

A Dispositional Account of Conflicts of Obligation

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Abstract

I address a question in moral metaphysics: How are conflicts between moral obligations possible? I begin by explaining why we cannot give a satisfactory answer to this question simply by positing that such conflicts are conflicts between rules, principles, or reasons. I then develop and defend the “Dispositional Account,” which posits that conflicts between moral obligations are conflicts between the manifestations of *obligating dispositions* (obligating powers, capacities, etc.), just as conflicts between physical forces are conflicts between the manifestations of (certain) causal dispositions (causal powers, capacities, etc.). This account combines the so-called “moral forces” interpretation of *prima facie* obligations with a dispositional moral metaphysic according to which the metaphysical grounds of moral obligations are not rules or laws, but rather real, irreducibly dispositional properties (or powers) of moral agents and patients. My principal aims are to offer a theoretically attractive and suitably metaphysical account of conflicts of obligation, and to show that the dispositional moral metaphysic that grounds the Dispositional Account can explain and accommodate plausible normative views that rule- and law-based alternatives cannot, as well as to answer objections that have been pressed against other accounts of moral conflict (especially Ross’s) that appeal to moral dispositions or forces.

1. Introduction

Our various moral obligations can—and sometimes do—conflict, as in the following case.

Injured Hiker. Charlie has been hiking in the mountains all morning, and she’s rushing back to the trailhead because she promised to meet Able—an old friend of hers who’s in town on business—for lunch before he flies home. As she rounds a bend in the trail, Charlie happens upon another hiker, Baker, who is badly injured and needs her help. If Charlie stops to help Baker, she won’t make it back in time to meet Able. Thus, she can’t both save Baker and keep her promise to Able.

Charlie has two, conflicting obligations: one to meet Able, and one to save Baker. Granted, Charlie ought (morally) to save Baker rather than meet Able.¹ But that's because her obligation to save Baker "outweighs" her obligation to meet Able.

Of course, it's possible to deny that Charlie has an obligation to meet Able and to maintain, instead, that her only obligation is to save Baker. More generally, it's possible to deny that our moral obligations can, in fact, conflict.² But in this paper I prescind such skepticism and address a question that arises once one accepts—as many do—that the contrary view is true:

How are conflicts between moral obligations possible?

In other words, how is it possible for Charlie or any other moral agent to have conflicting moral obligations?

I intend this as a question about what are sometimes called "prima facie obligations." However, I take these to be (genuine) obligations, rather than something else (cf. Brink 1994, 216; Ross 1939, 84-5).³ Moreover I intend it as a metaphysical question, and not, say, a logical or conceptual question of the sort that discussions of moral conflict generally focus on. It's a question in moral metaphysics. And answering it requires developing a suitably metaphysical account of what conflicts between moral obligations are. For instance, one might develop an account according to which such conflicts are conflicts between duty-imposing rules. However, rule-based accounts of moral conflict rule out resolvable conflicts of the sort that Charlie confronts (see § 2). And one of my aims here is to develop an account of conflicts of obligation that can explain how conflicts of this (least controversial) sort are possible.

I begin by briefly explaining why we cannot give a satisfactory answer to the question I pose simply by positing that conflicts of obligation are conflicts between rules, principles, or reasons. I then develop and defend an account of such conflicts that combines the so-called "moral forces" interpretation of *prima facie* obligations (hereafter, the "Forces Interpretation")—which maintains that (what I call) obligations are either forces or else analogous to forces in certain crucial

¹ Throughout the paper, I use "ought" and "may" to express all-in moral judgments about what morality requires and permits particular agents to do in particular circumstances (i.e., particular judgments of moral permissibility and impermissibility). And when I say that *A* ought to ϕ rather than ψ , I mean to imply that *A* may not ψ . I grant, however, that there are other moral senses of "ought," including a weaker sense in which to say that *A* ought to ϕ means (roughly) that *A* has an obligation or a reason to ϕ (see Foot 1983, 254-6; cf. Thomson 1990, 82-6). I also grant that there are non-moral senses of "ought."

² See, e.g., Donagan 1984; 1993; Hare 1981, chap. 2; Kant 1797b, 6:224.

³ The term "*prima facie* obligation" (or "*prima facie* duty") is Ross's. He (mostly) uses it to refer to token acts, such as Charlie's meeting Able and her saving Baker, rather than to the obligations that agents have to perform those acts.

respects (Brink 1994; Pietroski 1993)—with a dispositional moral metaphysic according to which the metaphysical grounds of our moral obligations are obligating dispositions (obligating powers, capacities, etc.).⁴ Obligating dispositions as here conceived are (or would be) real, irreducibly dispositional properties (powers, capacities, etc.) of moral agents and patients that ground not only the moral obligations of moral agents but also (certain) moral laws (Robinson 2011).⁵ And this dispositional account of conflicts of obligation (hereafter, the “Dispositional Account”) posits that conflicts between obligations are conflicts between the manifestations of obligating dispositions (so understood), just as conflicts between physical forces are (plausibly) conflicts between the manifestations of (certain) causal dispositions (e.g., gravitational mass and electromagnetic charge).

I will argue that the Dispositional Account not only explains resolvable conflicts of the sort that Charlie confronts, but also accommodates both *resolvable dilemmas*—cases in which an agent may fulfill either of two conflicting obligations—and *irresolvable dilemmas*—cases in which an agent has no permissible options. And I will argue that it can both accommodate *compromise cases*—cases in which the right course of action involves a compromise between the demands of conflicting obligations—and explain *residual oughts*, such as that Charlie ought to account to Able for breaching her obligation to meet him. Finally, I will defend the Dispositional Account from objections that have been pressed against other accounts of moral conflict (W.D. Ross’s, in particular) that appeal to moral dispositions or incorporate the Forces Interpretation.

Throughout, my principal aims are, first, to offer a theoretically attractive and suitably metaphysical account of conflicts of obligation and, second, to show that the dispositional moral metaphysic that grounds the Dispositional Account has the resources to explain and accommodate plausible normative views that

⁴ Ross describes *prima facie* obligations as acts that tend to be “obligations” (or “duties *sans phrase*”) and draws an analogy between the moral tendencies, or dispositions, of such acts and the physical tendencies of bodies subject to gravitation and other physical forces (1930, 20, 28-9; 1939, 84-6, 89). Neither Brink nor Pietroski offers an account of what the metaphysical grounds of our moral obligations are. Nor does either explicitly appeal to dispositions, or powers. Rather, both associate obligations and moral forces with *ceteris paribus* laws. That’s consistent with the Dispositional Account, since obligating dispositions are apt to be the truthmakers for *ceteris paribus* laws such as “Promises ought to be kept, *ceteris paribus*” (Robinson 2011). But we cannot explain conflicts of obligation as conflicts between *ceteris paribus* laws (see § 2).

⁵ Non-moral analogs of such a metaphysic are defended by a number of metaphysicians and philosophers of science, including Cartwright (1989; 1999) and Ellis (2001; 2002). Dispositionalists like Cartwright and Ellis argue that dispositions (powers, capacities, etc.) are the metaphysical grounds of causation and causal laws. For ease of exposition, I assume that dispositions are properties. But it might be that properties are clusters of powers, and hence dispositional (see, e.g., Mumford 2004, 171-4; Shoemaker 1980).

rule- and law-based alternatives cannot. Readers should also note that I give little or no attention to some questions that traditionally figure in discussions of moral conflict. For example, I say very little about when it is appropriate for an agent to experience (e.g.) regret or remorse, and I say nothing at all about deontic logic or paradoxes. Discussions of moral conflict typically do just the opposite: give little or no attention to the metaphysical questions on which I focus.⁶ And my discussion will give these metaphysical questions the attention they deserve.

2. Rules, Principles, and Reasons

The characteristic feature of conflicts of obligation of the sort that Charlie confronts in *Injured Hiker* are that the relevant agent (*a*) has two conflicting obligations and (*b*) ought to fulfill one but not the other of them. Initially, one might think that resolvable conflicts of this sort are—at bottom—conflicts between duty-imposing rules, such as

KP KEEP YOUR PROMISES

and

PH PREVENT HARM.

On this view, conflicts between moral obligations are conflicts between rules of the sort that ground (metaphysically) duties or obligations.⁷ But while rule-based accounts of moral conflict can allow for conflicts of obligation, they rule out resolvable conflicts. For conflicts between duty-imposing moral rules would be *irresolvable dilemmas*, conflicts between obligations that—to borrow a phrase—“morality generates but does not resolve” (Horty 2003, 589). The characteristic feature of such conflicts is that the relevant agent has no permissible options, because she has two conflicting obligations, neither of which she may breach.

Suppose, for instance, that Charlie’s obligation to meet Able *if she has one* is grounded (metaphysically) in KP and that her obligation to save Baker is grounded in PH. There are now two relevant possibilities. Either there is a third

⁶ For instance, Williams (1979) prescinds these questions by claiming that those who believe that conflicts of obligation are metaphysically impossible bear the burden of argument, as nothing in “the logic of moral expressions” guarantees that there are no such conflicts (75). And Horty (2003) aims to show only that “there is no logical or conceptual reason to reject the possibility of moral conflict[s]” involving “all things considered” oughts (560).

⁷ Such rules must be distinguished not only from “guidelines,” “rules of thumb,” etc., but also from so-called descriptive rules that merely codify independently existing norms or standards.

rule—a priority rule—that eliminates this potential conflict between KP and PH or there is no such rule.⁸

First, suppose that there is no such rule. In that case, KP and PH conflict, and Charlie has conflicting obligations to meet Able and to save Baker. But this conflict is an irresolvable dilemma. Charlie ought to meet Able. Charlie ought to save Baker. And that is all that morality has to say about the matter. It leaves this conflict unresolved. And, as a result, Charlie has no permissible options, for she may breach neither of these obligations.⁹

Now, suppose that there is a priority rule that eliminates this potential conflict between KP and PH. And suppose that it is

PR PH TRUMPS KP WHENEVER THE PROMISE IS MINOR AND THE
HARM IS GREAT.¹⁰

In that case, KP and PH do not conflict, and Charlie does not have conflicting obligations. For she has no obligation to meet Able—at least not once she happens upon Baker. Rather, it is as if KP were not KEEP YOUR PROMISES, but rather the very different rule, KEEP YOUR PROMISES EXCEPT WHENEVER PREVENTING A GREAT HARM REQUIRES BREAKING A MINOR PROMISE. For given these rules and the circumstances of *Injured Hiker*, KP no more obligates Charlie to meet Able than, say, a law prohibiting homicide makes killing horses a crime.¹¹

As the foregoing shows, conflicts between duty-imposing moral rules would be irresolvable dilemmas. And rule-based accounts of moral conflict rule out resolvable conflicts, including ones of the sort that Charlie confronts: the sort in

⁸ There might be a third possibility: that a third rule imposes a further obligation on Charlie to help Baker *rather than* meet Able (or vice versa), one that is distinct both from her obligation (under PH) to help Baker and her obligation (under KP) to meet Able. But if there were such a rule, it would then be the case that Charlie ought to meet Able, that Charlie ought to help Baker, and that Charlie ought to help Baker rather than meet Able. And (*ex hypothesi*) it's not the case that Charlie ought to meet Able. Hence, we could not explain how resolvable conflicts of the sort that Charlie confronts in *Injured Hiker* are possible by positing such second-order duty-imposing rules.

⁹ One might object that this is true only if KP and PH are not rules of *pro tanto* obligation—i.e., rules that ground (metaphysically) *pro tanto* obligations. But this objection assumes that rules can ground *pro tanto* obligations, which assumption is false (Robinson, forthcoming, § 5).

¹⁰ As stated, PR applies to all cases in which the promise is minor and the harm is great. However, my argument here does not assume that priority rules must be of such broad application. Nor does it assume that they must be as simple as PR. Indeed, for all I argue, a set of priority rules could be so large and so complex that it would be impossible for us to fully grasp it. A (fully) rule-based account of morality is only committed to saying that morality is a system of rules (duty-imposing rules, priority rules, etc.). It is not committed to saying that we can grasp those rules in all their multitude and complexity.

¹¹ Charlie might be said to have the following conditional obligation: to meet Able if she can do so without failing to save Baker. But such a conditional obligation is not an obligation to meet Able.

which the relevant agent ought to fulfill one but not the other of her two conflicting obligations. Thus, we cannot explain how such conflicts are possible by positing that they are conflicts between duty-imposing rules.¹²

What about Philippa Foot's suggestion (1983, 251) that such conflicts are conflicts between *principles*? Could we explain how resolvable conflicts are possible by positing that they are conflicts between moral principles, rather than moral rules?

The problem here is that the term “principle” is simply too vague for this idea to stand on its own. In order to explain how resolvable conflicts are possible by positing that they are conflicts between moral principles, one would have to say what moral principles are such that they can conflict in just the way that (e.g.) Charlie's obligations do. As the foregoing shows, it won't do to say that moral principles are duty-imposing moral rules. Nor will it do to say that moral principles are theoretical generalizations—that is, “laws” in the sense in which that term is generally used in the literature on scientific laws and laws of nature (so-called).¹³ Unlike duty-imposing rules, theoretical generalizations are not apt to be the metaphysical grounds of obligations (see Robinson 2008; 2011). Moreover, genuine laws (in this sense) cannot conflict. If two proposed laws make conflicting claims (as Newton's and Einstein's laws of gravity do), then at least one of them is false. And while genuine *ceteris-paribus* laws can provide inferential support for conflicting *claims* (e.g., that Charlie ought to meet Able and that Charlie ought to help Baker), genuine *ceteris-paribus* laws can no more conflict than can “strict” laws.¹⁴ Thus, if conflicts of obligation would be conflicts between laws (in this sense), there can be no such conflicts.

¹² The foregoing argument assumes that any resolution to a conflict between duty-imposing rules would have to be grounded in priority rules, rather than in non-rule grounds. This assumption holds in a (fully) rule-based account of moral conflict, and so the argument suffices to show that such accounts rule out resolvable conflicts. But there might be logical space for a hybrid account according to which obligations are grounded in rules but resolutions to conflicts are grounded in non-rule grounds. We would need to see such an account worked out to know not only whether it's tenable, but also whether it's preferable to either a (fully) rule-based account or the Dispositional Account. An anonymous referee suggested that Ross offers at least the makings of such a hybrid account, but that assumes that Ross's view is that obligations are grounded in rules, rather than dispositions (cf. Robinson 2011; forthcoming).

¹³ Cf. Brink 1994; Lance and Little 2007; Pietroski 1993; Väyrynen 2009.

¹⁴ The difference between a *ceteris-paribus* law and a strict law is simply that the former holds “only in circumscribed conditions or so long as no factors relevant to the effect besides those specified occur” (Cartwright 1999, 28), or “only in a ‘closed system’, i.e. a system considered in abstraction from other, independently existing factors” (Pietroski and Rey 1995, 89).

What about the idea that resolvable conflicts are conflicts between *reasons*?¹⁵ Could we explain how resolvable conflicts are possible by positing that they are conflicts between moral reasons, rather than moral rules?

As with the term “principle,” the term “reason” is simply too vague for this idea to stand on its own, without an account of what moral reasons are such that resolvable conflicts between them are possible. Simply characterizing moral reasons as *pro tanto* or contributory reasons doesn’t suffice to explain this. For to characterize moral reasons as such reasons is, *inter alia*, to characterize them as the sort of reasons between which resolvable conflicts are possible.¹⁶ And since it’s possible to understand moral and other reasons as or in terms of rules or principles, positing that resolvable conflicts are conflicts between moral reasons isn’t necessarily an advance over the claim that they are conflicts between rules or principles.¹⁷ Additionally, it’s far from clear that reasons and obligations are of the same ontological kind. For reasons are often taken to be propositions, and it’s far from clear that obligations are propositions.¹⁸ (On the Dispositional Account, obligations are not propositions, but rather manifestations of obligating dispositions.) Finally, it’s worth noting that whether conflicts between *moral* reasons are possible is itself an issue in the broader debate over the possibility of moral conflict: some who deny that conflicts between obligations are possible also deny that conflicts between moral reasons are possible.¹⁹

Now my point here is not that conflicts between moral obligations are not (also) conflicts between moral reasons or principles. Nor is it that an account of

¹⁵ See, e.g., Dancy 1993, chap. 7; cf. Brink 1994, 216-20. Some would say that what I call conflicts of obligation are best understood as conflicts between moral reasons *rather than* as conflicts between moral obligations (see, e.g., Stratton-Lake 2002, xxxii-v, xxxvii-viii ; cf. Donagan 1984, 272, 275; 1993, 18-20). What difference, if any, there is supposed to be between a “moral reason” and a moral obligation (or duty) is unclear, especially if one distinguishes—as I have—between what an agent has an obligation to do and what an agent ought to do. Moreover, one might well doubt that every moral reason is (or corresponds to) an obligation (Williams 1985, 185-6). In any case, the question of whether what I call obligations are best understood as obligations, or as reasons, or as both is orthogonal to my present concerns.

¹⁶ The same is true, *mutatis mutandis*, of characterizing moral obligations or moral principles as *pro tanto* or contributory obligations or principles.

¹⁷ One recent view that understands reasons in terms of rules or principles is Horty’s, which understands reasons for action and belief as “premises of defaults,” which defaults are “default rules,” or “defeasible generalizations” (2007). A classic one is Hare’s: “the notion of a reason, as always, brings with it the notion of a rule which *lays down* [my emphasis] that something is a reason for something else” (1963, 21). Pietroski suggests that we understand right-making factors in terms of theoretical generalizations (1993, 492-3).

¹⁸ It’s also far from clear that propositions can conflict in the requisite way. Although it is clear that, as with *ceteris-paribus* laws, they can provide inferential support for conflicting *claims*.

¹⁹ For instance, Donagan would deny that Charlie has any *moral* reason to meet Able. On his view, only *non-moral* reasons for action can conflict (1984, 286-8).

how resolvable conflicts of the sort that Charlie confronts in *Injured Hiker* are possible could not begin by positing that such conflicts are conflicts between reasons or principles. Rather, my point is simply that one could not explain how resolvable conflicts are possible *simply* by positing this. One would also have to develop and defend a suitable account of what moral reasons or principles are—an account that would enable one to explain how resolvable conflicts between such reasons or principles are possible. Moreover, I don't mean to deny that this could be done. Indeed, one could arrive at the Dispositional Account by first positing that conflicts between moral obligations are conflicts between moral reasons or principles and then explaining conflicts between such reasons or principles as conflicts between the manifestations of obligating dispositions.²⁰ But, as I will now show, a different approach is available—one that doesn't require defending a particular account of moral reasons or principles. For we can abstract away from questions about the nature of moral reasons and principles and give an account of conflicts of obligations as conflicts between the manifestations of obligating dispositions.

3. The Dispositional Account

Resolvable conflicts of the sort that Charlie confronts look very much like conflicts between the manifestations of certain causal dispositions (causal powers, capacities, etc.). To see this, imagine a refrigerator magnet. The magnet is held to the door of the refrigerator by a magnetic force, which force is (plausibly) a manifestation of the magnet's own magnetic powers. But this magnetic force is not the only force acting on the magnet. For instance, the magnet is also subject to a gravitational force, which force is (plausibly) a manifestation of the Earth's gravitational powers.²¹ These two forces conflict, but—given their relative magnitudes—the magnet remains fixed to the door rather than falling to the floor. Now consider *Injured Hiker*. Charlie's obligation to save Baker is like the magnetic force that holds the magnet to the door of the refrigerator, while her obligation to

²⁰ For example, one could argue (1) that moral reasons (e.g., that Baker is badly injured) are propositions whose "objective correlates" are circumstances (e.g., Baker's being badly injured) in which obligating dispositions manifest, (2) that conflicts between moral reasons are reducible to correlative conflicts between the manifestations of such dispositions, and (3) that moral obligations just are the manifestations of obligating dispositions. Note that, on this view, the contribution that a contributory moral reason makes to the overall moral status of an act is reducible to its correlative obligation.

²¹ Cf. "A causal power is a disposition of something to produce forces of a certain kind" (Ellis 2001, 128); "Gravitational mass...is a causal power: it is the power of an object to generate gravitational fields. Charge is a causal power: it is the power of a body to produce electromagnetic fields" (Ellis 2002, 47).

meet Able is like the gravitational force that acts on the magnet but is unable to move it. The conflict between these obligations is like the conflict between those forces. And—given the relative “weights” of these obligations—Charlie ought to save Baker rather than meet Able, just as—given the relative magnitudes of those forces—the magnet remains fixed to the refrigerator door rather than falling to the floor.

This suggests that we could explain how resolvable conflicts are possible by positing that they are conflicts between the manifestations of obligating dispositions (obligating powers, capacities, etc.). For instance, we might explain the conflict that Charlie confronts as follows. Charlie is bound to save Baker by an obligation, which obligation is a manifestation of Baker’s power *qua* moral person to obligate moral agents to save him (i.e., to keep him safe or rescue him from harm or danger).²² But this obligation is not the only obligation that binds Charlie: it’s not, if you like, the only moral force acting on her. For Charlie is also bound to meet Able by an obligation, which obligation is a manifestation of Charlie’s own power *qua* moral agent to obligate herself by promising. These two obligations conflict, but—given their relative “weights”—Charlie ought to save Baker rather than meet Able.

This dispositional account of conflicts of obligation—the Dispositional Account—incorporates the Forces Interpretation (see § 1; Brink 1994; Pietroski 1993). As I will understand it, the Forces Interpretation maintains that moral obligations are either forces or else analogous to forces in certain crucial respects. What the Dispositional Account adds to the Forces Interpretation are the following further claims. First, the metaphysical grounds of our moral obligations are dispositions (or powers), rather than (say) rules or laws. Specifically, they are *obligating dispositions*: real, irreducibly dispositional properties (powers, capacities, etc.) of moral persons—agents and patients—that can and do ground the moral obligations of moral agents without the metaphysical backing (so to speak) of duty-imposing moral rules or other moral laws (Robinson 2011).²³ And possible examples of such dispositions include not only the power of persons to obligate agents to save them and the power of agents to obligate themselves by promising, but also the capacity of sympathetic agents to be obligated by sentient agents and

²² To say (e.g.) that Charlie’s obligation to save Baker is a manifestation of Baker’s power to obligate agents to save him is *not* to say that Baker exercised this power *voluntarily* (e.g., by asking Charlie for help). Myriad things without wills—including refrigerator magnets and the Earth—have causal powers, which powers they exercise non-voluntarily. And the Dispositional Account allows for obligating dispositions that can be exercised non-voluntarily. Thus, it allows that patients (infants, dogs, etc.) can bear obligating dispositions, including the power to obligate agents not to harm them.

²³ See note 5 above.

patients and the power of rational beings to obligate themselves to promote the good²⁴ or to respect rational agency in themselves and others.²⁵ Second, token obligations, such as Charlie’s obligation to meet Able and her (“weightier”) obligation to save Baker, are manifestations of obligating dispositions, just as physical forces are manifestations of (certain) causal dispositions (e.g., mass and charge).²⁶ And like forces, they are contributions to or influences on outcomes or effects that are capable of conflicting with or opposing one another (see § 6). Third, conflicts between token obligations are conflicts between the manifestations of obligating dispositions, just as conflicts between physical forces are conflicts between the manifestations of (certain) causal dispositions.²⁷

Unlike rule-based accounts of moral conflict, the Dispositional Account enables an explanation of how resolvable conflicts of the sort that Charlie confronts are possible. This explanation begins by positing that such conflicts are conflicts between obligations, understood as manifestations of obligating dispositions (moral forces, if you like). It then posits that, like physical forces, obligations so understood vary in magnitude, that the “weight” of an obligation just is the magnitude thereof,²⁸ and that to say that one obligation *A* “outweighs” another obligation *B* is just to say that *A* is an obligation of greater magnitude than *B*. Finally, it explains how resolvable conflicts of the sort that Charlie faces are possible as follows. When two obligating dispositions manifest together, one may generate an obligation of greater magnitude than the other. And in the event that these manifestations conflict, the greater (or “weightier”) of the two—the obligation of greater magnitude—defeats the other such that one ought to fulfill it, rather than the other. (Compare how the greater magnetic force generated by the magnet’s own magnetic powers defeats the weaker gravitational force generated

²⁴ Cf. “The principle [of utility] may be taken for an act of the mind; a sentiment which, when applied to an action, approves of its utility, as the quality of it by which the measure of approbation or disapprobation bestowed upon it ought to be governed” (Bentham 1789, chap. 1, ¶ 2, n. 7); “[A]s a rational being I am bound to aim at good generally,—so far as it is attainable by my efforts,—not merely at a particular part of it” (Sidgwick 1907, 381).

²⁵ Note that dispositions, or powers, are typically characterized in terms of what they empower, enable, or dispose their bearers to do (see note 21 above).

²⁶ It may be that mass and charge are ungrounded (or baseless) dispositions (or powers). But it seems likely that obligating dispositions would have to be grounded in—or even reducible to—the powers and capacities that are constitutive of moral agency and patiency (e.g., our ability to act on reasons, our capacity for sympathy, or our ability to experience pleasure and pain), just as it seems plausible that duty-imposing moral rules would have to be grounded in, say, divine will, or social convention, or practical reason.

²⁷ For this view of forces, see Molnar 2003, 194-8.

²⁸ Note that, although my weight is determined in part by a feature of me (my gravitational mass), it is not a property of me, but rather the magnitude of a gravitational force acting on me.

by the Earth's gravitational powers such that the magnet remains fixed to the refrigerator door.)

The foregoing shows that we could explain resolvable conflicts of the sort that Charlie confronts by positing that they are conflicts between the manifestations of obligating dispositions. Granted, such explanations carry substantive commitments—including metaphysical commitments—that are controversial and must ultimately be defended. But that would be true of *any* account of the metaphysics of moral conflict. (For instance, a rule-based account would carry a commitment to a rule-based moral metaphysic.) Moreover, demonstrating the explanatory power of the Dispositional Account is part and parcel of defending its substantive commitments—including its metaphysical commitments. Thus, the arguments of this paper not only motivate interest in the Dispositional Account and the dispositional moral metaphysic that grounds it, but also contribute to the defense of their substantive commitments.

With that in mind, consider the following case, which will serve to further illustrate the Dispositional Account and its explanatory power:

Trolley Driver. Edward is the driver of a trolley, whose breaks have just failed. On the track ahead of him are five people; the banks are so steep that they are not able to get off the track in time. The track has a spur leading off to the right, and Edward can turn the trolley onto it. Unfortunately there is one person on the right-hand track. Edward can turn the trolley, killing the one; or he can refrain from turning the trolley, killing the five. (Thomson 1979, 80-1)

Unlike Charlie, who is faced with a conflict between positive obligations (obligations to act), Edward is faced with a conflict between negative obligations (obligations to forbear from acting) (Foot 1967, 27-8). For now, suppose (*pace* Thomson) that Edward *ought* to turn the trolley.

Given the Dispositional Account, one might explain both this conflict of negative obligations and this (supposed) resolution as follows. Edward is bound not to kill the one on the spur—and thus not to turn the trolley—by an obligation, which obligation is a manifestation of the one's power (*qua* person) to obligate agents not to harm her. But this obligation is not the only obligation that binds Edward. For Edward is also bound not to kill each of the five on the track ahead—and thus *to* turn the trolley—by five separate obligations, each of which is a manifestation of a different trope of the same power, the power of persons to obligate agents not to harm them.²⁹ Each of the five on the track ahead bears a

²⁹ Why complicate matters by supposing that Edward has several obligations not to kill each of the five, rather than a single obligation not to kill them all? Because on some views Edward owes a

trope of this power, and—in manifesting—each of these tropes obligates Edward not to harm its bearer. These two sets of obligations conflict, but—given the combined “weights” of the five in the second set relative to the “weight” of the one in the first—Edward ought to turn the trolley.³⁰

Finally, consider a variation of Kant’s infamous case:

Murderer at the Door. A murderer, Hatchet, is pursuing his next intended victim, Purity. He stops at the door of Purity’s friend Fidelity and asks her whether Purity has taken refuge in her house. Fidelity can save Purity from Hatchet, but only by lying to Hatchet about Purity’s whereabouts. (Cf. Kant 1797a, 8:425)

One might well think (as I do) that Fidelity has no obligation to forbear from lying to Hatchet about Purity’s whereabouts. In which case, she does not have conflicting obligations. But suppose—with Kant—that Fidelity is obligated not to lie to Hatchet and—*pace* Kant—that she is also obligated to save Purity. On this view, Fidelity is faced with a conflict between a negative obligation and a positive obligation.

Now surely—*pace* Kant—Fidelity ought to lie to Hatchet rather than fail to save Purity. And given the Dispositional Account, one might explain both this (supposed) conflict of obligations and this outcome as follows. Fidelity is bound not to lie to Hatchet by an obligation, which obligation is a manifestation of Hatchet’s power (*qua* person) to obligate agents not to lie to him. Or, in a more Kantian vein, one might posit that this obligation is a manifestation of Fidelity’s own power *qua* rational being to obligate herself to respect rational agency in herself and others (even Hatchet). But this obligation is not the only obligation that binds Fidelity. She is also bound to save Purity by an obligation, which obligation is a manifestation of Purity’s power (*qua* person) to obligate agents to save her. These two obligations conflict, but—given their relative “weights” and the impossibility of saving Purity without lying to Hatchet—Fidelity ought to lie to Hatchet rather than fail to save Purity.

It should be noted that the Dispositional Account does not entail that Fidelity ought to lie to Hatchet rather than fail to save Purity. And one who accepts it could take the less plausible but more Kantian view that—given the relative “weights” of Fidelity’s conflicting obligations and the impossibility of saving Purity

duty to each of the five not to kill her because each of the five has a right against Edward that he not kill her.

³⁰ As this shows, the Dispositional Account allows for obligating dispositions that manifest by default, so to speak. For example, it allows that the power of persons to obligate agents not to harm them manifests by default, just as the Earth’s gravitational powers manifest by default (Robinson 2011, § 5).

without lying to Hatchet—Fidelity may *not* lie to Hatchet in order to save Purity. Nor does it entail that Fidelity has an obligation to forbear from lying to Hatchet about Purity’s whereabouts. It is perfectly consistent with the Dispositional Account to deny (as I would) that she has any such obligation.³¹ (For that matter, it is perfectly consistent with this account to deny—with Kant—that Fidelity has an obligation to save Purity.) The broader point here is that the view that conflicts of obligation are conflicts between the manifestations of obligating dispositions has no more *normative* content than the view that conflicts of obligation are conflicts between duty-imposing moral rules—save for the fact that it is consistent with a wider, or at least a different, range of normative views, since it allows for resolvable conflicts.

4. Resolvable Dilemmas, Disjunctive Obligations, and The Trolley Problem

Now consider cases like the following.

Silvia’s Choice. Silvia is the mother of twin boys, Romulus and Remus. The twins are both trapped in a burning building. Silvia can save only one of them. The other will die.

To keep things simple, let’s make two stipulations:

- (1) Silvia ought to save either Romulus or Remus.
- (2) It’s not the case that Silvia ought to save both Romulus and Remus.

It seems possible that

- (3) Silvia has both an obligation to save Romulus and an obligation to save Remus.³²

If so, Silvia confronts what I will call a *resolvable dilemma*, the characteristic features of which are that the relevant agent (*a*) has two conflicting obligations, neither of which is defeated by the other, and (*b*) *may* fulfill either of them. Here it’s also the case that the relevant agent (Silvia) *ought* to fulfill one or the other of her undefeated obligations. But this is not a necessary feature of such dilemmas (see below).

It also seems possible that

³¹ One way to accommodate this view within the dispositional moral metaphysics that grounds the Dispositional Account would be to posit that, by trying to kill Purity, Hatchet thereby exercises a masking power whose manifestation prevents the manifestation of whatever obligating disposition would otherwise obligate Fidelity to forbear from lying to Hatchet (see Robinson 2011, § 6; forthcoming).

³² See, e.g., Brink 1994, 225, 237-42; Pietroski 1993, 507-8. Cf. Marcus 1980, 192-3.

(4) Silvia has only a single, disjunctive obligation to save one or the other of her twins.³³

In which case, Silvia does not have conflicting obligations. And she ought to save either Romulus or Remus for the simple reason that her only relevant obligation is to do just that.

In section 2, I argued that rule-based accounts of moral conflict rule out resolvable conflicts. That argument applies, *mutatis mutandis*, to resolvable dilemmas. Such an account could allow either that (3) is true or that (1) is true. But it could not allow that both are true. Thus, while a rule-based account of moral conflict would allow us to say (4), it would preclude us from saying (3), given our first stipulation.

I will now argue that the Dispositional Account allows us to say either (3) or (4), even given our two stipulations.

Let's start with (3). If (3) is true, then Silvia is faced with a conflict between positive obligations of equal weight. And given the Dispositional Account, one might explain both this conflict and our (stipulated) disjunctive resolution as follows. Silvia is bound to save Romulus by an obligation, which obligation is a manifestation of Romulus's power to obligate agents to save him. But Silvia is also bound to save Remus by an obligation, which obligation is a manifestation of Remus's power to obligate agents to save him. These two obligations conflict, but—given their relative “weights” and the impossibility of Silvia's saving both of them—Silvia ought to save either Romulus or Remus.³⁴

One potential worry about this explanation is a worry that one might have about any version of the Forces Interpretation. It's generally assumed that the Forces Interpretation allows us to say that an agent confronted with a conflict between two undefeated obligations *may* fulfill either of them.³⁵ But one might wonder whether this assumption is correct. If cases like *Injured Hiker* are analogous to balance of forces cases like the magnet case, then cases like *Silvia's Choice* seem analogous to balance of forces cases in which objects are subject to forces of equal magnitude pulling in different directions. And such cases don't generally admit of

³³ See, e.g., Donagan 1984, 286-8; cf. MacIntyre 1990, 369. Donagan would allow that Silvia confronts a conflict between reasons for action; but he would deny that these reasons are *moral* reasons.

³⁴ This explanation of why Silvia is faced with a resolvable dilemma takes no account of the fact that Silvia is the twins' mother. One might think that, as their mother, Silvia has greater obligations to save the twins than a stranger would. Moreover, one might think that a stranger's obligations to save them would not be so great as to require him to risk his own life by running into the burning building. The Dispositional Account is consistent with these views, and the dispositional metaphysic that grounds it can accommodate them (see Robinson, in preparation).

³⁵ See, e.g., Brink 1994; Horty 2003; Pietroski 1993. See also Ross 1930, 3-4; 1939, 43-4.

disjunctive solutions. For instance, an object held in a tug-of-war between two opposing forces of equal magnitude will not move in the direction of either force: rather, it will move in the direction of neither force. Thus, one might take the Forces Interpretation to imply that an agent confronted with a conflict between two undefeated obligations may fulfill *neither* of them, rather than either of them. In which case, the Forces Interpretation rules out resolvable dilemmas.

But not all forces combine and interact in the way that gravitational and magnetic forces do. Motivational forces seem the most apt illustration of this. Suppose not only that Silvia has both a desire to save Romulus and a desire to save Remus, but also that neither of these desires is stronger than the other: that they are motivational forces of equal magnitude. Silvia can and presumably will fulfill one or the other of these desires. More generally, an agent torn between conflicting desires of equal strength can and often will fulfill one or the other of them. Thus, the Forces Interpretation does not imply that an agent confronted with a conflict between two undefeated obligations may fulfill neither of them. It does not rule out resolvable dilemmas.

The foregoing shows that the Dispositional Account allows us to say (3), even given our two stipulations. But does it allow us to say (4)? Does the Dispositional Account allow us to say that Silvia's only relevant obligation is a single, disjunctive obligation to save one or the other of her twins?

It does. The previous explanation of why Silvia ought to save either Romulus or Remus assumed that Silvia has separate obligations to save each of her twins and then posited that each of these obligations was a manifestation of an obligating disposition borne by one of the twins. But one might—consistent with the Dispositional Account—give the following explanation of why Silvia's only relevant obligation is a disjunctive obligation to save one or the other of her twins. As a rational being, Silvia is bound by an obligation to promote the good, which obligation is a manifestation of her power *qua* rational being to obligate herself to promote the good. As what fulfilling this obligation requires in *Silvia's Choice* is saving either Romulus or Remus, Silvia has an obligation to save one or the other of them. And as this is her only relevant obligation, she ought to save one or the other of them.

The foregoing shows that the Dispositional Account allows us to say either (3) or (4), even given our two stipulations. That is, it allows us to say either that Silvia confronts a resolvable dilemma or that Silvia does not have conflicting obligations because she has only a single, disjunctive obligation to save one or the other of her twins. Moreover, it shows that the dispositional moral metaphysic that grounds the Dispositional Account has the resources to accommodate both of these competing views. The question of which, if either, of them is correct is a further question. Moreover, it's a question for normative ethics, not moral metaphysics.

Now recall *Trolley Driver*. In the previous section we supposed that Edward *ought* to turn the trolley. Now suppose that it's merely permissible for Edward to turn the trolley: that he may do so, but that it's not the case that he *ought* to do so. It might be false (or even senseless) to say that Edward *ought* to either stay his present course or turn the trolley. After all, he can't avoid doing one or the other. But on this view he *may* do either: he may fulfill either his obligations not to kill the five on the track ahead or his obligation not to kill the one on the spur. Thus, on this view, Edward confronts a resolvable dilemma. Or rather, he confronts a cluster of five such dilemmas, each of which is a conflict between his obligation not to kill the one on the spur and one of his several obligations not to kill each of the five on the track ahead. I will now argue that the Dispositional Account also accommodates this view.

Previously, we assumed that Edward *ought* to turn the trolley, and the explanation we considered of why that was so posited that Edward's obligations not to kill each of the five on the track ahead have a combined "weight" that is greater than the "weight" of his obligation not to kill the one on the spur. That explanation posited that the fives' powers to obligate Edward not to kill them work together to generate a greater obligation (a greater obligating force, if you like) than any of them would generate on its own, much as five people might combine their physical powers to lift an object that is too heavy for any one of them to lift.

Now both the Dispositional Account and the metaphysic that grounds it allow for this, but neither requires it. For one thing, powers need not combine in this particular way. If one aspirin has the power to relieve my headache, so do five. But it does not follow that taking five will be more effective than taking one. Perhaps I would get quicker or longer-lasting relief if I took more than one, but I might not: taking five might be a complete waste of four perfectly good aspirin. Or take a case involving conflicting motivational forces. Suppose that Edward is equally averse to killing *each* of the five on the track ahead and the one on the spur. It does not follow—and might not even be true—that he is more averse to killing *all* of the five than he is to killing the one. He could be just as motivated not to kill the one as he is not to kill the five.

The general point here is that neither the Dispositional Account nor the dispositional metaphysic that grounds it entails any particular account of how obligations and other morally relevant factors combine and interact to make right acts right and wrong acts wrong. Thus, neither tells us whether Edward confronts a cluster of resolvable dilemmas or just a resolvable conflict. Nor, for that matter, does either tell us whether it's permissible for Edward to turn the trolley. For all that either maintains, it could be that Edward may not turn the trolley, but rather ought to stay his course.

Now consider Thomson's *Bystander at the Switch*, in which a bystander—I'll call her Bonnie—can save the five on the track ahead from being killed by the runaway trolley, but only by throwing a switch, thereby turning the trolley, and thereby killing the one on the spur (1985, 96). This case differs both from *Trolley Driver* and from *Silvia's Choice* in that Bonnie arguably faces a conflict between positive and negative obligations, rather than either a conflict between negative obligations or a conflict between positive obligations. (In this respect, it resembles *Murderer at the Door*.) Nevertheless, two things should be clear from the foregoing. First, the Dispositional Account can accommodate both the view that Bonnie has conflicting obligations and the view that she has only a single obligation. Second, the Dispositional Account can accommodate the view that Bonnie ought to turn the trolley, the view that it's merely permissible for her to turn the trolley, and the view that she may not turn the trolley.

But can it also accommodate the familiar view that *Bystander at the Switch* is morally different from Thomson's *Fat Man*, in which saving the five on the track ahead can be accomplished only by shoving "a really fat man" into the path of the runaway trolley (109)? In particular, can it accommodate the view that Bonnie confronts a resolvable *dilemma* in *Bystander at the Switch* but a resolvable *conflict* in *Fat Man*? And can it accommodate the familiar view that it's merely permissible for Bonnie to turn the trolley but impermissible for her to shove the large man?

Indeed, it can. For example, one might give the following (dispositional) account of these cases. First, in each case Bonnie is bound not to kill the one—and thus not to turn the trolley or shove the large man—by an obligation, which obligation is a manifestation of the one's power (*qua* person) to obligate agents not to kill him. Second, Bonnie is also bound in each case to save each of the five on the track ahead—and thus *to* turn the trolley and *to* shove the large man—by five separate obligations, each of which is a manifestation of a different trope of the power of persons to obligate agents to save them. Each of the five on the track ahead bears a trope of this power, and—in manifesting—each of these tropes obligates Bonnie to save its bearer. Third, in each case, these two sets of obligations conflict, but with different results. In *Fat Man*, the combined "weight" of Bonnie's several obligations to save the five is *not* great enough to counterbalance the "weight" of her obligation not to kill the one; thus, it is impermissible for her to shove the large man. But in *Bystander at the Switch*, things are different: *for some reason*, the combined "weight" of Bonnie's several obligations to save the five *is* great enough to counterbalance the "weight" of her obligation not to kill the one, thus making it merely permissible for her to turn the trolley.

But what might that reason be? Why is it that the fives' powers to obligate Bonnie to save them (working together) generate a great enough obligation to counterbalance her obligation not to kill the one in *Bystander at the Switch* but not in

Fat Man? This is the form that The Trolley Problem takes on this account of these cases. And the answer to it depends on what the solution to The Trolley Problem is, if indeed there is one. For example, suppose that the morally relevant difference between shoving the large man and turning the trolley is the difference between *initiating* a fatal causal sequence and *diverting* one (Foot 1984). In that case, the answer might be the following. A person's power to obligate agents not to kill her obligates agents not to kill her in various ways, including by initiating a causal sequence that kills her and by diverting a causal sequence such that it kills her rather than others. But the magnitude of the obligation varies with the mode of killing such that the obligation not to divert a fatal causal sequence is not as great as the obligation not to initiate such a sequence. (Compare how the magnitude of an agent's aversion to killing might vary in the same way such that one might be less averse to killing by diverting fatal causal sequences than one is to killing by initiating such sequences.) And while the latter obligation is great enough to defeat the combined "weight" of five obligations to save, the former is only great enough to counterbalance it. Thus, Bonnie's obligation not to kill the one on the spur *by turning the trolley* does not defeat her several obligations to save the five on the track ahead, but her obligation not to kill the large man *by shoving him into the path of the trolley* does. Moreover, since the Dispositional Account allows that the magnitude of the obligation not to kill varies with the mode of killing, it should accommodate any proposed solution to The Trolley Problem, not just this one.

Again, it bears stressing the normative neutrality of the Dispositional Account. I've argued that it can accommodate the familiar view that *Bystander at the Switch* is morally different from *Fat Man*. But it can just as easily accommodate alternative views on which this is not the case. For instance, nothing in the Dispositional Account entails anything at all about the relative weights of Bonnie's obligations to save the five on the track ahead, not to kill the one on the spur, and not to kill the large man. Moreover, while it allows that the magnitude of the obligation not to kill varies with the mode of killing, it equally allows that it does not. Thus, it does not entail that Bonnie may turn the trolley. Nor does it entail that she may not shove the large man.

5. Irresolvable Dilemmas

Now recall *Trolley Driver* again, and consider the possibility that Edward may *neither* turn the trolley *nor* stay his course and, thus, has no permissible options. On this view, Edward confronts an *irresolvable dilemma* (or a cluster thereof). One might well argue that this is not a genuine possibility, but a rule-based account of moral conflict could allow that this view is true: it need only posit that the rules of morality both prohibit Edward from killing the five on the track ahead and

prohibit him from killing the one on the spur (cf. § 1). Thus, we must ask, could the Dispositional Account also allow that it is true? Or does it rule out irresolvable dilemmas?

I begin by considering whether the Forces Interpretation rules out irresolvable dilemmas. Its proponents typically reject such dilemmas.³⁶ But does the Forces Interpretation *itself* rule them out? Paul Pietroski (1993) suggests that it does.³⁷ In particular, he appears to argue (by analogy) that the impossibility of irresolvable dilemmas follows from the fact that an object or population subject to two conflicting physical or evolutionary forces cannot (simultaneously) move or evolve both in the direction of one of those forces and in the direction of the other (502-3).³⁸ But does it follow?

Horty argues that it does not and, more broadly, that conflicts between moral forces might, at times, generate irresolvable dilemmas (2003, 594-6). But his argument fails to show this. He asks us to imagine that he (Horty) has taken a new job at Acme Corporation and that, through no fault of his own, he finds himself in the following predicament: he must drive to work on Monday and park in the Acme garage, or else his pay will be docked; but if he does that, he will be fined for parking in the Acme garage without the proper permit, which has yet to arrive in the mail. This, Horty submits, is a case in which he is “subject to certain forces that, if not moral, are at least normative, in the sense that [he] will receive a sanction...if [he] fails to act appropriately” (595). So far, so good. But can we conclude from this example that conflicts between moral forces might, at times, generate irresolvable dilemmas?

No, we can't. Even if we grant that Horty confronts a conflict of obligations, it's one that is grounded in a conflict between duty-imposing rules, one of which (as applied) requires him to park in the garage, and one of which (as applied) forbids him to do just that (595). This conflict is an irresolvable dilemma, but it's one that's generated by a conflict between rules, rather than a conflict between forces. So what this example shows (so far) is not that conflicts between moral forces might generate irresolvable dilemmas, but rather that conflicts between duty-imposing rules might generate such dilemmas (cf. 596).

Horty also confronts a conflict between reasons for action. That he will be sanctioned if he doesn't show up for work gives him (prudential) reason to show up for work. And that he will be sanctioned if he parks in the garage without the

³⁶ See Brink 1994, esp. § 5; Pietroski 1993, 502-3, 507-8.

³⁷ Horty reads not only Pietroski but also both Brink and Dancy as thinking that it does (2003, 593 & n. 15).

³⁸ Pietroski's argument appeals to an example very similar to *Injured Hiker*, which involves a conflict between positive obligations. But the argument seems intended to apply generally.

proper permit gives him (prudential) reason *not* to show up for work. But surely *this* conflict is resolvable. The balance of reasons might favor one of his two options, as it would if the fine for parking without the proper permit were less than the pay he would be docked for missing work. Or it might favor neither, in which case it's reasonable (rationally permissible) for him to choose either option. But surely, whatever the balance of reasons in this case, it's not both unreasonable (rationally impermissible, or contrary to reason) for Horty to show up for work *and* unreasonable for him not to do so. Nor is he rationally required both to show up for work and not to show up for work. Thus, Horty's example doesn't show that conflicts between moral forces might generate irresolvable dilemmas. If anything, it suggests just the opposite.

Although Horty's argument fails to show it, I do agree that the Forces Interpretation does not *itself* rule out irresolvable dilemmas. I argued above that we cannot infer that the Forces Interpretation rules out *resolvable* dilemmas from the fact that an object held in a tug-of-war between two opposing forces of equal magnitude will not move in the direction of either force. By the same token, we cannot infer that it rules out *irresolvable* dilemmas from the fact that an object or population subject to two conflicting physical or evolutionary forces cannot (simultaneously) move or evolve both in the direction of one of those forces and in the direction of the other. The Forces Interpretation *as such* no more entails that an agent confronted with a conflict between two undefeated obligations may fulfill *either* of them than it entails that an agent confronted with a conflict between two undefeated obligations may fulfill *neither* of them. The mere fact—if it is a fact—that moral obligations are forces or analogous to forces in certain crucial respects does not determine how obligations and other morally relevant factors combine and interact. And facts about what objects or populations *can* or *will* do in the event that they are subject to opposing physical or evolutionary forces do not determine facts about what an agent *may* or *ought* to do when she is confronted with conflicting obligations.³⁹ This is not to say that irresolvable dilemmas are possible, but only that the Forces Interpretation does not rule them out.

What about the Dispositional Account? It appears to allow that some obligating dispositions act as barriers to permissible action, just as some causal dispositions act as barriers to movement. And it appears to allow that, sometimes, these barriers leave us without permissible options. What I have in mind is (roughly) the difference between (*a*) being trapped in a tunnel and free to move in

³⁹ Nor do facts about what agents subject to opposing motivational forces can or will do. Suppose (e.g.) that Charlie has a desire to save Baker, a desire to meet Able, and that neither of these conflicting desires is stronger than the other. Charlie can and presumably will fulfill one or the other of them. But it does not follow—and is false—that Charlie may fulfill either of them.

only one or two directions and (b) being boxed-in and unable to move in any direction. The trolley is physically constrained by various causal dispositions such that it can only continue to move down the track or, if Edward so chooses, turn down the spur. And the Dispositional Account allows that the various obligating dispositions that ground Edward's obligations not to kill the five on the track ahead and not to kill the one on the spur constrain him in an analogous fashion, such that he may either stay his course or, if he so chooses, turn down the spur. But it also appears to allow that these obligating dispositions box Edward in, such that—although he *can* and *will* either stay his course or turn down the spur—he *may* do *neither*. And if it does allow this, then the Dispositional Account does not rule out irresolvable dilemmas.

What about irresolvable dilemmas involving conflicting positive obligations? The boxing-in metaphor seems less apt in such cases. An agent's positive obligations restrict her permissible options, but seemingly not in the same way that, say, the walls of a prison cell restrict a prisoner's movements. Suppose, for example, that Sartre's famous pupil confronts such a dilemma. In that case, he may neither go to England to join the Free French Forces nor stay near his mother and help her to live. But this isn't because he has obligations *not* to do each of these things, which obligations box him in (so to speak). Rather, it's because he has obligations *to* do each of them, neither of which obligations he may breach. Or suppose—less plausibly—that our two stipulations about *Silvia's Choice* are false and that Silvia confronts such a dilemma. Again, if this is so, it's not because Silvia is boxed-in by obligations *not* to save each of her twins, but rather because she has several obligations *to* save each of them, neither of which she may breach.

This difference notwithstanding, the Dispositional Account appears to allow that a conflict between two positive obligations could leave an agent without permissible options. Recall those balance of forces cases in which an object held in a tug-of-war between two opposing forces of equal magnitude will not—and indeed cannot—move in the direction of either of those forces. Taking forces to be manifestations of causal dispositions does not rule out such cases. And I see no reason to think that taking obligations to be manifestations of obligating dispositions rules out analogous moral cases, cases in which an agent confronted with a conflict between two undefeated positive obligations may fulfill *neither* of those obligations.

Again, nothing I've said here is a defense of irresolvable dilemmas. My concern here has only been to determine whether the Dispositional Account itself rules them out. And I conclude (with some reluctance) that it does not. If this is correct, the Dispositional Account leaves the question of whether irresolvable dilemmas can arise to normative ethics or, perhaps, to other areas of metaethics (cf. MacIntyre 1990). And that seems like the right result. All else being equal, our

metaphysics—moral or otherwise—should not rule out substantive views *ex ante*.⁴⁰ Thus, it is arguably a virtue of the Dispositional Account that it can accommodate irresolvable dilemmas. Conversely, that rule-based accounts of moral conflict rule out *resolvable* conflicts is arguably one of their vices. Nevertheless, if I'm wrong and the Dispositional Account does rule out irresolvable dilemmas, that's a bullet I'm willing to bite, as I find the claim that there are resolvable conflicts and dilemmas far more plausible than the claim that there are irresolvable dilemmas.

By the same token, the Dispositional Account leaves open those questions of deontic logic that traditionally figure in discussions of moral conflict, such as whether the principle of agglomeration is true.⁴¹ For the Dispositional Account is consistent not only with those systems of deontic logic that allow irresolvable dilemmas, but also with those that preclude them.⁴² Moreover, it's consistent with deontic logics that preclude resolvable dilemmas and, even, with those that preclude conflicts of obligation entirely. For nothing in either the Dispositional Account or the metaphysic that grounds it entails that there are conflicts of obligation, much less dilemmas. Rather, they entail that whether conflicts and dilemmas can arise or not depends both on what obligating dispositions there are and on how those dispositions combine and interact.

6. Compromise Cases & Residual Oughts

Now suppose that each of the cases I've discussed thus far is a resolvable conflict. In that case, they all share a common feature: the relevant agent may fully comply with the demands of at least one of his or her conflicting obligations. One might assume that all resolvable conflicts, including all resolvable dilemmas, would share this feature. But there are what I call *compromise cases*, cases in which the right course of action involves a compromise between the demands of two (or more) conflicting obligations.⁴³ Here is one such case:

⁴⁰ Of course, all else is not always equal, and there are cases in which different substantive views—in normative ethics and elsewhere—require different metaphysics. But as a general matter, it is not the job of a metaphysic to tell us what *is* the case, but rather to explain how what our best evidence and best theories tell us is the case *could* be the case.

⁴¹ This principle states that if an agent both ought to do *A* and ought to do *B*, then she ought to do both *A* and *B* (see Brink 1994, 227-30, 236-7; Horty 2003, 578-82; Williams 1965, § 8).

⁴² For examples of both sorts of logics and a discussion of how they differ, see Horty 2003.

⁴³ I have not seen such cases mentioned in the literature, much less discussed. Moreover, some writers express assumptions that rule them out—e.g., that whenever an agent has conflicting obligations she ought to fulfill either the weightiest of them or else one or the other of the weightiest of them.

Hard Times. In good times, George borrowed \$100 from Peter and \$100 from Paul. But then George fell on hard times. And now that his debts have come due, he has only \$100 with which to repay them.

George has both an obligation to repay Peter and an obligation to repay Paul, but he cannot repay both Peter and Paul. It could be that he may repay either of them. Or it could be that he ought to repay one of them but not the other. Either way, *Hard Times* would not be a counterexample to the assumption that any agent faced with a conflict of obligations may fully comply with the demands of at least one of those obligations. But there are numerous other possibilities. For instance, it could be that George ought to pay Peter and Paul \$50 each or that he ought to pay one of them \$40 and the other \$60. And given any of these other possibilities, *Hard Times* is a counterexample to that assumption. For in each of these other eventualities, George may *not* fully comply with the demands of either of his two conflicting obligations.

It might seem that we could understand compromise cases in the following, simple way. As a general matter, when one has conflicting obligations, one ought to comply with their demands in a manner that is proportional to their relative weights. For instance, if George's obligation to repay Peter is twice as weighty as his obligation to repay Paul, he ought to repay Peter \$67 and Paul \$33. But the demands of some obligations cannot be partially complied with. For instance, Sylvia cannot partially save either Romulus or Remus, much less both of them, nor can Edward partially avoid killing anyone. And in those cases, one may (fully) comply with the demands of any obligation that is not outweighed by another obligation that conflicts with it. On this account, what one ought to do depends not only on the relative weights of one's obligations, but also on whether their demands can be partially complied with.

The most salient problem with this simple account is that it does not allow for the possibility that George ought to fully repay one or the other of his creditors and may repay either. It might allow for cases in which George ought to fully repay one of them but not the other. For instance, if George's obligation to repay Peter is more than 100 times as weighty as his obligation to repay Paul, and if George can only make repayments in whole dollars, then this account might allow that he ought to repay his debt to Peter in full, leaving nothing for Paul. But whatever the merits of that (problematic) explanation of such cases, this account does not allow for the possibility that George ought to fully repay one or the other of his creditors and may repay either. For George's obligations to repay Peter and Paul are either of equal weight or of unequal weight. And in either case, this account implies that George ought to repay them proportionally. It does not allow that there are circumstances in which he ought to fully repay one or the other of them and may repay either.

One might mistakenly assume that the Forces Interpretation—and thus the Dispositional Account—is committed to this problematic account of compromise cases. For if cases like *Injured Hiker* are analogous to balance of forces cases like the magnet case, then cases like *Hard Times* seem analogous to balance of forces cases in which objects subject to two forces pulling in different directions move at an angle to both of them, rather than in the direction of either of them (or not at all). But—to repeat the refrain—not all forces combine and interact in the way that gravitational and magnetic forces do. And, once again, motivational forces seem the most apt illustration. Suppose not only that George has both a desire to repay Peter and a desire to repay Paul, but also that neither of these desires is stronger than the other: that they are motivational forces of equal magnitude. It remains an open question whether George will fully satisfy one of these desires and, if so, which it will be. And it remains an open question whether he will partially satisfy each of them and, if so, in what proportions. Moreover, these would still be open questions even if these desires were of unequal magnitude—if one were stronger than the other. Thus, neither the Forces Interpretation nor the Dispositional Account entails this overly simple account of compromise cases.

There are at least two better approaches to understanding compromise cases, both of which are compatible with the Dispositional Account. The first of these posits that agents have one or more background obligations that are not as weighty as the obligations that conflict in such cases but nevertheless influence the deontic outcomes in such cases by resolving conflicts between those weightier obligations. Suppose, for example, that there is a general obligation to promote the good that is outweighed by George's special obligations to Peter and Paul. One might posit that this general obligation resolves the conflict between these special obligations such that George ought to repay his debts to Peter and Paul in whatever proportion would best promote the good. Similarly, one might posit that this same background obligation resolves Sylvia's dilemma such that she ought to save one or the other of her twins. However, the success of this approach ultimately depends on our ability to identify background obligations that can play this obligating-cum-tie-breaking role. Moreover, this particular candidate is surely controversial. For one thing, the claim that George ought to repay his debts to Peter and Paul in whatever proportion would best promote the good *whatever else might be true* is surely controversial. For another, if Edward's obligation to promote the good resolves the conflict between his obligations not to kill the five on the track ahead and not to kill the one on the spur, then (*pace* Thomson) Edward ought to turn the trolley and may not stay his course.

Notice that this first approach to understanding compromise cases rejects the assumption that what one ought to do is determined solely by *the relative weights* of one's obligations, but it is consistent with the (weaker) assumption that what one

ought to do is determined solely by one's *obligations and their properties*. A second approach to understanding compromise cases—one that is likewise compatible with the Dispositional Account—rejects both of these assumptions. On this approach, factors that are neither obligations nor properties of obligations can resolve conflicts between obligations.

How plausible is this second approach? Quite plausible, I think. For example, it seems plausible that what resolves Sylvia's dilemma is simply the impossibility of her saving both twins. She is obligated to save each, but given that she can only save one, she ought to save one or the other. It seems unnecessary to posit that Sylvia has some further, background obligation that she would breach if she saved neither of them. Moreover, it seems false that her dilemma would be *irresolvable* if she did not have such an obligation. Likewise, it seems plausible that, say, considerations of equality or comparative need could affect how George may or ought to apportion his repayments to Peter and Paul even in the absence of any general obligation on George's part to distribute goods in his possession equally or in proportion to need. He might have such an obligation, but we need not suppose that he does in order to suppose that such considerations help determine what he may or ought to do given his conflicting obligations. Such considerations might be relevant to what George may or ought to do in *Hard Times* even if he would be (morally) free to do as he pleases with the \$100 dollars were he not indebted to either Peter or Paul. More generally, there doesn't seem to be any reason to assume *ex ante* that only obligations and their properties can make a difference to what one may or ought to do.⁴⁴ Indeed, two counterexamples to this assumption come readily to mind: privileges, such as the right of self-defense, and the principle that "ought" implies "can."

The foregoing notwithstanding, the first approach does illustrate a general proposition that the Dispositional Account can and should endorse: that an obligation can influence deontic outcomes, or have residual deontic effects, even though it is outweighed. Suppose, for example, that Charlie breaches her obligation to meet Able in order to help Baker. She has not yet done all that she

⁴⁴ The Dispositional Account no more requires that every factor that influences what an agent ought to do be capable of obligating that agent all by itself than, say, a dispositional account of motivation requires that every desire that influences what an agent will do be capable of moving that agent all by itself. We might suppose (e.g.) that Sylvia simply prefers saving one of her two twins to saving neither of them or that George simply prefers apportioning his repayments to Peter and Paul equally or in proportion to need. We need not suppose that Sylvia has a further, background desire to promote the good or that George has a further, background desire to promote a certain distribution of goods. Or consider how the rails of the track or the steering force that Edward might exert affect the movement of the trolley. They do not—and cannot—push or pull it down the track, but rather determine in which direction or directions it can be moved by other forces.

ought to do, for she ought to account to Able for the breach. She might not owe Able an apology (although I think she would), but she would certainly owe him an explanation. Here, Charlie's obligation to meet Able has residual deontic effects even though it is outweighed: it makes a difference to what she ought to do, even though that difference is not that she ought to meet Able.

This is, of course, a special case of a more general phenomenon. Suppose, for example, that Charlie had not happened upon Baker, that she therefore ought not to have breached her obligation to meet Able, but that she did so anyway. She would owe Able an apology. Or suppose that George ought to fully repay either Peter or Paul and opts to repay Peter rather than Paul. George still ought to repay Paul when he can. (His obligation to repay Paul survives this breach.) But George also ought to account to Paul for his failure to repay him on time. In each of these two cases, an *undefeated* obligation has residual deontic effects even though it is breached. And in the second, an undefeated obligation has residual deontic effects even though it is *permissibly* breached.

The Dispositional Account can readily account for these residual deontic effects—these *residual oughts*.⁴⁵ The general principle here is that what happens when a particular disposition, or power, manifests depends on what other dispositions are also manifesting, because a single disposition can combine with different reciprocal disposition partners to generate different outcomes (Heil 2005, 350). As George Molnar puts it,

A manifestation is typically a *contribution* to an effect....The effect depends on the exact 'mix' of contributions by *all* the contributing powers. (2003, 195)

Molnar illustrates this point with a balance of forces case of the sort that is most analogous to compromise cases. But a more apt illustration involves motivational dispositions and motivational forces. Suppose that Charlie has a desire to meet Able that is a manifestation of a motivational disposition. What she *will* do, and what effect this motivational force has on what she will do, depends not just on this desire, but also on what other relevant dispositions are manifesting. And

⁴⁵ One might think of these residual oughts as new obligations—residual obligations—that arise when prior obligations are breached (cf. Brink 1994, 231; Pietroski 1993, 509-10). Rule-based accounts require this analysis. On a rule-based account of moral conflict, explaining residual oughts requires positing special duty-imposing rules that impose new, residual obligations on those who breach other obligations. (A set of moral rules that includes KP does not thereby require Charlie to account to Able for breaching her obligation to meet him. It must also contain a second duty-imposing rule that requires Charlie to do this, given that she has broken KP.) In contrast, the Dispositional Account does not require this analysis. For it can explain residual oughts without positing (e.g.) special obligating dispositions that impose new, residual obligations on those who breach other obligations.

depending on what other relevant dispositions are manifesting, it could be that she will keep her promise to meet Able, or that she will break it, or that she will break it *and* account to Able for breaking it. Likewise, if Charlie has an obligation to meet Able that is a manifestation of an obligating disposition, what she *ought* to do, and what effect this obligating force has on what she ought to do, depends not just on this obligation, but also on what other relevant dispositions are manifesting. And depending on what other relevant dispositions are manifesting, it could be that she ought to keep her promise to meet Able, or that she ought to break it, or that she ought to break it *and* account to Able for breaking it.

Finally, some maintain that certain agents should experience (e.g.) regret or remorse no matter what they do, because no matter what they do, they will breach an obligation or do something that is impermissible.⁴⁶ (The word “ought” seems out of place here, given the largely involuntary character of such experiences.) As I said at the outset, I leave the question of when it is appropriate for an agent to feel (e.g.) regret or remorse to others.⁴⁷ But in explaining how it could be true that (e.g.) Charlie or Sylvia has conflicting obligations, the Dispositional Account does provide *prima facie* support for the view that it is appropriate for certain agents to experience regret no matter what they do. For it explains how it could be true that certain agents will breach an obligation no matter what they do. Similarly, in accommodating irresolvable dilemmas, the Dispositional Account provides *prima facie* support for the view that it is appropriate for certain agents to experience (e.g.) remorse or guilt no matter what they do. For it accommodates the view that certain agents have no permissible options. However, to say that an agent has no permissible options is not to say (e.g.) that she will be worthy of blame or should experience feelings of guilt or remorse no matter what she does. For mitigating factors may make such responses inappropriate, even in cases in which an agent has done something impermissible.⁴⁸

⁴⁶ See, e.g., Marcus 1980; Pietroski 1993; Sinnott-Armstrong 1988; van Fraassen 1973; Williams 1965.

⁴⁷ For discussions of the Forces Interpretation and the appropriateness of regret, see Brink 1994, 220-3, 241-2; Pietroski 1993, 509-11.

⁴⁸ Mitigating factors speak not to the question of whether what the agent has done was permissible or impermissible (as exculpatory factors do), but rather to the question of whether or to what extent it is appropriate to hold the agent responsible for what she has done (cf. Marcus 1980, 193).

7. Objections & Replies

The foregoing demonstrates both the virtues of and the explanatory resources available to the Dispositional Account. But it might be thought vulnerable to some or all of the objections that have been pressed against other accounts of moral conflict that appeal to moral dispositions or incorporate the Forces Interpretation, including W.D. Ross's.⁴⁹ For this reason, I will now defend the Dispositional Account from the most salient of those objections.

First, some object that Ross offers no account of genuine moral conflict, because—in characterizing “*prima facie* duties” (subjunctively) as acts that would be “duties” if they were instances of only one morally significant kind and (dispositionally) as acts that tend to be “duties”—Ross says nothing about what happens in conflict cases, cases in which acts are instances of more than one morally significant kind or have conflicting moral tendencies.⁵⁰ This objection might have some merit as an objection to Ross's account of moral conflict, although it arguably rests on a misreading of Ross, a misunderstanding of (dispositional) tendencies, or both.⁵¹ It might also have some merit as an objection to Pietroski's account of moral conflict, given its emphasis on *ceteris-paribus* laws and Pietroski's suspicion “that force talk is interchangeable with generalization talk” (1993, 497).⁵² But whatever its merits as an objection to other accounts of moral conflict, it has no merit as an objection to the Dispositional Account, which is an account of genuine moral conflict.

Second, some object that Ross's account doesn't allow for “tragic cases” in which what we ought to do is nevertheless evil (e.g., punish an innocent person as the only means of preventing a nuclear holocaust) (Dancy 1991, 227) or “tragic dilemmas” in which “an action is both required and forbidden in a way that has neither side of the argument outgunning the other but still does not hold that the

⁴⁹ See Ross 1930, esp. 19-20, 28-9; 1939, esp. 83-6, 88-9.

⁵⁰ See, e.g., Dancy 1991, 227; 1993, 97-100, 102-3; van Fraassen 1973, 141-2; Williams 1965, 175-6; 1979, 73-4. Donagan agrees that Ross has no account of genuine moral conflict but thinks this a *virtue* of his theory (1993, 18-20).

⁵¹ In some cases it might rest on the dubious assumption that disposition ascriptions are reducible to subjunctive conditionals. In other cases it might rest on a failure to appreciate the differences between (dispositional) tendencies and *ceteris-paribus* laws. For a helpful discussion of tendencies and how they differ from *ceteris-paribus* laws, see Cartwright 1989, 176-9. See also Cartwright 1999, 28-9, 82.

⁵² A charitable reading interprets Pietroski as suggesting, not that force talk is reducible to law talk, but rather that forces are the metaphysical correlates of laws. And he does say that *ceteris-paribus* laws tell us about individual forces (506; see also 509). However, he also allows (perhaps only *arguendo*) that “force talk may amount to nothing more than explanatory-role/counterfactual-grounding talk” (514-5). And we cannot allow *that* if we want to say that resolvable conflicts are genuine conflicts. For (e.g.) duty-imposing rules can play explanatory roles and ground counterfactuals.

action is morally indifferent” (Dancy 1993, 102-3).⁵³ And a second, related objection claims that Ross is unable to account for residual oughts and the appropriateness of (e.g.) regret or remorse in certain cases (Williams 1965, 175-6; 1985, 176-7). Often it’s unclear just what the first of these objections is supposed to be: whether it’s that Ross’s account doesn’t even allow for resolvable conflicts of the sort that Charlie confronts; or whether it’s that Ross’s account rules out either resolvable dilemmas or irresolvable dilemmas (or both). In any case, the arguments of sections 3 through 5 suffice to answer this objection in whichever of these forms it might be pressed against the Dispositional Account. And the arguments at the end of section 6 suffice to answer the second of these objections should it be pressed against the Dispositional Account.

Third, Jonathan Dancy objects that, on Ross’s account, defeated obligations have the effect of diminishing the rightness of acts that ought to be done (1993, 111). The idea seems to be that Ross’s account implies that (e.g.) Charlie’s helping Baker is somehow less right than it would be were she able to help him without breaking her promise to Able. I don’t see what the basis for this objection might be, unless perhaps it’s the further thought that Ross’s theory implies that morally relevant factors combine and interact in just the way that Newtonian forces do.⁵⁴ And if that is the basis for this objection, the following will suffice to show that it is not a cogent objection to the Dispositional Account.

Finally, some object that a Newtonian balance of forces model is not flexible enough to capture all of the ways in which morally relevant factors combine and interact to make right acts right and wrong acts wrong. For example, objects subject to conflicting Newtonian forces don’t generally move in the direction of either of those forces, but rather at an angle to both of them (Dancy 1993, 101-2). This objection might have some merit as an objection to Brink’s account of moral conflict, given its emphasis on “moral factor addition” (1994, 217).⁵⁵ But it has no merit as an objection to the Dispositional Account. For the Dispositional Account does not entail that morally relevant factors combine and interact in just the way that Newtonian forces do. It only entails that they are like Newtonian forces in certain crucial respects, such as being capable of conflicting with, or opposing, one another. Moreover, this particular example is a poor one, because it ignores cases in which an object subject to two conflicting forces (e.g., my refrigerator magnet) does just what it would do in the absence of one of those forces (e.g., remain fixed

⁵³ See also Marcus 1980, 191-2. Cf. van Fraassen 1973, 141-2; Williams 1965, 175-6; 1979, 73-5.

⁵⁴ Ross does say that the right act in any given situation is the one “whose *prima facie* rightness...most outweighs its *prima facie* wrongness” (1930, 46). But this does not entail that a right act’s *prima facie* wrongness diminishes its rightness (1939, 52-3).

⁵⁵ But see Brink 1994, 220 n. 13.

to my refrigerator door). It also overlooks the fact that the Newtonian balance of forces model is not the only balance of forces model,⁵⁶ as well as the fact that conflicts between desires, or motivational forces, often result in our acting on one of two or more conflicting desires. The general point here is—to repeat—that the Dispositional Account does not entail any particular account of how obligations and other morally relevant factors combine and interact to make right acts right and wrong acts wrong.

8. Conclusion

Our various moral obligations can—and sometimes do—conflict. This view raises a question in moral metaphysics:

How are conflicts between moral obligations possible?

We cannot answer this question simply by positing that conflicts of obligation are conflicts between principles or reasons. And while rule-based accounts of moral conflict can explain how irresolvable dilemmas are possible, they rule out resolvable conflicts, including resolvable dilemmas. In contrast, the Dispositional Account explains resolvable conflicts and accommodates both resolvable dilemmas and irresolvable dilemmas. It can also both accommodate compromise cases and explain residual oughts. And it does not run afoul of objections that have been pressed against other accounts of moral conflict, such as Ross's, that appeal to dispositions or incorporate the Forces Interpretation. In these respects, it is both a theoretically attractive and suitably metaphysical account of conflicts of obligation. Moreover, it demonstrates that the dispositional moral metaphysic that grounds the Dispositional Account has the resources to explain and accommodate plausible normative views that rule- and law-based alternatives cannot, namely, those that recognize resolvable conflicts and resolvable dilemmas.

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⁵⁶ Cf. Horty 2003, 593-4; Pietroski 1993, 501-2.

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