logically impossible². Similarly, if it can be shown that (CP) and (OD) are not logical truths, it is still the case that (OC) and (K*) are sufficient to show that genuine moral conflicts are logically impossible.³
In what follows the arguments against each of the deontic principles will be presented and evaluated. It will be argued that once the principles are properly formulated none of the arguments which have been presented against the logical truth of the deontic principles is convincing. Moreover, it will be argued that there are clearly unacceptable formulations of each of the principles noted above, and that the arguments against (CP), (OC), (OD)\(^4\) and (K\(^*\)) depend on those unacceptable formulations. The task then in what follows is twofold: (1) defending the logical status of the relevant deontic principles, (2) providing an explanation of the highly critical view often taken of the relevant deontic principles.

2. Objections to the Deontic Closure Principle (CP):

In presenting objections to any of the relevant deontic principles it seems fairly clear that the objection cannot be based on the claim that, after all, genuine moral conflicts are possible. All objections must be based on reasons independent of the claim that moral conflicts are possible, since that is the very claim which is in dispute. No less clearly, no attempt to defend the deontic principles can appeal to the logical impossibility of genuine moral conflicts, for similar reasons.\(^5\)

There are two traditional objections to various versions of the closure principle.\(^6\) It has been argued that accepting certain versions
of (CP) leads to both 'The Good Samaritan Paradox'; and to the 'Ross Paradox'. Consider the following rendering of (CP):

\[(CP') \text{ If an act } A \text{ entails an act } B, \text{ then (1) the obligatoriness of } A \text{ entails the obligatoriness of } B, \text{ and (2) the forbiddeness (wrongness) of } B \text{ entails the forbiddeness (wrongness) of } A.\]

It seems evident that the entailments between deontic statements must follow the entailments of the acts these statements are about. But, of course, most often it is maintained that only statements or propositions have 'primary entailment relationships', and other talk of entailment is derivative. It might be contended then that the most natural interpretation of 'act A' in (CP') above is some statement to the effect that 'some agent performs A'. It seems then that (CP') can be most naturally rendered as:

\[(CP'') \text{ If that a person } a \text{ performs act } A \text{ entails that a person } a \text{ performs act } B, \text{ then (1) } a \text{ ought to do } A \text{ entails that } a \text{ ought to do } B, \text{ and (2) } a \text{ ought not to do } B \text{ entails that } a \text{ ought not to do } A.\]

The difficulty with (CP''), however, is that it is clearly not equivalent to (CP'). If (CP') is taken as our pre-analytic datum, our analysandum, it seems clear that (CP'') will not serve as the
analysans of (CP'). While (CP') appears to express a true principle, (CP") does not. To see this, consider the following set of statements:

(1) Alice bandages Ted today, who cut himself while shaving.
(2) Ted is identical to the man robbed (or who will be robbed) by Bob.

By the principle of substitution of identicals it follows from (1) and (2) that,

(3) Alice bandages today the man robbed (or who will be robbed) by Bob.

It follows from (3) that,

(4) Bob has robbed (or will rob) someone.

Now, if it supposed that Alice is obligated to bandage Ted, for whatever moral reason, then by (CP") it follows that Bob will be obligated to rob someone. But clearly, it cannot be the case from the fact alone that Alice ought to bandage someone that Bob ought to rob someone.\textsuperscript{10} This is a version of what has been called the 'Good Samaritan Paradox'.

The crucial point to note is that many actions are describable in such a way that from certain descriptions it will follow logically that wrongdoing has occurred, or will occur (viz. from 'Alice bandages
the man who will be robbed by Bob', it follows, that 'Bob will rob someone'. One may wish to try to put restrictions on the descriptions of acts which could be substituends for the variables 'A' and 'B' in (CP''), but the such a solution runs the obvious risk of being ad hoc. At any rate, it must be granted that something like (CP') seems plausible. The difficulty is that any attempt to present a plausible interpretation of (CP') seems subject to the 'Good Samaritan Paradox'. Any adequate interpretation of the principle must provide a way of avoiding the paradox.

The second objection to the closure principle has been referred to as the 'Ross Paradox'. The difficulty presented by the 'Ross Paradox' arises from the fact that from most deontic versions of the closure principle (CP), like (CP'') above, we get the following:

\[(P) \quad OA \rightarrow O(A \lor B)\]

But now consider the following argument:

\[(1') \quad \text{Ralph has an obligation to repay a loan.}\]

But by principle (P) it follows that,

\[(2') \quad \text{If Ralph has an obligation to repay a loan then Ralph has an obligation to repay a loan or to kill his creditor.}\]
It follows then that,

(3') Ralph has an obligation either to repay his loan or to kill his creditor.

But this disjunctive obligation could be fulfilled by a successful assassination. Once again it seems clear that any adequate version of (CP') must provide a way of avoiding the 'Ross Paradox'.

3. Defending the Deontic Closure Principle (CP):

It was noted in chapter (III) that the deontic closure principle required to formulate the problem of genuine moral conflicts differed considerably from the closure principle provided in standard deontic logic. In standard deontic logic the version of (CP) allows that 'oughts' might be transferred from one action (i.e. proposition describing an action) to another only because the latter action was a logically necessary consequence of the proposed action (i.e. proposition describing the action). The version of the closure principle required to formulate the problem of genuine moral conflicts is less restrictive than the standard formulations. It allows that 'oughts' may be transferred from one action to another because the latter is a causal consequence of the former. It was argued,
briefly, that the version of (CP) found in (CDL), unlike the version in (SDL), can do justice to certain common types of moral inferences, for instance: suppose that 'if I waltz, I shock my mother-in-law'; it follows then that, if I ought to waltz, then I ought to shock my mother-in-law; since it is clear that I ought not to shock my mother-in-law, I ought not to waltz. This type of inference, where the projected causal consequences of my action is considered relevant to determining the deontic status of the proposed action is possible given the more restrictive closure principle, but not the less restrictive principle. 

The problem then is to show that the more restrictive version of (CP) is not subject to corresponding versions of the 'Good Samaritan Paradox' or to the 'Ross Paradox'. It is important to note that in the usual formulations of (at least) the 'Good Samaritan Paradox' it is not the action of helping the victim which entails that he has been robbed, but the description of the victim which does so. This is clear in cases where the action has nothing to do with the entailment. Consider, for instance, the following: 'If Macduff looks at a murderer, then a murder has been committed; but murder is forbidden, so his looking at a murderer is forbidden'. Clearly, in this case, it is not the action of looking which entails the murder, but the description of the object of the action. In the case noted above, Alice's doing what she does, does not entail that a robbery has been (or will be) committed, rather it is the statement 'Alice's bandageing
the man who will be robbed' that entails that 'someone will be robbed.' Moreover, it is the description of the object of the action, 'the man who will be robbed', which does the entailing, not Alice's action of bandaging. What is suggested by this observation is that the 'Good Samaritan Paradox' arises because the natural language entailments between sentences does not accurately mirror the relations holding between actions, or action-types. And this seems to suggest that a version of the closure principle which gives serious semantic role to actions, or act-types, could avoid the 'Good Samaritan Paradox'. Consider the version of the closure principle provided by Robert Nozick and Richard Routley. 17 They introduce names 'a', 'b', and so on, to refer to something like 'kinds of actions'. They introduce an operator 'D' such that 'Da' is true if and only if action a is done. And they introduce a connective 'I' such that 'lab' is true if and only if action a is included in action b. Concerning the inclusion operator, I, they state:

'lab' is true if there exists a description of action b alone such that a description of action a is thereby given, where D is a description of b, and no phrase of D can be eliminated without a less detailed description of b resulting. 18

The version of the closure principle suggested by Nozick and Routley can be stated in the following way:

\[(CP^*) (a \ I \ b) \rightarrow (Fa \rightarrow Fb)\]
It is stated in (CP*) that if action $a$ is included in action $b$, then if $a$ is forbidden then $b$ is forbidden. Given (CP*) the 'Good Samaritan Paradox' is no longer a problem, for the action description 'robbing someone' is not included in the action description 'bandaging someone'. So, though it is forbidden to rob someone, it does not follow that it is forbidden to bandage someone.

Both Routley and Nozick ultimately reject their characterization, as it stands, because of certain counterexamples they had discovered. However, the strength of Nozick and Routley's account, as noted above, is that they count types of actions as individuals, so that the natural language discourse about entailment between actions is mirrored formally by relations between action-types rather than by relations between sentences or propositions or states of affairs.

In formulating the problem of genuine moral conflicts, it was noted above that the version of (CP) which must be defended states that 'oughts' are transferred from act-types to other act-types which are causal consequences of the proposed (obligatory) action. The only relation between act-types that concerns us then, for the purposes of formulating the problem of genuine moral conflicts, is the relation of 'causal consequence'. The concern then is with cases of the following sort:
(1+) If S's turning on the light caused the prowler to be alerted, then if S ought to turn on the light, then S ought to alert the prowler.

In (1+) the relation between the event (action) of 'S's turning on the light' and the event, 'the prowler's being alerted', is a causal relation. If S ought to do act-type (turning on the light), then, according to (1+), S ought to do act-type (alerting the prowler). Consider the more general closure principle of which (1+) is an instance. To facilitate the statement of the more general principle, Davidsonian event-variables will be introduced, 'e', 'f', 'g', and a predicate 'D' which will be read as 'does something' and meta-variables ranging over names of act-types, 'B', 'a', 'f'. Sentences of the form:

(i) (Ef)W(a, f)

are paraphrased as, 'there is an event, f, such that f is a W-ing by a'. So, for instance, the sentence stating an action, 'James Walzed' will have the form:

(ii) (Ef)((Waltzing(James, f))

Consider, now, the following version of (CP):

(CP+) If OaB and ((Eg)(B( a, g)) & □(Ee)(g causes e & a(e))), then Oaf.
It is stated in (CP+) that 'if a ought to do an act-type, B, then if there
is some event, g, such that g is a B-ing, and it is physically
necessary (given the circumstances and time) that g causes some
event e to occur, and e is a B, then a ought to do another act-type f'.

In the case cited above, (1+), there is some act-token, S's
turning on the light which causes some event the alerting of the
prowler. Since it is stated that S ought to do an act of a certain type,
viz. turning on the light, it follows, by (CP+), that S ought to do an act
of another type, viz., alerting the prowler.

It may not be obvious why anything like principle (CP+) should
hold. In order for (CP+) to hold, it must be the case, at least, that the
following principle is also true:

\[(AE) \square ((x)(E f, g)(D(x, f) & f \text{ causes } g & \partial(g)) \rightarrow (Ee)(x, e))\]

(AE) is one version of the 'accordion-effect' principle. It states a
meaning-equivalence between what one is the agent of and what one
causes to occur. It is stated in (AE) that necessarily, one does
something that causes something to occur, if and only if one is the
agent of some action. Or, more clearly, one is the agent of whatever
one causes to occur, and whatever one causes to occur, one is the
agent of. For example, necessarily, if one does something that causes
a person to enter into a state of being shocked, then one shocks that
person. What motivates the adoption of such a principle is the
assumption that the ordinary notion of event causality explains how agency can spread from primitive actions to actions described in further ways.24

Consider, now, (1+) above. If the accordian-effect principle is correct, then ascribing to S the action of 'causing the prowler to be alerted', is equivalent to ascribing to S the action 'alerting the burgler'. It is important to note, however, that it does not follow from (AE) that what an agent does in causing the prowler to be alerted is identical to the act of alerting the prowler. For example, it does not follow from (AE) that, in the given circumstances, the act of S's turning on the light, which causes the event of the prowler being alerted, is identical to the act of S's alerting the prowler. Identifying the two acts, i.e. holding them to be two descriptions of one and the same act, is a substantive metaphysical thesis, and requires further argument. Of course, denying that the two acts are identical is also a substantive thesis25. If it is maintained that in cases like (1+) above the two acts are related not by identity but rather by, say, the weaker relation of 'causal-generation', then (CP+) will be read in the following way, (where 'Ø' and '¥' are meta-variables for names of act-types):

(CP+1) If S ought to Ø, and S's Ø-ing causally generates S's ¥-ing (given the values of the relevant physical parameters at τ and the physical laws), then S ought to ¥.
If it is maintained that in cases like (1+) above the two acts are identical, then (CP+) will be read in the following way:

\((CP+2)\) If \(S\) ought to \(\emptyset\), and \(S\)'s \(\emptyset\)-ing is identical to \(S\)'s \(\Upsilon\)-ing 
\(\) (given the values of the relevant physical parameters at \(t\) and the physical laws), then \(S\) ought to \(\Upsilon\).

Given (CP+2) and (AE), it would seem that if \(S\) ought to turn on the light, and turning on the light \textit{causes} the prowler to be alerted, then, \(S\) ought to alert the prowler. It follows because the particular act of turning on the light \textit{is} also the act of alerting the prowler, in the given circumstances. However, things are not as straightforward for (CP+1). If (CP+1) is correct, then ought-claims transfer across act-types which are related not by identity, but by the weaker relation of causal generation. The act-type, given (CP+1), of turning on the light \textit{is not} just the act-type of alerting the prowler: i.e. they do not describe the same act. There are \textit{two acts} in this case which are done simultaneously. In this case it might be argued that oughts-claims do not transfer. Consider the following case: Suppose that \(S\)'s turning on the light caused a mouse in the corner of the room to be startled. By the accordion principle this is equivalent to saying that \(S\) startled the mouse in the corner of the room. Now, if it is supposed that the acts are not related by identity, but rather are distinct acts
related by causal generation, then if it is the case that $S$ ought to turn on the light, it nonetheless seems, at best, morally permissible that the mouse be startled.

Let's consider the case more closely. In such a case the action, $A$, $S$'s turning on the light, causes the event, $e$, the shocking of the mouse. Now, it follows straightforwardly that $S$ did something that caused the event $e$ to occur. But, then, given the accordian principle, there is a further act $A'$, distinct from $A$, which $S$ also did, and which consists in $S$'s causing $e$, viz. $A'$, $S$ caused the mouse to be shocked. And $A'$ is simply a longhand way of saying that $S$ shocked the mouse. Now, though $A$, $S$'s turning on the light, and $A'$, $S$'s shocking the mouse, are not identical, they have precisely the same causal consequences. In this case, for instance, both $A$ and $A'$ cause the mouse to be shocked. So that, if the deontic status of actions is determined by the causal consequences of those actions, the deontic status of $A$ will be the same as the deontic status of $A'$. So, if $A$ is obligatory, then $A'$ is obligatory, even though $A \neq A'$. On the other hand, though $A$ and $A'$ are not tokens of the same act-type ($A$ consists in $S$'s turning on the light, and $A'$ consists in $S$'s shocking the mouse), both $A$ and $A'$ exemplify the very same properties. So that, if the deontic status of acts is determined by appeal to the properties of those acts, then $A$ and $A'$ ought to have the same deontic status. But then it seems that if $A$ is obligatory, then $A'$ is also obligatory in the case provided above.
The principle (AE) seems to hold, moreover, for all causally connected sequences of acts and consequences. We can say, for instance, that 'Jones opened the door and thereby caused Smith (who was inside) to be startled, in this way treating Jone's act as the cause of a subsequent effect. Or we can say, simply, 'Jone's startled Smith' (by opening the door), and thereby incorporate the consequence into the complex action. If Smith suffered a heart attack and died, we can say that Jone's opening the door caused his death, or that Jone's startling him caused his death, or simply that Jone's killed him. Because of the accordian-effect we can replace any ascription to a person of causal responsibility by an ascription of agency or authorship. The differences which exists between the two forms of expression are, in fact, merely a matter of grammatical convenience.

But then if (CP+) is correct, and 'oughts' are transferred from act-types to the causal consequences of those act-types, it still remains to be shown that (CP+) is not affected by the 'Good Samaritan Paradox'. Clearly, in the version of the paradox presented above, (CP+) does not present a problem. For the fact that Alice performed an act of the kind, 'bandaging the man who will be robbed' does not cause it to be the case that 'someone is robbed'. Hence, there is no transference, given (CP+), of 'oughts' from the intuitively morally right action to the intuitively morally wrong action. Nonetheless, consider the following version of the 'Good Samartian Paradox':
(2+) Alice shot the robber of the bank as he tried to escape, and thereby caused the robber to die.

(3+) The robber of the bank is identical to the bank president.

By the principle of substitution of identicals it follows from (2+) and (3+) that,

(4+) Alice shot the bank president, and thereby caused the bank president to die.

It follows from (4+) that,

(5+) Alice killed the bank president.

Now, if it is supposed that Alice is obligated to shoot the robber (maybe Alice is the bank guard), then by (CP+) Alice is obligated to kill the bank president.

It seems clear, however, that these cases do not present a problem for (CP+). For it seems clear that the causal consequences of what Alice does in the case above is relevant to the deontic status of her proposed action. So, the fact that the person who is robbing the bank is the bank president is relevant to determining the deontic status of the action, shooting the robber of the bank. It is one
consideration determining whether Alice morally ought to shoot the robber of the bank. If the bank president really is stealing from the bank, then it does not appear counterintuitive to claim that Alice ought to kill the bank president. But, depending on how the case is described, it might be the case that the bank president only appears to be robbing the bank, but is only transferring funds. In that case it appears reasonable to claim that Alice ought not to shoot the bank robber. In either case no unintuitive results obtain. Consider, however, the original 'Good Samaritan Paradox'. In that case the fact that the person who Alice is bandaging will be robbed does not affect the deontic status of Alice's action of bandaging him. If it turns out, by some stroke of luck, that Ted is not robbed, then Alice ought to bandage him. But if it turns out that Ted is robbed, then she still ought to bandage him. The fact that a robbery will take place is morally irrelevant to Alice's obligations in the original case. This is what results in the paradox.

Let's consider the 'Ross Paradox'. The Ross paradox, as it stands, presents no problem for (CP+), since (CP+) is concerned with the deontic status of the causal consequences of obligatory actions, rather than with the deontic status of the logical consequences of the descriptions of certain obligatory actions. The principle (P) above is valid because in propositional logic the claim \( p \rightarrow (p \lor q) \) is valid. Given the theorem of propositional logic, and (CP") above, (P) follows straightforwardly. Since S's doing an action described by 'p' (assuming
of course that we restrict the variables to sentences describing actions) does not in general have as a causal consequence S's doing action described by \( p \lor q \). \( \text{(CP+)} \) avoids the problem presented by the typical versions of the 'Ross Paradox'.

Consider, however, the corresponding version of the paradox. Suppose that S's doing an act of type A causes some event, \( e \), to occur which is of type B. It might be argued that it follows that S's doing act of type A causes some event of type \( B \lor C \), for any kind of act C, to occur. So that, by \( \text{(CP+)} \) above, if \( OA \) then \( O(B \lor C) \). But then consider the following set of sentences:

(1") Ralph ought to save his patient's life this afternoon.

(2") If Ralph saves his patient's life then it follows as a matter of causal consequence that Ralph does not play golf this afternoon.

(3") But then if Ralph saves his patient's life this afternoon, then it follows as a matter of causal consequence that Ralph does not play golf or he kills his mother-in-law.

By \( \text{(CP+)} \) above it follows that,
(4") Ralph ought to kill his mother-in-law this afternoon or not play golf.

But, of course, the disjunctive obligation in (4") can be fulfilled by a successful assassination. So it appears that there is a paradox corresponding to the 'Ross Paradox' for the causal deontic closure principle, (CP+).

The problem seems to arise for (CP+) because the term 'property' (assuming, as we have been, that generic actions designate properties) is typically used in such a way that for every predicate $F$ which is true of a thing there is a property of the thing which is designated by the corresponding expression of the form 'being $F$'. Since the Boolean connectives are well-defined, it is typically considered to be the case that forming predicates of the sort '$F \lor G$' present no logical problems. And it seems to follow that 'being $F \lor G$' designates a property of things. It should be noted, however, that (CP+) holds only for all-things-considered obligations, not for prima facie obligations. So, in fulfilling one's all-things-considered obligation one has fulfilled one's obligations. Consider also, that if one fails to do A, then that will not have as a causal consequence, B \lor C. But then it is not the case by (CP+) that O(B \lor C). But then, of course, it is not the case that one can fulfill one's obligation by doing something which is intuitively forbidden. So the paradox is only apparent, not
real. We can maintain that there are disjunctive predicates, and properties, and yet maintain that this presents no problem for (CP+).

4. Defending the Agglomeration Principle (OC)

Several objections have been presented to the deontic closure principle (OC): (O \( A \& O B \)) \( \rightarrow O(A \& B) \), particularly the formulation of (OC) presented in von Wright's classical deontic logic, or (CDL)\(^2\). In the classical system, as was noted above, 'A', 'B', 'C', etc. are variables ranging over properties of acts, or kinds of acts, or generic actions. They do not range over individual acts, or particular acts, but for certain general general characteristics of such acts. (OC) is read in the following way: if S ought to do act-type A, and S ought to do act-type B, then S ought to do act-type A and B. One important objection to the formulation of (OC) in (CDL) is based on the problem of interpreting formulas in general in (CDL) that are built by means of '-' and 'V' out of components some of which are contain deontic operators and some of which do not contain them. Formula of the kind, say, 'PA', 'O\(-B\)', 'O( A \& B)', 'P( A v B)', are all well-formed in (CDL), and they are particularly useful for certain purposes, but it is not clear, at least initially, what they mean.

Suppose that 'A' is interpreted as 'S does act-type A' or 'S does an act of kind A'. Now, consider the formula, (A \& B). If we assume, for the moment, that the system under consideration is not relative
to any particular occasion, (A & B) may mean either that (i) S does an act of type A and that (perhaps at some other time and on some other occasion) S does act of type B; or (ii) that on some occasion or another S does an act with both the property A and the property B. Similarly, -B, may mean either that (i) S does no act of type B, or (ii) that S does an act of type -B , (i.e. B is omitted) at some time or another. No matter how we interpret the formula, it is argued, there remain serious problems. Consider, first, interpretation (ii). Under this interpretation many of the logical laws of the propositional calculus fail: for instance, from A and -A v B, it cannot be inferred that B. Moreover, from A and B it cannot be inferred that A & B. Under interpretation (i), on the other hand, the foregoing logical laws are applicable, but there are other undesirable results. At least one serious problem is that the meaning of the 'propositional' connectives "", '&', and 'v' is not the same within the scope of the deontic operators and outside of them. For instance, A & B, means that an act of type A is done and, (independently) and act of type B is done, while, ordinarily, O(A & B) means that one is obligated to do an act having both the properties A and B.

It seems then that under either interpretation, (i) or (ii), (OC) turns out to be invalid. The difficulty, of course, is to maintain the most natural reading of 'O(A & B)', and at the same time to maintain that 'O(A & B)' is entailed by 'OA' and 'OB'. It should be noted, however, that in both interpretation (i) and interpretation (ii) it is assumed
that (CDL) is not relativised to any particular situation. In fact, although it has been left implicit, the obligations of (CDL) are considered as relative to a particular situation. The principle (OC) can be more explicitly stated as follows:

\[ \text{OC* } \quad 0(A/C) \& 0(B/C) \rightarrow 0((A \& B)/C) \]

Now, it seems that it still might be objected that (OC*) suffers from the same ambiguity as (OC). If we want to preserve the laws of propositional logic, for instance \( A, B \vdash A \& B \), then it seems that we must interpret the connective(s), '&', in one way when it is within the scope of a deontic operator, and in another way when it is outside the scope of that operator. Since in order to preserve the inference we must read 'A & B' as S does an act of type A and, (perhaps on some other occasion), S does an act of type B. Within the scope of the deontic operator, viz. \( O(A & B) \), we typically read 'A & B' as S does an act with the properties A and B. Given the two readings of the connectives it might seem that (OC*) fares even worse than (OC). At least with (OC) we could adopt the convention of reading the connectives univocally, whether within the scope of a deontic operator or not, and thereby preserve the validity of (OC). With (OC*) 'A & B' must be given interpretation (ii) within the scope of the operator. It is senseless to speak of S's doing A and, perhaps on some
other occasion, S's doing B, *given the circumstances C*. So at least the validity of (OC*) cannot be obtained in that way.

As was noted above, however, (OC*) governs only all-things-considered obligations. It was argued in chapter (VI) above that at least one feature of the concept of an all-things-considered obligation is that relative to each circumstance or situation, there is no more than one all-things-considered obligation. It was argued that at least there was no adequate analysis of the concept of an all-things-considered which allowed that more than one all-things-considered obligation could obtain in a given circumstance. There are, of course, many moral situations in which there is nothing which is all-things-considered obligatory; where there are several kinds of actions which would adequately fulfill one's obligations. Under the assumption that (OC*) governs only all-things-considered obligations, however, it is not difficult to show that (OC*) must be valid. For, if it is the case that S ought (all-things-considered) to do an act of type A in C, then for all individual acts e, f, if e is A and f is not A, then e is deontically better than f. Similarly, if S ought (all-things-considered) to do an act of type B, then for all individual acts g, h, if g is B and h is not B, then g is deontically better than h. But then, given the asymmetry of the 'betterness' relation, it seems clear that the individual acts which exemplify A must also exemplify B, i.e. e = g. It follows then, under the assumption that (OC*) governs only all-things-considered obligations, that (OC*) is valid.
More importantly, it seems that there is also an explanation of why both (OC) and (OC*) have been disputed. The denial that (OC*) is valid is based on the assumption that (OC*) governs both all-things-considered obligations and prima facie obligations. Consider the following counterexample to (OC*):

Consider a moral agent who is subject to incompatible obligations due to his several allegiances to heaven and earth (party and fatherland, or etc.). He appears before the tribunal of heaven (respectively, of earth) and, pointing to his several allegiances, defends his shortcomings by the statement that he cannot be expected to do the impossible. Whereupon the heavenly judge points out, with irrefutable logic, that the agent is held guilty not of failing to do the impossible, but of failing to honor his allegiance to the cause of heaven. His defense before the earthly tribunal fares no better... 34

It is argued that the accused defense in the case above equivocates between having two obligations, one to do A and one to do B, and having a single obligation to do both A and B. It seems that one may have the the two obligations without having the joint obligation. And this appears to be a clear counterexample to to (OC*). But, in fact, (OC*) can be defended. To see this, let's add subscripts in order to clearly indicate the grounds of each of the obligations in the case above. So that, 'Oe' will represent the agent's obligation arising from his earthly allegiances; 'Oh' will represent the agent's obligations arising from his heavenly allegiances. 35 Now, at least one of the
following might be true: either (i) both the heavenly obligation and the earthly obligation are all-things-considered obligations (O_m), in which case the moral agent has both an all-things-considered obligation to do A given C, and an all-things-considered obligation to do B given C, i.e. O_m(A/C) and O_m(B/C); or, (ii) at least one of the obligations involved is not an all-things-considered obligation. If (i) is the case, then it must be the case that the individual actions which fulfill one's heavenly obligations also fulfill one's earthly obligations, in which case it is true both that (OC*) holds, one is not required to do the impossible. If (ii) is the case, then the two obligations involved are not of the same order, so it is not surprising that neither of them can be distributed. But as long as the obligations involved are of different orders, the principle (OC*) remains unchallenged.

Consider, now, the following similar counterexample to (OC*):

Attila and Genghis are driving their chariots towards each other. If neither swerves, there will be a collision; if both swerve, there will be a worse collision (in a different place, of course); but if one swerves and the other does not, there will be no collision. Moreover, if one swerves the other will not because neither wants a collision. Unfortunately, it is also true to an even greater extent that no barbarian wants to be a 'chicken'; as a result what actually happens is that neither swerves, and there is a collision. It ought to be that Attila swerves, for then there would be no collision. Genghis would drive straight on shouting 'chicken', though secretly mightily relieved. Equally it ought to be that Genghis swerves. But it ought not to be that they both swerve, for
then we get a worse collision. Thus we have OA and OB without O(A & B). 36

It seems that if the obligations are subscripted again, as in the prior case, it becomes clear that this case does not present a counterexample to (OC*) either. For if it is the case that $O_m(A/C)$ and $O_m(B/C)$, it must be the case that $O_m(A & B/C)$. But even as the case is presented it is clear that neither of the obligations are all-things-considered obligatory. What is in fact obligatory, it seems, is $O_m(A v B/C)$, where C contains (inter alia) the fact that $F(A & B/C)$.

It seems then that (OC) and (OC*) are in fact valid principles, at least as they are formulated in (CDL). The objections to (OC*), it has been argued, are based on the application of (OC*) to prima facie, (or to non-moral), obligations. In fact, (OC*) is applicable only to all-things-considered obligations. And it has been shown that (OC*) is valid for such obligations.

5. Defending the 'Ought-Can' Principle (K*) and the Consistency Principle (OD)
Most often those who have argued in favor of the logical possibility of genuine moral conflicts have not disputed the logical status of \((K^*)\), but rather have disputed the status of the following principle:

\[
K. \quad \neg F
\]

In \((K)\) 'F' is the falsum symbol, and it stands for any arbitrary logical falsehood, any logical contradiction. \((K)\) states that no logically impossible state of affairs is obligatory.

It has already been argued that attempting to establish the possibility of genuine moral conflicts by refuting the 'ought-can' principle requires that \((K^*)\) be refuted rather than \((K)\). It is worth considering, however, the extent to which arguments presented against \((K)\) affect the logical status of \((K^*)\). It has already been noted that standard deontic logic (SDL) contains not only \((K)\) but also the following theorems:

\[
\begin{align*}
OC. & \quad (OA \& OB) \rightarrow O(A \& B) \\
OD^* & \quad \neg (OA \& O\neg A) \\
CP. & \quad \Box (A \rightarrow B) \rightarrow (OA \rightarrow OB)
\end{align*}
\]

The difficulty with \((K)\), it has been argued, is that it can be shown to be deductively equivalent to \((OD^*)\) in any natural modal logic.
equipped to express both. And all that is need to show this is (OC) and (CP). Suppose that I both ought to do A and ought to do not-A; then, by (OC), I ought to do both A and not-A, whence I can do both A and not-A by (K), which is absurd. The converse holds as well. Let 'OA' be read as 'S ought to do A', 'DA' will be 'it is logically necessary that S do A', 'MA' will be read as 'it is possible for S to do A'. Now, suppose that OA and yet that □A. So we know that ~A is a logical truth. But, then, by PC, A--→¬A is also a logical truth. But then, by (CP), 'OA--→¬A' is also a logical truth. And so, '¬A', holds, contravening 'OA--→¬A'. It seems, then, that it has been shown that the following principle is valid:

P1. ¬OF<--→(OA & O¬A)

But there is nothing problematic with (P) as such. The difficulty arises, argues Lemmon, because it follows from (P) that counterexamples to the consistency principle, (OD*), will count as counterexamples to (K). Moreover, the fact that there are genuine moral conflicts is a counterexample to (OD*), therefore the 'ought-can' principle (K) must be rejected.

It is fairly clear that Lemmon's argument against (K) presents no problem at all for (K*). In fact, Lemmon's argument presents no obvious problem for (K). It might just as well be concluded in the argument above that what must be rejected is (OC), since it is on the
basis of (OC) that the consistency axiom and the ‘ought-can’ principle can be shown to be equivalent. More importantly, the argument assumes that the claim that there are (even possible) genuine moral conflicts is uncontroversial. In fact, since the claim is controversial, no counterexample to (OD*) is forthcoming. And, as a result, no counterexample to (K) is forthcoming.

Though Lemmon's arguments against (K) are fairly seriously flawed, there are other arguments against (K) which are also based on the provable equivalence of (K) and (OD*). (K), intuitively is a version of the ‘ought-can’ principle, and states that if a state of affairs is obligatory, then it is logically possible. The import of (OD*) as an axiom is that conflicts of obligation are impossible. But, whereas (K) is considered the fundamental deontic axiom, it is not at all obvious that no ethical theory can accept the possibility of genuine conflicts of obligation. There may be, for instance, competing grounds of obligation. The proposition expressed by (K) and that expressed by (OD*) are, that is, arguably different, though they are semantically identical in standard deontic logic.

There are several tactics that might be taken to remove the unintuitive result that (K) and (OD*) are provably equivalent. It might be suggested that (OC) be rejected because it is on the basis of (OC) that (K) and (OD*) are equivalent. But, if (OC) is rejected, the assumption of the uniqueness of a world’s moral standard falls away. So that on this account of the meaning of 'O' a sentence of the form
OA is true at a possible world just in case the world has a non-empty class of deontic alternatives throughout which A is true. The picture is one of possibly empty collections of non-empty classes of worlds functioning as moral standards: what ought to be true is what is entailed by one of these moral standards. But of course rejecting (OC) in standard deontic logic requires that we also reject (OD*). That is, it follows from the rejection of (OC) that at some worlds, on some models, $\models OA \land \neg A$. And as a result (OD*) cannot be valid. But of course since it is a matter of dispute whether moral conflicts are possible, (OC) cannot be uncontroversially rejected. On the other hand suppose that (K) is rejected as an inadequate formulation of the 'ought-can' principle. Then, since (K) is equivalent to (OD*), it would also have to be the case that (OD*) is rejected. But, once again, that is to concede that moral conflicts are possible on the basis of the equivalence of (K) and (OD*), which is an undesirable result.

Consider, however, that it does not seem particularly troublesome, or even surprising, that in (SDL) the 'ought-can' principle is semantically identical to the consistency axiom. The version of (K) that occurs in standard deontic logic bares very little resemblance to the intuitive concept of the principle that ought implies can. (K) precludes only that there be an obligatory state of affairs which is a logically impossible state of affairs. But this is just to say that (K) precludes there being states of affairs which are "inconsistent and obligatory". Assuming that each world has a
unique or single moral standard, rather than several competing moral standards, it does not seem unintuitive that (K) is equivalent to (OD*). To see this, consider, for instance, a single list of morally required actions, A, B, C, ... Now, assuming that the list of actions is closed under certain ordinary operations (conjunction, disjunction, etc.), so that if 'A' is on the list and '~A' is on the list, then so is 'A&~A', 'A v ~A', and conversely, if 'A&~A' is on the list, then so is 'A' and '~A', it seems that precluding logically impossible actions, 'A&~A', just amounts to precluding logically conflicting actions, 'A' and '~A', and vice versa. Claiming that the 'ought-can' principle should not, intuitively, be equivalent to the consistency theorem, only appears to be reasonable when the version of the 'ought-can' principle that is in mind is other than (K). That is, it seems that any more orthodox version of the principle should not be equivalent to the consistency theorem as formulated in (SDL).

It seems then that there is nothing problematic, as such, with the equivalence of the ought-can principle and the deontic consistency axiom in (SDL). There is nothing to offend the intuitions provided it is kept in mind that the version of the ought-can principle provided in (SDL) is fairly unorthodox. It is also the case in (CDL) that the ought-can principle (K*) is equivalent to the consistency theorem, (OD+). That is the following is true in (CDL):

(P2) \( \vdash (OA \rightarrow MA) \equiv ((OA \& OB) \& \neg M(A \& B)) \)
That is, if S ought to do A then it is physically possible for S to do A, if and only if, it is not the case that S ought to do A and S ought to do B and it is not physically possible that S do A and B. Again, once it is noted that (K*) states that if S ought to do A then it is physically possible then (P2) does not at all seem unpalatable. So that it does not appear that either Lemmon's argument or Chella's argument provides us with any reason to reject (K*), or, for that matter, any other deontic principle.

It is important to note that since (K*) and (OD+) are equivalent in (CDL), any argument which is provided for (K*) also counts as an argument in favor of (OD+). This is important because, though (OD+) is not employed in any of the arguments against the possibility of genuine moral conflicts, the principle (OD) is employed in those arguments. And since in fact (OD) is entailed by (OD+), it follows that arguments in favor of (K*) are also arguments in favor of (OD).

There is another, direct, objection to the stronger, (CDL), version of the ought-can principle which is based on the distinction between excuses for actions and justifications for actions. If one is blamed for doing or failing to do something, there are two ways in which one can defend oneself. It can be argued that what was done, whatever it happened to be, was the right thing to do, or the permissible thing to do. This would be to provide a justification for one's action. One the other hand, one could point to some set of
extenuating circumstances which would absolve one of the blame for an action which, in fact, was impermissible. One could argue that the act was unintentional, that it was an accident or a mistake, or etc. To take this kine of defense is to provide an excuse for one's action. Since these two notions form distinct lines of defense, it seems that it might be possible for a person to be excused for what he has done without being justified for what he has done. And this suggests that there are situations in which an agent ought to do something but will be unable to do it.

Consider the following more formal presentation of the argument. Let us symbolize 'S was justified in doing A' as 'JA', 'S has an excuse for doing A' as 'EA', 'S is permitted to do A' as 'PA', 'S ought to do A' as 'OA', 'S can (in the senses of 'can' relevant to ought) do A as 'CA', and 'it is logically possible that' as '◊'. Now, as was noted above, the distinction between a justification and an excuse seems to imply that it is possible for a person to be excused without being justified, i.e.:

(i) ◊(EA & ~JA)

Now, if it is assumed that a person's being unable to do something provides an excuse for his not doing it, i.e.:

(ii) ~CA---→E-A
then this at least suggests (though it does not imply) that,

(iii) $\circ (\neg CA \& \neg J\neg A)$

It suggests, that is, that it is at least logically possible for a moral agent to be unable to do something and still not be justified in not doing it. If the argument is followed out further, it seems plausible to hold that a moral agent is justified in doing some action if and only if what he does is permissible,

(iv) $JA<\rightarrow PA$

And from (iii) and (iv) it follows that,

(v) $\circ (\neg CA \& \neg P\neg A)$

But then, since 'OA' is defined as 'P\neg A', it follows that,

(vi) $\circ (\neg CA \& OA)$

Now it seems clear that (vi) is the denial of at least one form of the principle of 'ought implies can'. It seems then that what is required in
order to find a counterexample to 'ought implies can' is a plausible, actual, case which would show that (iii) is true.

Consider now the case of the kleptomaniac. It has often been thought that 'ought implies can' does in fact apply to such a case. A kleptomaniac is one who steals and who, at least in some cases, cannot refrain from stealing. Intuitively, the kleptomaniac does not seem justified in stealing as she does. For to claim that she was justified in stealing is to claim that it is permitted for her to steal. And it just seems implausible to claim that kleptomaniacs are permitted to steal simply because they are kleptomaniacs. They certainly may be excused for actions over which they have no control, but this is not to provide a justification for those actions. So it seems to follow that any act of theft, $T$, of a kleptomaniac is one which he could not help doing, but one which he was not justified in doing, i.e.:

$$(vii) \ (\neg C \land \neg J)$$

But then by (iv), (vii) and the definition of OA, we get:

$$(viii) \ (\neg C \land O \land T)$$

And as a result, it is argued, the principle that ought implies can must be rejected because there is at least one act that an agent ought
to do which he cannot do. It is argued further that anyone who wants to hold that 'ought implies can' is faced with the dilemma of either giving up the distinction between a justification and an excuse or of admitting that it is permissible for kleptomaniacs to steal.48

It seems clear that the distinction between a justification and an excuse, however unclearly drawn in the discussion above, cannot be given up. However, it is not so clear that it cannot be admitted, on intuitive grounds, that it is permissible for kleptomaniacs to steal. The argument above, which turns at least in part on the claim that it is not permissible for kleptomaniacs to steal, seems to equivocate throughout on the concept of permissibility. If the deontic concept of permissibility is what is intended in the argument, then the term must be taken as directly applicable to actions rather than to particular agents. That is, it is this or that kind of action which is said to be morally permissible or impermissible. And only derivatively are morally agents permitted or not permitted to perform those actions. Consider for instance the claim that it is morally impermissible for the kleptomaniac to steal. On the deontic concept of permissibility this means that the action of stealing (say, given the circumstances) is itself not permissible, and, as a result, the agent is not morally permitted to steal. That is, the situation concerning the agent (whether she is able to do the action, or wants to, or is compelled to, or etc.) is independent of the deontic status of
the action itself. And if the action is impermissible, then the agent is not permitted to perform the action.

On the other hand, if an agent-evaluative concept of permissibility is what is intended, then a moral agent may be said to be permitted, or not permitted, to do some action independently of the deontic status of the action itself. On this view the term, 'permissibility' must be taken as directly applicable to the moral agent, rather than the particular action. Consider the claim that it is permissible for the kleptomaniac to steal. It might be the case, on this view, that the action of stealing is deontically impermissible, but that nonetheless it is permissible from an agent-evaluative point of view for the kleptomaniac to steal. On such an evaluation what is intended is that the action of stealing is morally blameworthy (insofar as it makes sense to blame an action itself) but that the moral agent who performs the action is not blameworthy.

It seems then that there is a way both to preserve the intuition that the kleptomaniac is not permitted to steal, and the intuition that there is a real distinction between a justification and an excuse. If it is allowed that we might evaluate moral agents independently of evaluating their acts, and that we might evaluate actions independently evaluating the agents performing them, then it seems that it would be granted, on intuitive grounds, the kleptomaniac's action (stealing) is morally impermissible, while it remains true that
the kleptomaniac is morally permitted (not blameworthy) for performing the action.

Consider now the distinction between a justification and an excuse. To claim that moral agent S is justified in doing A is to claim that the action A itself is morally permissible, and that derivatively, S is morally permitted to do A. To claim that S has an excuse for doing A is to claim that the action A is not permissible, but that the moral agent S is morally permitted (not blameworthy) to do A. On the argument above, then, (i) might be granted provided that what is intended is that it is possible for a moral agent to have an excuse (be morally permitted) to do an action which is itself morally impermissible. However, (i) must be denied if what is intended is that there are cases in which a moral agent has an excuse for doing an action but where the agent himself (independent of the action) is not morally permitted (is blameworthy) to do the action. On the former reading what follows ultimately is that there are actions which one cannot do which are themselves actions which ought to be done. This does not at all seem incorrect or unintuitive. On the latter reading it would follow ultimately that there are actions which S ought to do but which S cannot do. And this result does seem straightforwardly undesirable. And as was noted above, if the distinction between act and agent evaluation is granted then one need only accept the former more intuitive reading.
Notes

1 (OD) should not be confused with \( \text{OD}^{*} \) above, chapter (V). \( \text{OD}^{*} \), as was noted above, follows directly from the 'ought-can' principle \( \text{K}^{*} \) and precludes the possibility of genuine moral conflicts between ought-claims recommending actions which are something less than logically incompatible. Clearly, the indirect arguments in favor or against genuine moral conflicts are arguments indirectly in favor or against \( \text{OD}^{*} \). But clearly, \( \text{OD} \) also follows from \( \text{K}^{*} \), since \( \text{K}^{*} \) entails the weaker \( \text{K} \), and \( \text{K} \) is equivalent to \( \text{OD} \). Arguments in favor of \( \text{K}^{*} \), then, can be treated also as arguments in favor of \( \text{OD} \).

2 See [Argument-2] above, chapter (IIIa).

3 See [Argument-1] above, chapter (IIIb).

4 It will be shown below that \( \text{OD} \) follows directly from \( \text{K}^{*} \) in classical deontic logic. As a result the argument in favor of \( \text{K}^{*} \) can be considered an argument in favor of \( \text{OD} \). More importantly, there has been little independent discussion of the principle \( \text{OD} \). Specifically, no interesting arguments against the principle have been provided. As a result, if \( \text{K}^{*} \) can be vindicated, it will be argued that \( \text{OD} \) has also been vindicated.

5 There are arguments against a version of 'ought-can' in E.J. Lemmon, 'Deontic Logic and the Logic of Imperatives', Logique et Analyse, 1964-65, Vol. 7-8, pp. 45-47, and also in Lemmon's, 'Moral Dilemmas', Philosophical Review, 1962, pp. 149-150. In each case the arguments are based on the claim that genuine moral conflicts are possible, hence they are irrelevant to the present discussion in which that claim is in dispute.

6 In some cases the objections are presented to the counterpart of the closure principle: the rule, \( \text{R1}, \vdash A \rightarrow B, \) then \( \vdash \neg A \rightarrow \neg B \). In (CDL) there is nothing corresponding to \( \text{R1} \), however.

7 There is an abundance of literature on each of these paradoxes. The following include some of the most important discussions: Alf Ross, 'Imperatives and Logic', Theoria 7, (1941), Lennart Aqvist, 'Good Samaritans, Contrary-to-Duty Imperatives and Epistemic Obligations', Nous, 1, (1967), H.P. Nowell-Smith and E.J. Lemmon, 'Escapism: The Logical Basis of Ethics', Mind 69 (1960), Hector-Peri Castaneda,


9 *ibid.*, p. 14. It seems clear that in both statements (CP') and (CP''), the second clause is redundant. It is just the contrapositive of clause (1).

10 ibid., p. 14-15. This is one version of the 'Good Samaritan Paradox'. There are several others which differ in details which are irrelevant for present purposes.

11 See Alf Ross, 'Imperatives and Logic', *Theoria*, 7, (1941). The paradox was originally formulated in terms of 'imperatives' rather than statements of obligation. Nonetheless, the paradox remains unchanged when presented against certain deontic principles. See also Azizah Al-Hibri Cox, *Deontic Logic: A Comprehensive Appraisal and a New Proposal*, op. cit. pp.12-14.

12 Since by propositional logic it follows that |-A->(A v B), and by (CP''), |-OA->O(A v B).


15 This important observation was made by Robert Nozick and Richard Routley in 'Escaping the Good Samaritan Paradox', *Mind* 71, (1962), 377-382.

16 *ibid.*, p. 379.
17 ibid., pp. 377-382. An approach to the Good Samaritan Paradox based on a similar insight is provided by Hector-Neri Castaneda, 'On the Semantics of 'Ought-to-Do', in D. Davidson and G. Harmon (eds.) Semantics of Natural Language (Dordrecht, 1972), pp. 675-694. Castaneda’s solution is based on a fairly comprehensive deontic theory of thought and action, including the distinction between what he calls 'practicians' and 'propositions'. The solution suggested above does not involve any commitment to a complex deontic theory.

18 See R. Nozick and R. Routley, 'Escaping the Good Samaritan Paradox' op. cit. p. 379.

19 The principle could of course be rewritten using the obligation operator, 'O', instead of the operator, 'F', for forbidden: (a I b)--->(Ob--->Oa). In Routley and Nozick’s original notation (CP*) is stated as follows: ClabCFaFb.

20 For further discussion of the importance of the contribution of Nozick and Routley’s paper see, Bruce Vermazen, 'The Logic of Practical 'Ought'-Sentences', Philosophical Studies, op. cit. pp. 6-9. The discussion account of (CP) which will be developed follows owes a good deal to the account provided by B. Vermazen.

21 There are, however, several other relations which hold between act-types, where it seems plausible to maintain that 'oughts' are transferred. Consider the following cases:

(1'') I ought to signal Tom. The only way to signal Tom given the circumstances, is to shout. So, I ought to shout.

(2'') I ought to bake a cake. No one can bake a cake without breaking some eggs. So I ought to break some eggs.21

Versions of (CP) which permit the transference of 'oughts' in cases like (1'')-(2''), it seems, would be useful in formulating moral conflict situations between ought-claims recommending actions which are not physically, (i.e. causally) incompatible, but which are, say, merely practically incompatible.

See Bruce Vermazen, 'The Logic of Practical 'Ought-Sentences', op. cit. p. 15. Vermazen attempts to provide a version of (CP), (which he calls the "Inheritance Principle"), which accounts for the transference of 'oughts' in each of the cases cited above, and others.
Vermazen's concern is not particularly with the moral 'ought', but with the practical 'ought'. For an interesting discussion of non-causal relations between events (actions) which is relevant to the present discussion see Jagewon Kim, 'Noncausal Connections', *Nous* 8, (1974).

22 Recall that in chapter (VI) it was argued that all-things-considered oughts are operators on kinds of actions, not predicates of individual acts. The particular formulation in (1+) seems to suggest that it is some particular action that is obligatory. However, as was also noted in chapter (VI), there is a certain looseness in ordinary discourse about individual actions. Stating that an action of a particular kind is obligatory is sometimes confused with stating that particular action of a certain kind is obligatory. Barring certain "pathological" moral codes, the latter are almost never obligatory. See David Makinson, 'Individual Acts are Very Seldom Obligatory', Unesco, (1982).


24 See Donald Davidson, 'Agency', in his *Essays on Actions and Events*, (Oxford University Press, 1982). Davidson states further on: "... Causality is central to the concept of agency, but it is ordinary causality between events that is relevant, and it concerns the effects not the causes of actions. One way to bring this out is by describing what Joel Feinberg calls the 'accordian effect'. A man moves his finger, let us say intentionally, thus flicking the switch, causing a light to come on, and a prowler to be alerted. This statement has the following entailments: the man flicked the switch, turned on the light, illuminated the room, and alerted the prowler. Some of these things he did intentionally, some not; beyond the finger movement, intention is irrelevant to the
inferences, and even if there it is required only in the sense that the movement must be intentional under some description. In brief, once he has done one thing (move a finger), each consequence presents us with a deed; an agent causes what his actions cause."

The 'entailments' or 'inferences' Davidson notes follow as a result of the principle (AE). But it is important to keep in mind that the principle explains how agency spreads for certain actions to the causal consequences of that action, but it does not help to explain the basic sense of agency.

Depending on how one individuates events (actions), it might be argued that in fact there are two distinct actions being done by S in the given circumstances, 'turning on the light' and 'alerting the prowler'. The relation holding between the two actions, in one case is not identity, but rather 'level-generation'. S's turning on the light causally generates S's alerting the prowler, but the two action are metaphysically distinct. It might be held, however, that there is merely one action considered under two descriptions. The former position is most notably defended by Alvin I. Goldman, A Theory of Human Action, (Princeton University Press, 1970). The latter position (what Goldman refers to as the 'Identity Thesis') is maintained by Donald Davidson, 'The Logical Form of Action Sentences' in Essays on Actions and Events (Oxford University Press 1982). Each of the metaphysical positions are highly controversial. Those maintaining the fine-grained approach to the individuation of actions include Jaegwon Kim, 'Events and Their Descriptions', in Essays in Honor of Carl G. Hempel, N. Rescher et. al. (eds.), pp. 196-212. Dordrecht: D. Reidel (1970); and Jaegwon Kim, 'Causation, Nomic Subsumption, and the Concept of an Event', Journal of Philosophy, 70, (1973); Hugh McCann, 'Individuating Actions: The Fine-Grained Approach', Canadian Journal of Philosophy, 13, (1983); Myles Brand, Intending and Acting, Cambridge, Massachusetts: MIT Press (1984). Those defending the rough-grained approach include, among others, Michael Bratman, 'Individuation and Action', Philosophical Studies, 33, 1978; Robert Elliot and Michael Smith, 'Individuating Actions: A Reply to McCullagh and Thalberg', Australasian Journal of Philosophy, 55, (1977).
In the argument for (CP+) given above no metaphysical position is taken. It is clear, however, that (CP+) would follow straightforwardly from (AE) and the rough-grained thesis concerning action (event) individuation.

26 See Bruce Vermazen, 'The Logic of Practical 'Ought'-Sentences', *Philosophical Studies*, 32, (1977). Vermazen discusses several versions of the closure principle and argues for a particular version he calls the 'inheritance principle'.

27 See Joel Feinberg, 'Action and Responsibility', op. cit. p. 106. Feinberg states "...This well-known feature of our language, whereby a man's action can be described as broadly or narrowly as we please I propose to call the 'accordion-effect' because an act, like the folding musical instrument, can be squeezed down to a minimum or else stretched out."

28 *ibid.*, pp. 107.

29 Arguments, independent of logical considerations, have been presented against disjunctive properties. See, for example, Sydney Shoemaker, 'Causality and Properties', in Peter Van Inwagen (ed.) *Time and Cause*, (D. Reidel Publishing Company 1980).


32 Of course, the expense of adopting such a convention is that the old interpretation is not expressible within a system in which the new one is presupposed.

33 See chapter VI.b above for a discussion of several analyses of the concept of all-things-considered obligations.


41 In fact the version of the 'ought-can' principle that occurs in (SDL) is too weak a version to be of much interest in (non-logical) ethical contexts. This is why developing a deontic-alethic modal logic which contains (K) as a theorem is fairly uninteresting. Nonetheless there

42 Perhaps "incoherent" would be more appropriate here. Typically the terms 'consistent' or 'inconsistent' are reserved for sets of propositions or statements.

43 The denial that each world has a unique moral standard, (where the set of deontic alternatives to a world serves as its moral standard), is in effect to make the ought 'O' operator ambiguous. And the result of making the ought operator ambiguous is that (OC) must be rejected. To see this consider a world, w, in which there are two or more distinct moral theories (or standards) to evaluate ought sentences. This situation can be represented formally by a relational structure of the following form: $F = (U, R_1, \ldots, R_n)$ where $U$ is a non-empty set of possible worlds, and every $R_i$ ($1 \leq i \leq n$) is a binary relation defined on $U$. Now consider the following truth-condition for 'OA':

$$\models_u OA \iff (x): u R_1 x \implies \models_x A \text{ or } \ldots \text{ or } (x): u R_n x \implies \models_x A$$

It is easy to see that (OC) will not be valid in the class of such structures. Consider the following countermodel to (OC):

$$\quad (p, \neg q): x \leftarrow u; (Op, Oq, \neg O(p \& q)) \rightarrow u \rightarrow y; (q, \neg p)$$

Here let 'u' be the actual world, and let 'x' and 'y' be the worlds accessible to (or, 'deontic alternatives' to) the actual world. In this we have $U = \{u, x, y\}$, $R_1 = \{<u, x>\}$, $R_2 = \{<u, y>\}$, $V(p) = \{x\}$, $V(q) = \{y\}$. For

44 The equivalence of (K*) and (OD+) is noted in chapter (V) above, footnote (2).
45 Assume (OA & OB), then by (OC) it follows that 0(A & B). But then by (K*) it follows that M(A & B). Then by PL we get -((OA & OB) & ~M(A & B)). Assume (OD+), then it follows by (OC) that ~(O(A & B) & ~M(A & B)). But then by PL it follows that 0(A & B)---->M(A & B). But that is just an instance of (K*), OA---->MA.
47 The argument which follows is due essentially to Norman O. Dahl, 'Ought Implies Can', Philosophia, op. cit. p. 489 ff.
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