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Oughts and Cans: Badness, Wrongness, and the Limits of Ethical Theory

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ABSTRACT. Many philosophers argue that reasonably well-off people have very demanding moral obligations to assist those living in dire poverty. I explore the relevance of demandingness to determining moral obligation, challenging the view that "morality demands what it demands" and that if we cannot live up to its demands that's our problem, not morality's. I argue that not only for practical reasons but also for moral-theoretical ones, the language of duty, obligation, and requirement may not be well-suited to express the nature of our responsibilities in these matters. But it is nevertheless morally imperative to reduce global poverty and inequality. Distinguishing between the Ought of states of affairs and the Ought of moral obligation, I defend an approach that looks to institutions to alter the environment within which people make choices and that employs our understanding of human psychology to encourage changes in behavior.

Ethics makes demands on us. It demands that we do certain things that, left to our own devices, we might not choose to do. And it calls on us to refrain from doing things that, left to our own devices, we might choose to do. This much seems unsurprising. If ethics demanded nothing of us over and above what we would do in its absence, it would have no point. It would be merely descriptive—telling us

how people behave, and how they judge each other—rather than prescriptive or normative. And in that case it would lack a central feature—perhaps *the* central feature—of a moral system or ethical theory. As philosophers like to put it, morality is "action-guiding."

This is not to deny that description has its place. Anthropologists and journalists may describe, without making any moral judgments, how members of a culture behave and inform us of the rules that guide them, and such accounts can be interesting and informative. But if we want to know what to do, either because we are agents who have to act, or because we need to judge what standards of behavior are appropriate and right for other people as well as ourselves, we are in the realm of prescription rather than description, the normative and not simply the empirical.

So ethics makes demands on us, articulating norms for desirable conduct. It says that we are morally obligated not to do this or that we would be pigs if we did that. The broadest question is about which demands ethics ought to make. This is in essence to ask what we ought to do, how we ought to live—the fundamental ethical question. My question in this paper is a little more modest. It has to do with the relevance of demandingness per se. Are there limits on how demanding ethics can be? Is there only so much that can be demanded of people, morally speaking? If so—if morality should not ask too much of ordinary mortals—can we hope to make serious inroads toward alleviating the terrible problems of the world? The demands I have in mind can be material or psychological; and of course among the most significant costs may be time and what economists call opportunity costs—other possible uses of our resources forgone.

I. BACKGROUND

Describing how I came to be interested in these questions may help explain my thinking here. I have wrestled for a long time with the moral issues raised by global (and also local) poverty. Peter Singer's work has been extremely influential, on me and many others. Singer famously argues that we have powerful moral duties to help those living in dire poverty around the world. Since so many people live, and many die, in such conditions, the demands on the affluent could be extremely onerous, on the plausible assumption that not everybody who *could* make a difference *will* make a difference.[1] In his early work Singer argued that a person is morally obligated to give assistance to the poor until giving more would make her almost as badly off as those she is helping.[2] Very few people accept this view, and even fewer act on it. Singer is a utilitarian, so it is easy to see how he arrives at such powerful conclusions. But the staggering figures about global poverty make it hard for thinking people, utilitarian or not, not to ask themselves if they are doing as much as they should be doing to alleviate suffering.

But the potential for morality's demandingness extends even further than these problems suggest. The reason is that even so-called negative duties—duties not to

harm people—are much more demanding than we have been in the habit of assuming.[3] The traditional view is that negative duties are strict in a way that positive duties, duties to aid, are not. You have a strict or perfect duty not to kill or rape or rob, but only an imperfect duty to render aid. And part of the reason for the difference, it seems, is that positive duties are inherently open-ended and in principle demanding; there's no limit to how much you might do and still leave much suffering untouched. By contrast, the classic harms negative duties prohibit—killing, robbing, raping, and the like—are in an important sense easy to avoid for most people.

Yet lately we have become aware that our everyday habits contribute to harming other people near and far, now and in the future. How? Rapid economic, environmental, and electronic globalization; near-consensus about the threat of severe climate change, whose effects will be felt most by the world's poorest people; knowledge that the provenance of products we use every day is compromised in a variety of ways; and, finally, the growing impossibility of remaining ignorant of these phenomena—all these facts mean that just by living in what used to seem innocuous ways we as individuals may contribute to harming people. If this is right, demandingness questions arise not only with respect to positive duties (duties to help people) but also negative duties (duties not to harm them).

So it's easy to see how these questions about the demandingness of morality arise today. How much are we morally required to do (to help people) and how much are we morally required to do (to refrain from contributing to harming people)? Are there any limits to what morality can demand of us? I want to examine these questions.

One position, described by Samuel Scheffler, is that "morality demands what it demands, and if people find it hard to live up to those demands, that just shows that people are not, in general, morally very good."[4] There are no limits, in principle, to how demanding morality can be; what morality requires is to be established independently of the demandingness of its requirements. Robert Goodin endorses this view. He assumes we can decide "what people are due" and "which demands are legitimate" irrespective of considerations of demandingness. "The problem," he says, "is not that legitimate demands demand too much; the problem is instead that people find themselves able to give too little."[5]

I reject this position, and one of my aims here is to show what's wrong with it. The view that Morality Demands What It Demands presupposes a conception of ethics that is purely theoretical: people's duties can be determined independent of what people are like and what sacrifices they would have to make to be morally upright.[6] Utilitarianism, to which both Singer and Goodin subscribe, lends itself to such an approach. Understood as the view that one ought to do that which maximizes the good or minimizes the bad, there is no reason in principle, according to utilitarianism, why morality cannot be very demanding. What people are like, their ordinary capacities, is a secondary matter.[7]

What can be said in favor of the view that Morality Demands What It Demands? As Goodin puts it, allowing consideration of "the ordinary capacities of ordinary people" to determine moral requirements would be to allow

> that bad behaviour, if sufficiently common, is self-excusing. Letting what is morally demanded of us be a function of what demands we are prepared to meet puts the cart before the horse, morally speaking. Morality's being "action-guiding" means that we should be fitting our conduct to morality's demands—not morality's demands to our conduct.[8]

We can sympathize with Goodin's concerns. Allowing consideration of "the ordinary capacities of ordinary people" to determine what morality requires could lead to a race to the bottom: if people show themselves to be morally challenged, then we should adjust moral requirements downward. Hey, let's look for depressing conclusions of psychological studies of the limits to benevolence, for they may let us off the hook! Relying on beliefs about human nature or psychological findings for guidance about morality's requirements could be a dangerous move.

Goodin is right that we cannot simply accept any old conception of "human beings as they are" as the standard by which to determine how people ought to act. But this is not to say that we can ignore human nature and human capacities in the way he suggests. To my mind, the view that Morality Demands What It Demands makes no moral sense, insofar as it may require more of human beings than is reasonable to ask of them. And, as I shall argue below, it's also conceptually confused, insofar as it envisions ethical theory as more autonomous, more precise, and more divorced from the practical realm than it really is.

II. CAN

So how can we insure that morality's demands are sensitive to human capacities without simply letting people off the hook—going too easy on them on the grounds that morality should not be too demanding? If we reject the idea that Morality Demands What It Demands, we must answer this question.

Let me begin to suggest an answer by examining a favorite slogan of philosophers, "Ought Implies Can."[9] Ought Implies Can is usually understood to mean that you cannot be morally *required* to do something unless it is *possible* for you to do it.

Now on its face Morality Demands What It Demands is incompatible with Ought Implies Can. But there are many meanings of "can," and correspondingly many kinds of impossibility. At a minimum, Ought Implies Can means that morality cannot require you to do something that it is *logically* impossible to do, such as find a married bachelor. But of course logical impossibility does not exhaust the kinds of impossibility there are (even though it's the kind that philosophers tend to focus on). Running a mile in two minutes is impossible, but not logically impossible. It seems safe to say (although who knows what the future will bring?) that it is *physically* impossible for a human being to run that fast.[10] Running a mile in four minutes is impossible for all but a small number of people in the world, and was once thought to be impossible for anyone.

Remembering a string of a hundred thousand digits is impossible for human beings. Let's call this *mental* or *psychological* impossibility.[11] For virtually all human beings, remembering a string of five hundred digits is impossible. Strangling a baby with your bare hands may be psychologically impossible for most people—certainly for most people in most circumstances.

Not only are there different kinds of impossibility (such as logical, physical, and psychological), but impossibility is relative to a certain scope or domain. What is possible for one person may be impossible for another. Some people can run a six-minute mile, most cannot. What is possible for a person in one set of circumstances may be impossible in another. A person might, for example, be psychologically able to perform certain acts in wartime that he would be incapable of performing under ordinary circumstances.

Technological impossibility straightforwardly illustrates the relativity of impossibility. Until quite recently in human history, it was impossible for human beings to travel faster than a few miles an hour, impossible to perform medical operations painlessly, impossible to drink a Gatorade.

Other questions loom about impossibility and its implications for Ought Implies Can. One is whether moral imperatives are general, or whether they apply instead to particular individuals in particular circumstances. A general imperative to "Rescue people when you see them drowning" would violate Ought Implies Can, because some who see drowning people cannot swim. (Leave aside that one can sometimes rescue a drowning person without knowing how to swim.) A different imperative, "Rescue people when you see them drowning if you know how to swim," would apply only to those who know how to swim. One might think that imperatives should always be conceived as applying only to particular individuals: "You—rescue people if you see them drowning" (implied: because you know how to swim). But that seems implausible, because moral teaching requires general rules that ignore individual differences, even though these differences mean that some individuals may be unable to fulfill the imperative.

Another puzzle arises because some things impossible for an individual to do can be accomplished by groups or collective entities to which the individual belongs. Suppose one believes that morality requires a more egalitarian society. This is not an achievement that any individual can produce, although through collective action the group can. What does Ought Implies Can imply in such cases? That the moral imperative applies only to the group, not the individual? But imperatives for groups must have implications for what individuals should do, because in the end only individuals can act.

About many things that are impossible, it is difficult to say what kind of impossible they are. It is probably impossible in the United States today to produce a socialist revolution, to reduce unemployment to zero, or to eliminate murder entirely. Claims of political, economic, and sociological impossibility seem to amount to predictions about group behavior given people's current attitudes and incentives. These attitudes and incentives are alterable, but as long as they remain

in place there will be limits on what individuals can do—and thus what they ought to do—to bring about desired changes.

The difficulty of characterizing types of impossibility relates to the problem of distinguishing the impossible from the merely very difficult. I know it is impossible for me to run a four-minute mile. Is it also impossible for me to run an eight-minute mile? I have never done it, never even come close. But I also haven't tried and haven't trained. If running an eight-minute mile became important to me, I could almost certainly do it. For a wide range of actions and achievements, the claim of impossibility rests on a variety of assumptions that are malleable rather than fixed and unchangeable. We use "impossible," and therefore "can," in ambiguous and sometimes loose ways.[12]

Let me summarize the main points of this discussion:

1. There are various kinds of possibility and impossibility: logical, physical, psychological, political, technological, etc.
2. Some kinds apply only to groups, not to individuals alone. But groups are composed of individuals, and indeed group action requires individual action. So there are conceptual complexities in sorting out the relationships between what is possible for groups and what is possible for individuals. Assuming Ought Implies Can, how we sort them out will have implications for what individuals ought to do.
3. How general are moral Oughts? The more general they are, the more they must allow for exceptions; these exceptions will arise in part because some people are unable to fulfill them. If, on the other hand, moral Oughts are directed at particular individuals in particular circumstances ("You ought to tell the truth in this situation"), they will be extremely various, and more limited. The latter approach has some benefits, but makes it difficult to see how we can use moral Oughts as public imperatives for teaching and guiding behavior.
4. For all these reasons, Ought Implies Can is far less clear than it may seem. What people can or cannot do is not always easily established, and—at least as important—is not fixed for all time. Nevertheless, a practical, action-guiding morality—that is, the right kind of morality—must take into account what it is possible for ordinary human beings to do under given circumstances.
5. Because the line between the impossible and the difficult is not sharp, a practical morality must also take into account what it is plausible or reasonable to expect people to do. It should not unduly test what Rawls calls the "strains of commitment," by pressing too hard people's natural capacities and inclinations.[13] At the same time, knowing what is truly natural is difficult, and it's easy to confuse the natural with habits deeply entrenched by social norms.

III. OUGHT

Having focused on the Can in Ought Implies Can, let's think now about the Ought.

As I suggested earlier, philosophers ordinarily take Ought Implies Can to mean that you cannot be morally required to do something if it is impossible for you to do it. This suggests the following equivalence:

You ought to do x = You are morally required to do x.

Although philosophers often talk this way, it's misleading. "You are morally required to do *x*" is stronger than "You ought to do *x*." "You ought to do *x*" might mean that *x* is the (morally) best thing to do, or that *x* is what a virtuous person would do, and these are different, and generally weaker, than the assertion that you are morally required to do *x*. Speaking of morality's *demands* suggests requirements, obligations, or duties: what a person *must* (morally) do. Oughts, on the other hand, are often more like pushes: moral forces that give us good reason to act, but that may not be best conceived as moral requirements. They may fall short of being requirements because of other, conflicting moral pushes; or because they demand more than can reasonably be required.[14] Or the concepts of requirement, duty, and obligation may simply be inappropriate, may fail in one way or another to capture the moral landscape.

To disentangle Ought's ambiguities, it's useful to begin with some examples. The first is Peter Singer's now-iconic case of the passerby who can easily save the child drowning in the pond, and is the only person who can save the child.[15] In Singer's original example (there have been many variations since), the cost to the passerby is nothing more than muddy clothes. We can hardly invent an easier case: no conflicting pushes, and saving the child demands very little. Still, in discussing this example with students, as I have many times, I get different answers depending on which question I ask:

Ought you (or should you) save the drowning child? Of course, students say.

Are you a jerk (creep, morally challenged, other unprintable words) if you don't save him? Definitely.

Is it morally wrong not to save him? Yes.

Do you have a moral duty or obligation to save him? Students are often more reluctant to answer yes to this question than to the others. In fact, the question often seems to catch them up short. Before asking why, let's look at another Singer-inspired example.

Suppose a person (let's call her the Moral Philosopher) asserts that anyone in the U.S. with an income of between $100,000 and $300,000 (for a family of four, say) is morally obligated to give away 10 percent of her (pre-tax) annual income to alleviate poverty. This is not a fanciful example; Singer at one time argued for a duty to give away much more. (Lately, however—for practical reasons, I think it is fair to say—his suggested figures are much more modest.[16]) Few people in this

income bracket give away nearly that much.[17] On hearing that they should, several different responses are possible.

Response 1. You agree that the Philosopher is right, and proceed to do what she says is morally required. In other words, you change your behavior and begin to give much more than you had before. This hardly ever happens.

Response 2. As in the first case, you say to the Philosopher: you're right. But then you continue: I guess I'm a bad person, or at least one who has failed to live up to her obligations. Maybe this bothers you, maybe not. In any case, assent to the Philosopher's judgment about what you are morally required to do produces no significant change in conduct.

Response 3. Probably the most common response is to challenge the Philosopher's claim. "On what basis do you say that I am morally obligated to give away ten percent of my income?" The Philosopher gives her reasons, appealing to utilitarianism or some other theory. Most people are unlikely to be moved. Why, they will ask, should I accept a theory with such counterintuitive conclusions? (One person's modus ponens is another's modus tollens and all that.)

Now in these reactions we find several different confusions, concerns, and objections at work. In the next few sections I attempt to sort them out.

IV. MORAL OBLIGATION

One question is what it means to say that someone has a moral obligation or duty to do something. (To avoid further complications—and because I find the terms essentially synonymous—I use "duty" and "obligation" interchangeably.) Why are some reluctant to assert that one has a *moral obligation* to save the drowning child? One possible reason is that they believe that if a person has a moral obligation to do *x* then the state is justified in coercing her to do *x*.

The belief is not entirely without warrant. For example, H.L.A. Hart argues that the most important characteristic of the concepts of justice, fairness, right, and obligation is that there is a "special congruity in the use of force or the threat of force" to secure the good in question—that "it is in just these circumstances that coercion of another human being is legitimate."[18]

Elizabeth Anscombe goes further, claiming that terms like "moral obligation" and "moral requirement" presuppose a "law conception of ethics" and that "it is not possible to have such a conception unless you believe in God as a law-giver."[19] Probably few philosophers today find Anscombe's view plausible; suffice it to say that anyone who wishes to speak of moral or human rights outside a theistic framework must reject it. One reason Anscombe holds this view may be a commitment to the connection between moral obligation and coercion: not only do you need a law-giver, she suggests, you need a law-enforcer.

But it is clear that conceptually, we can separate the claim that one has a moral obligation to do *x* from the claim that the state is justified in coercing one to do *x*

or that God will punish one for not doing *x.* In that case, to say that "A has a moral obligation to save the drowning child" may be just another way of saying "It would be wrong for A not to save her."[20] Stipulating this equivalence may seem artificial or arbitrary, but I believe it is at least as prevalent in ordinary discourse as the meaning that links obligation and coercion.

We would expect more people to agree that one is obligated to save the drowning child once the linkage with coercion is removed. They may, of course, still deny more demanding requirements, such as donating 10 percent of their income.

V. SETTING THE BAR

Another question, especially clear in the second example, is doubt about where to set the bar of moral requirement: how to distinguish what is obligatory from what is forbidden on the one hand and from the supererogatory, beyond the call of duty, on the other.[21] Even if we agreed on a ranking of courses of conduct from best to worst, the question would remain where to set the bar separating duty—what is morally required—from what is desirable but beyond the call of duty. Leaving aside its inherent difficulties, this problem may help explain some people's reluctance to acknowledge obligation even in the easiest cases (like the drowning child case as described above), which they may see as taking the first step on a slippery slope that will commit them to a morality they perceive as unreasonably demanding.

The bar-setting question also suggests a kind of precision in talk about moral duties or obligations that is misplaced. Aristotle's famous warning at the beginning of the *Nichomachean Ethics* applies: "Our discussion will be adequate if it has as much clearness as the subject-matter admits of, for precision is not to be sought for alike in all discussions."[22] Some obligations arise from an agent's contract, promise, act, or role; these often entail specific and well-defined duties. In the absence of such acts and circumstances, what would account for precisely defined obligations? Precision suggests a system (such as a legal system) or theory from which the claim of obligation clearly follows. (This is probably part of what Anscombe is getting at.) Of course, some philosophers do have such theories. But the idea that there is a credible theory of the whole of morality entailing stringent moral duties of the sort under consideration is not plausible. The monistic moral theories philosophers propound cannot withstand the force of the intuitions they clash with, and no advantages outweigh their counterintuitive quality.

At best, then, claims that one is morally obligated to donate *x* percent of one's income falsely suggest precision, and expressing these Oughts in terms of obligations is likely to mislead.

Now it might seem that in this respect a deontological approach fares better. On the traditional Kantian view, the kinds of responsibilities we are concerned with here constitute "imperfect duties" of beneficence, allowing a great deal of leeway as to time, place, manner, and extent.[23] But if the consequentialist way is too precise

and demanding, this approach suffers from the opposite defect: at the very least it is unhelpful and on its face too permissive. How much must we help others? How much must we sacrifice of our own interests? We can imagine a stringent, Golden Rule-like interpretation, suggested in Kant's phrasing: we are duty-bound to help others whenever we would have wanted help if we were in their place. But this has not been the line Kantians have traditionally taken. It would, moreover, saddle them with the same questions about demandingness that have plagued consequentialists. In any case, as it is usually understood the imperfect duties approach provides little guidance about what and how much a person ought to do.[24]

VI. DUTY-VIOLATORS AND JERKS

Virtue ethics, rooted in the classical Greek philosophical tradition, has reemerged in contemporary moral philosophy as a rival to deontology and consequentialism. A pluralist (such as myself) may view these three approaches as compatible, each playing a role in moral thinking, or serving different purposes in different circumstances. But moral philosophers commonly see them as competing for the title of true or best moral theory. Students who hesitate to say the bystander has a moral obligation to save the drowning child, and who instead want to describe him as a jerk,[25] may be folk virtue ethicists.

Virtue ethics (vice ethics might be a more apt label) avoids some of the pitfalls noted earlier about the language of moral obligation. It does not suggest coercion or precision or mechanical theory-application. But if "You are obligated to do *x*" is just another way of saying "It would be wrong not to do *x*," it's not clear what is to be gained, in this context, by the focus on vice or bad character. Isn't it wrong to be a jerk? Or is it simply bad? Philosophers generally take care to distinguish the right from the good, the wrong from the bad; the person in the street often uses these terms interchangeably. Without entering the fray, I think it's fair to say that we tend to view good-bad as a continuum, while right-wrong has a more on-off character. We speak of the better and the worse, but not of the righter and the wronger. But it doesn't follow that there are no degrees of rightness and wrongness, or that it wouldn't elucidate matters to talk this way.[26]

A central function of moral discourse is to explain and justify attributions of blameworthiness and our practices of blaming. Assuming they have no legitimate excuses, those who violate their moral obligations are appropriately subject to blame. But so are jerks and scoundrels. People who do wrong are blameworthy, as are people who behave badly. Is there a difference in the kind of blame we assign to people described as wrongdoers as opposed to bad-doers, or in their blameworthiness? Perhaps there are subtle differences. The judgment that someone has violated a moral obligation may be locally harsher ("This particular thing you did—or, more likely, failed to do—was *wrong*"), but points sharply to the failing rather than

the person. Describing someone as a jerk or a bad person is a more global criticism, more difficult to remedy but perhaps also a little vague.[27] It's an empirical question which form of criticism works better as a technique for changing future behavior. There are, of course, other purposes of moral discourse besides reforming the offender. But it might be argued that, by cutting less deeply—"Hate the sin not the sinner"—criticizing conduct rather than character is a more effective strategy for producing change.

Consider this case, which illustrates several of the issues under consideration. Although it is clear that slavery is a great evil and a terrible wrong, the question remains how to describe the moral responsibilities of slaveholders in the United States before the Civil War. Did a slaveholder have a *moral obligation* to free his slaves? This sounds odd; the question is why.[28] One reason might be that it is too understated. Another is that it simply states the obvious. But there's also something more. It may make sense to speak of a person's moral obligation or duty only within a moral framework that is accepted, to some extent or other, by the individual or, at the very least, by the community to which the individual belongs. Perhaps the reason is that duty- or obligation-talk functions at least in part for its persuasive (perlocutionary) force, to get the listener to do something. In the absence of a community in which relevant values are generally accepted—even if only abstractly, and even if widely violated—duty-talk has little point. (The same might be true of terms in the virtue-vice catalog.)

VII. WRONGNESS AND BLAME

Despite these caveats about coercion and precision, I want to hold on to the judgment that failing to help others is often wrong, and to the judgment that such judgments are valid or true or correct. Maybe one does not do wrong if one fails to give ten percent of one's income to alleviate suffering, but can we not safely assert that those with incomes over $100,000 a year are morally obligated to give at least a few percent (barring special circumstances)? Of course, some might challenge even this claim. On what basis, they ask, do you assert that it is *wrong* not to help the needy stranger?

To this the answer is: it's true, you can't get something from nothing; we have to begin with some premises to make any headway at all. I start with the premise that if you can alleviate another person's suffering without significant cost to yourself—whether the cost is material or some other kind—it is wrong not to do so. I believe this proposition is more certain than any theory or argument designed to prove it. Act-consequentialists, on the other hand, begin with a very strong premise that I take to be implausible, and that is certainly unconvincing to most.

We might still ask what it means to say that not aiding is wrong.[29] The judgment that an act or omission is wrong may seem basic and irreducible. "Slavery is

wrong" means nothing other than that *slavery should not be*. "Not saving the drowning child is wrong" means that *morally one has no alternative but to save him*. Can anything more be said?

John Stuart Mill provides this gloss: "We do not call anything wrong, unless we mean to imply that a person ought to be punished in some way or other for doing it; if not by law, by the opinion of his fellow-creatures; if not by opinion, by the reproaches of his own conscience."[30] The issue in the case of failing to give aid is not legal punishment. We cannot count on punishment by public opinion, since the mass of one's "fellow-creatures" may not believe that not aiding is wrong. For the same reason it seems unlikely that punishment will come from the agent himself.

But the question is not whether one *will* be punished by others or oneself, but whether one *ought* to be. What sort of punishment does Mill have in mind? Punishment by one's fellow-creatures could mean ostracism or shaming. But it need not be so harsh. At the very least, it seems, it means blaming or condemnation. And if it is to serve as punishment, blaming cannot be done privately (by a witness to a wrongdoer's wrong, say, grumbling to herself); it must be communicated to the wrongdoer. Punishment by one's conscience will, obviously, be communicated to the wrongdoer.

If Mill is right that describing an action as wrong implies that the wrongdoer should be punished in some way, and if communicated blaming or condemnation is the minimum criterion of punishment, then a person who has acted wrongly (for example, by not saving a person in imminent danger of death when one could without significant cost) should be blamed, and should know she is blamed. That still leaves a lot of leeway: from one individual condemning the wrongdoer's act to the wrongdoer alone, at one end of the spectrum, to public condemnation heard by many, at the other end. But this analysis omits at least two factors that should be taken into consideration.

First, it is only appropriate to blame a person who is blameworthy—that is, who has acted wrongly without excuse. This suggests an ambiguity in the idea that an act is wrong. Such judgments may or may not incorporate blameworthy mental states into their descriptions. The term "murder" does incorporate a blameworthy mental state, since "murder" means unjustified killing and includes a *mens rea* element. But probably most judgments of the kind we are considering do not incorporate blameworthy mental states. When we say that slavery is wrong, for example, we are not necessarily blaming slaveholders. Whether they act wrongly in Mill's sense—i.e., whether they should be blamed—depends on whether it is reasonable to expect them to have done other than what they did.

When *is* such an expectation reasonable? A great deal depends on the prevailing moral code in the wrongdoer's society. As Arneson explains, since the established moral code "exerts a massive gravitational pull on individual judgment and choice," we may often conclude that "the agent lacked a reasonable opportunity to do the right thing."[31] But conventional morality is not decisive. "[T]he relevant standard of blameworthiness is whether the agent had a reasonable opportunity to behave rightly."[32] Sometimes we may decide that, in light of a person's experience,

intelligence, and the like, he should have known better despite the conventional morality of his community; sometimes not.

Second, if blaming implies negative communication to the blamed person and/or others, we might judge that it is sometimes better not to blame people to their face even if they are blameworthy. Perhaps blaming is counterproductive: it will make people defensive and less likely to act better in the future. It's imaginable that encouraging people to aid others might sometimes work better than blaming them for not doing so. If so, the appropriateness of blaming for conduct we take to be wrong can sometimes be overridden by pragmatic considerations.

To summarize: Mill's view—that to call something wrong implies that the wrongdoer ought to be punished—provides a good starting point but requires some qualification. First, punishment means at the very least (and sometimes no more than) communicated blaming or condemnation. Second, only blameworthy people should be blamed. And third, the claim that the person should be punished might be overridden by practical considerations, in cases, for example, when blaming is counterproductive.

VIII. A DIFFERENT APPROACH

I have offered a variety of reasons for thinking that traditional ethical theory is incapable of giving clear and useful moral directives about our responsibilities to alleviate global poverty. The defects of the going moral theories cover the territory: they are either too precise or too vague, too demanding or too permissive. In fact, there is no correct answer to the question "How much do we owe in the way of assistance to others?," in part because the language of owing and debt is of limited value here.

This is not to endorse a wholesale moral relativism. This is how it seems to me: there are certain undeniable evils in the world that ought not exist. You don't need industrial strength ethical theory to know that it would be better if billions of people didn't live in dire poverty. It's also clear that the wealthy of the world could live just as well or better with a lot less stuff. It follows that a world with less poverty and less economic inequality is a better world, assuming (as I shall) that these evils can be eradicated without producing worse ones. Eradicating dire poverty, then, is a powerful moral push, an Ought, which becomes stronger as it becomes easier to achieve.

But we cannot straightforwardly draw conclusions from these premises about what morality requires of particular individuals, for all the reasons I have given.[33] Monistic moral theories are unconvincing and cannot withstand skeptical counter-intuitions; they suffer from false precision or unhelpful vagueness. Obligation-talk has a perlocutionary function, and this suggests a linkage between claims of obligation and values that are in some way or other accepted by the individual or the community to which he belongs and that thus provide reasons for the individual to act

in accordance with the presumed obligation. There are other reasons too, as I will argue shortly, for thinking that what it is possible and plausible for an individual to do depends on the standards accepted in his community.

What is clear, I believe, is that we should try to move the world in the direction of less poverty and greater equality. The main question is how to get from this world to that one in a way that is morally acceptable and practically feasible.

The questions, then, are largely strategic. My thoughts about how to proceed derive from my belief that much avoidable suffering in the world could be remedied without significant cost to those who would have to change their behavior. By cost I mean not simply material sacrifices but also psychological ones. In fact, these psychic or psychological costs matter most of all. In the end, material or financial sacrifices matter only insofar as they cause people pain or make psychic demands on them.

For those who hope to improve the well-being of the world's worst-off people, then, a central question is how to achieve changes in behavior without great hardship to the better-off of the world. Here are a few suggestions that will serve as emblems or stand-ins for many other possible strategies.

One highly relevant fact is people's tendency to do as others around them do. This observation is not exactly news, of course. And it's usually viewed in a negative light. Bemoaning people's conformism dates back at least to Socrates.

But there are perfectly respectable reasons to guide your behavior by what other people do.[34] These reasons have ultimately to do with what I call the relativity of well-being. Although human beings have basic needs, above a certain minimum both their needs and their wants depend a great deal on what others around them have. This is partly because of infrastructure effects: you need a car if most people in your community have cars and public transportation is poor. It's partly for reasons of dignity and status: in Adam Smith's example, you need a linen shirt or leather shoes because respectable people in your society wear them.[35] And it's partly because of what psychologists call salience or availability: we want things because we see them around us. No one wants a BMW who's never seen a BMW.

Because our well-being depends so much on what others around us have, we can easily do with less if our peers and neighbors also have less. (Here I leave aside any other reasons for thinking more stuff doesn't make us happier.) And once behavior becomes habitual the psychic costs of compliance largely disappear. The enormous sacrifices Singer calls for in "Famine, Affluence, and Morality" fade when we're all in it together and conduct becomes customary and habitual.

The question, then, is how to harness these psychological facts to further the goal of reducing global poverty. (It's relevant also to other important goals, such as preventing environmental degradation.) To put it baldly, we need to think about how to make giving more or consuming less more popular and more fashionable, even, and therefore less demanding.

In addition to the relativity of well-being and the tendency for people to do as others around them do, also relevant is what psychologists call situationism. A gen-

eral finding confirmed by hundreds of studies done over the last fifty years is that the particular circumstances in which people find themselves, more than deep-seated and fixed psychological traits, exert enormous influence over human behavior. The conclusion psychologists have drawn is that small differences in circumstances can radically affect how people act—their propensity to volunteer their services or to help others, for instance.[36] A famous example is the experiment done in the 1970s by psychologists John Darley and Daniel Batson. They recruited divinity students at Princeton Theological Seminary to prepare a brief sermon on the parable of the Good Samaritan, which the students were to deliver in another building.[37] Some subjects were told that they were a few minutes late, others that they were a few minutes early. On the way to the building where they were to sermonize, subjects encountered a man slumped in a doorway, motionless and with his eyes closed. As they walked by he coughed and groaned. Only 10 percent of the late seminarians offered assistance, while 63 percent of those with a little extra time did.

Another striking finding, recently studied, concerns the power of defaults. An example is organ donation policy. In some countries, including the United States and Great Britain, you must choose (when you get or renew your driver's license) to become an organ donor; the default is not to donate. In many European countries, the policy is the reverse: consent to donating one's organs is presumed and one must explicitly opt out to avoid donation. In Austria, France, Hungary, Poland, and Portugal, which all have opt-out policies, effective consent rates are over 99 percent. In countries with opt-in policies, consent rates are radically lower—from 4.25 percent in Denmark to 27.5 percent in the Netherlands.[38]

We need to consider how defaults and other small changes in the circumstances surrounding human choices can be employed to enhance giving and influence behavior in ways that could help alleviate poverty.

IX. AN OBJECTION: THE FALLACY OF INDIVIDUALISM?

I want to consider briefly two objections that might be made to the approach I have outlined here.

The first objection (the fallacy of bourgeois individualism?) is that global poverty is an institutional problem, and thus focusing on the situation and responsibilities of individuals, as I have done, is inappropriate. Individuals, on this view, cannot substantially fix these problems, nor is it their moral responsibility to fix them.

I completely agree that the causes of global poverty are institutional, and that poverty must be addressed primarily at the institutional level. This view accords with my belief that change is best achieved when individuals act collectively. Acting together as a society reduces demandingness, because demands are diluted if sacrifices are

shared and spread. Acting collectively is also appropriate because the problems are largely political and institutional in origin. Individuals' contributions to these problems are miniscule, and affect others only when aggregated many-fold. Thus solutions, to be effective, must be primarily political and institutional.

But it does not follow that individuals have no role to play in effecting social and political change. For one thing, institutions are composed of individuals; thus in the end institutional action must have implications for what individuals do. Moreover—this is a different point—institutional change can be instigated or accelerated by individuals even when acting outside institutions or in their private capacities.

To put the point dramatically: even though institutions and social structures determine the shapes of our lives, we nevertheless experience the world as individual human agents. So we have no choice but to ask ourselves what we as individuals should do and how we ought to live.

X. A SECOND OBJECTION: TWO INTERESTS IN MORALITY

Here is another objection that may have planted itself in some minds. Ethics is about doing the right thing for the right reason. It is therefore appropriate that it should be hard to do the right thing, or at least that acting morally must involve certain sorts of motives or traits of character. My enthusiasm for making it easier for people to improve the world is therefore misplaced.

This worry, I believe, rests on a confusion between two different interests at stake in ethics. One is human character. We want to develop it, judge it; identify virtues and vices sort people into the good and bad, the better and the worse. For this purpose the demandingness of morality is an aid, not a drawback, helping to separate the wheat from the chaff: we want to set the standard above the norm, in the hope of persuading people to excel and to single out the virtuous.

A different moral interest is the quest to alleviate human suffering. Taking this as our aim, we have no reason to set the bar especially high; on the contrary, making it easier for people to achieve the end is a boon, and we should embrace whatever legitimate means are at our disposal to render desirable action more painless.

Now in fact we care about both—human character and the alleviation of suffering—and so we can find ourselves in conflict. When these aims clash, I believe the alleviation of suffering should take priority. But the conflict is more theoretical than real, because wherever we set the bar many tests of human character will remain; we are in no danger of losing the ability to sort people into moral categories if we wish. We have a practical moral interest, then, in making it less painful or costly for people to alleviate others' suffering.

XI. CONCLUSIONS

The philosophical problems I have addressed in this paper derive from a very practical one. Billions of people live in dire poverty while perhaps a sixth of the world's population is relatively well-off, with hundreds of millions of people absolutely affluent by any reasonable standard. Like many people, I am appalled by this picture and think we should do what we can to change it.

Philosophers have mostly fixated on the question of what individuals are morally obligated to do. They tend to set the bar of moral obligation either too high or too low—either demanding more of ordinary people than is reasonable, or else rationalizing self-indulgent behavior. But "too high or too low" misleadingly suggests there is a truth about what our individual moral obligations are in these matters. I think that's wrong.

Why have so many philosophers thought otherwise? Because they are wedded to monistic moral theories, the main source of clear directives about such obligations. Because they overemphasize or misuse the concepts of duty and obligation. Because they confuse the Ought of states of affairs with the Ought of actions: it's clear what state of affairs we ought to move toward (the elimination of poverty) but much less clear what this Ought implies for individual action. Because there is a difference between what individuals can and should do and what groups, collectives, or institutions can and should do; and because we do not sufficiently understand the relationships between them.

And—to return to where we began—because we should not demand too much of ordinary human beings. Ethics, the realm of the normative, has to take account of what people are like, and what it is impossible (in one sense or another) or difficult for them to do. Surprisingly, perhaps, no one has made this point better than Peter Singer himself: "An ethic for human beings must take them as they are, or as they have some chance of becoming."[39]

"Some chance of becoming"—now that complicates everything! Human nature is not in all respects (perhaps not in most respects) fixed; even where fixed, its manifestations and expressions depend on environment and culture, over which human beings have a good deal of control. Ought Implies Can, but Can is malleable. Understanding whether, when, and how we can nudge possibility upward is a task worth pondering.

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NOTES

1. In 2005, 1.4 billion people lived below the World Bank's international poverty line of $1.25 a day. In sub-Saharan Africa, 51 percent of people live below the line (Millennium Development Goals Report, summarized at http://www.un.org/millenniumgoals/pdf/MDG_FS_1_EN.pdf). A "second tier" international poverty line of $2 a day puts 2.6 billion people below the line (http://uk.oneworld.net/guides/poverty#Measuring_Global_Poverty). What does it mean to live below these poverty lines? See http://www.givewell.org/international/technical/additional/Standard-of-Living, summarizing Abhijit V. Banerjee and Esther Duflo, "The Economic Lives of the Poor," *Journal of Economic Perspectives* 21 (2007). One third of all deaths worldwide—18 million a year, or 270 million since 1990—result from poverty-related causes; 10 million children a year die of hunger and preventable diseases (United Nations Development Programme, Millennium Development Goals, http://endpoverty2015.org/goals/end-hunger). The number one goal of the UNDP MDG is to "eradicate extreme poverty and hunger."
2. Peter Singer, "Famine, Affluence, and Morality," *Philosophy & Public Affairs* 1 (1972).
3. For an extended argument see Judith Lichtenberg, "Negative Duties, Positive Duties, and the 'New Harms'," *Ethics* 120 (April 2010).
4. Samuel Scheffler, "Morality's Demands and Their Limits," *Journal of Philosophy* 83 (1986), 531. Scheffler is describing this position, not defending it.
5. Robert Goodin, "Demandingness as a Virtue," *Journal of Ethics* 13, 1 (March 2009), 2.
6. As Goodin puts it, the argument about "exactly what others are due and which demands are legitimate … should be conducted purely at the level of … first-order moral propositions, without recourse to any 'demandingness' side-constraint" (ibid).
7. It is true that for a utilitarian costs to the agent (including psychological and other nonmaterial sacrifices) must be taken into account. But a large cost to an individual can easily be outweighed by benefits to others. There is no cost that is per se too much to demand that an individual bear.
8. Goodin, "Demandingness as a Virtue," 11.
9. Although the slogan is often associated with Kant, Henry Sidgwick appears to have been the first to make explicit use of it. See *Method of Ethics*, 7th ed. (London: Macmillan, 1907), Book I, Chapter V, 66. For the sake of convenience and appearance I omit the quotation marks around "ought" and "can" when using this phrase.
10. Metaphysicians sometimes define physical possibility in terms of consistency with "the laws of nature." See, e.g., H.E. Baber, "The Possibility of the Impossible," at home.sandiego.edu/~baber/logic/possibility.ppt. Precisely what this means is unclear. Is a human being running a two-minute mile, or a thirty-second mile, consistent with the laws of nature?
11. For a physicalist, presumably, mental or psychological impossibility reduces to physical impossibility. Likewise with other kinds of impossibility noted below.
12. How loose? I may say that I am unable to meet you for lunch because I have a prior engagement. Everyone understands that I am not strictly speaking *unable* to meet you. But drawing the line even between these metaphorical usages and more literal ones is not always easy.
13. John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971), sections 25, 29.
14. This, of course, is exactly the question before us: whether demandingness per se limits moral obligation. I do not mean to beg any questions here, only to note that concerns about demandingness may explain the reluctance to impute obligation in such cases.
15. Singer, "Famine, Affluence, and Morality."
16. For the more radical claim, see Singer, "Famine, Affluence, and Morality"; for the more modest one see, e.g., Singer, *The Life You Can Save: Acting Now to End World Poverty* (New York: Random House, 2009), chapter 10. The 10 percent figure corresponds, of course, to the traditional tithe associated with Christianity, Judaism, and other religions. In *The Life You Can Save* Singer proposes a detailed plan for giving, sensitive to one's income bracket. Those in the $105,001 to $148,000 bracket would give 5 percent; those in the $148,001 to $383,000 bracket would give 5 percent of the first $148,000 and 10 percent of the remaining income. For those making $300,000

a year, then, the rate of giving would be about 7.5 percent. The proposed proportions of income to be donated increase as the tax bracket rises.

17. Note that Singer proposes these giving levels specifically for the purpose of alleviating poverty, which currently comprises a fraction of total giving. For example, in the U.S. the largest share of charitable contributions, 33 percent, goes to religious organizations (*Giving USA 2010 Executive Summary*, at http://www.pursuantmedia.com/givingusa/0510/). Donations to religious organizations that support schools and social services—which might come under the heading of alleviating poverty—are included under education and human services, so the vast majority of these contributions are not redistributive in the sense Singer proposes. See Rob Reich, "Philanthropy and Its Uneasy Relation to Equality," *Philosophy & Public Policy Quarterly* 26, nos. 3/4 (Summer/Fall 2006), at http://www.publicpolicy.umd.edu/files.php/ippp/vol26summerfall06.pdf. To meet Singer's standards most people would have to greatly increase their rates of giving, and in many cases forego donating to religious organizations and other charities (such as cultural and most educational institutions).
18. H.L.A. Hart, "Are There Any Natural Rights?" *Philosophical Review* 64 (1955), 178. Available online at http://www.utm.edu/staff/jfieser/class/hart.pdf
19. G.E.M. Anscombe, "Modern Moral Philosophy," originally published in *Philosophy* 33 (1958), at http://www.philosophy.uncc.edu/mleldrid/SzCMT/mmp.html (about a quarter of the way into the article).
20. Hart would probably reject this approach. He notes disapprovingly that "obligation" is used by many philosophers "as an obscuring general label to cover every action that morally we ought to do or forbear from doing" (178). And he might say the same about using "obligation" to cover every action that it would be *wrong* not to do. (But since both "wrong" and "obligatory" are stronger than "ought," it's not certain that Hart would have objected to the equivalence of obligations with those actions it would be wrong not to do.)
21. More precisely: for a given bit of conduct in the world, either an act or an omission, we can say: if x is forbidden, then not-x is obligatory; if x is permitted, then not-x is not forbidden. Among the permitted acts that are not obligatory, some are desirable from an altruistic point of view; those we call supererogatory.
22. Aristotle, *Nicomachean Ethics*, I.3, tr. W.D. Ross.
23. The man for whom "things are going well, sees that others (whom he could help) have to struggle with great hardships, and he asks, 'What concern of mine is it? … I will not take anything from him … but to his welfare or to his assistance in time of need I have no desire to contribute.'" Kant concedes that it is possible to conceive of the maxim of non-aiding "as a universal law without contradiction" (while this is not possible in the case of perfect duties like promise-keeping), but he argues that it is nevertheless impossible to will that the maxim of non-aiding become universal law. "For a will which resolved this would conflict with itself," since the willer might need the help of others but "would have robbed himself, by such a law of nature springing from his own will, of all hope of the aid he desires" (Immanuel Kant, *Foundations of the Metaphysics of Morals* 423–4, tr. Lewis White Beck [Indianapolis: Bobbs-Merrill, 1959], 40–1).
24. For a useful interpretation of the Kantian approach, see Karen Stohr, "Kantian Beneficence and the Problem of Obligatory Aid," *Journal of Moral Philosophy*, forthcoming. Stohr argues that "decisions about whom to help, when to help, and how much to help are a matter of judgment and hence, admit of latitude. But beneficence also carries with it a narrow duty to avoid indifference to others as end-setters. It is wrong not to help when helping is the only way to avoid indifference."
25. It's hard to find the right word here. "Jerk" lacks the gravity fitting someone who lets another die or suffer serious injury when he could easily intervene. Other terms are antiquated or at least not in common use (brute, cad, scoundrel), still others not fit for print in polite publications. Few words capture the distinctive kind of moral deficiency of the conduct in question. Adjectives describing the behavior seem more apt than nouns ascribed to the person: horrible, immoral, disgusting, awful, selfish, callous, etc.
26. See, e.g., Richard J. Arneson, "What Do We Owe to Distant Needy Strangers?," in Jeffrey Schaler, ed., *Peter Singer Under Fire: The Moral Iconoclast Faces His Critics* (Chicago: Open Court, 2009), 288–93. Arneson opts for talking of righter and wronger conduct.

27. Sometimes we might say "You *acted* like a jerk," muting the criticism with the suggestion that the failure was not of global significance. Such attributions are more typical of interpersonal lapses (in love, friendship, sex, manners) than in the cases discussed earlier. My colleague Maggie Little has been exploring some of the same territory discussed in these sections, under the name of "deontic pluralism." I have benefitted from a paper she and Colleen Macnamara gave on this subject at Georgetown University in April 2010, "Between the Optional and the Obligatory" (unpublished manuscript).
28. For a similar account see Gilbert Harman, "Moral Relativism Defended," *Philosophical Review* 84 (1975), 4–8.
29. The consequentialist (at least on one widely held interpretation of consequentialism) gives this answer: the non-optimal act is wrong.
30. John Stuart Mill, *Utilitarianism*, in John Gray (ed.), *On Liberty and Other Essays* (Oxford: Oxford University Press, 1991), 184.
31. Arneson, "What Do We Owe to Distant Needy Strangers?," 291.
32. Ibid.
33. The distinction I am relying on here resembles Harman's distinction between the Ought of states of affairs and the Ought of action. See "Moral Relativism Defended." He is a relativist about the latter, believing that it makes sense to say that a person ought to do something only if she could be motivated by such a statement, but (at least in that paper) noncommittal about the former.
34. For a detailed discussion see Judith Lichtenberg, "Consuming Because Others Consume," *Social Theory and Practice* 22 (1996), pp. 273–97; reprinted in David Crocker and Toby Linden, eds., *Ethics of Consumption and Global Stewardship* (Lanham, MD: Rowman & Littlefield, 1997).
35. Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* (1776), V.2.148.
36. There are important debates about the extent to which situationism is true. Radical situationists verge on eliminating the role of differences in character and personality in determining behavior, and this seems to many to go too far. But it is not controversial that "situations" play an important role in influencing what people do.
37. John Darley and Daniel Batson, "From Jerusalem to Jericho: A Study of Situational and Dispositional Variables in Helping Behavior," *Journal of Personality and Social Psychology* 27 (1973).
38. Eric J. Johnson and Daniel Goldstein, "Do Defaults Save Lives?," *Science* 302 (November 21, 2003); and Richard Thaler and Cass Sunstein, *Nudge: Improving Decisions About Health, Wealth, and Happiness* (New Haven: Yale University Press, 2008), chapter 11. Peter Singer discusses this example in "Reply to Judith Lichtenberg," a response to my "Famine, Affluence, and Psychology," both in Schaler, ed., *Peter Singer Under Fire*.
39. Singer, *The Expanding Circle: Ethics and Sociobiology* (New York: Farrar, Straus and Giroux, 1981), p. 157.