

## THE PARADOX OF DUTIES TO ONESELF<sup>1</sup>

Daniel Muñoz

Philosophers have long argued that duties to oneself are paradoxical, as they seem to entail an incoherent power to release oneself from obligations. I argue that self-release is possible, both as a matter of deontic logic and of metaethics.

*Keywords:* duties to oneself, moral obligation, reasons, rights, self-obligation, promises to oneself.

### 1. Introduction

Morality says we owe each other plenty of things, like minimal care and basic respect. Since others tend to be quite a bit like *us*, you might think we also owe a few things to ourselves. There certainly is something gross about a servile suck-up, and something morally charged about a tragic suicide, even when the agents don't harm or demean anyone else. So you might think we have duties to ourselves.

Duties to self are indeed intuitive, and they have enjoyed broad support throughout the history of ethics. But they are haunted by a paradox, conjured best by Marcus Singer.<sup>2</sup> From three apparent truisms, we can show that duties to oneself are incoherent:

- (1) If A has a duty to B, then B has a right against (or with respect to) A;
- (2) if B has a right against A, he [or she] can give it up and release A from the obligation; and
- (3) no one can release himself [or herself] from an obligation. [Singer 1959: 203]

Taken one-by-one, these all sound plausible. Taken together, they rule out duties to oneself.

The Paradox of Duties to Oneself is the key test for any theory of self-obligation. It is also a crossroads. You must choose: will you sever the link between duties and rights? Between

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<sup>1</sup> My thanks to two referees at this Journal for insightful comments that enormously improved the paper, especially its last two sections. I am also grateful to the editors for their patience and excellent advice. For written comments, I thank Tamar Schapiro, Kieran Setiya, and Caspar Hare. For helpful discussion, my thanks go to David Balcarras, Thomas Byrne, Matthias Haase, Ginger Schultheis, Brian Hedden, Nathaniel Baron-Schmitt, Paul Schofield, Quinn White, Julia Driver, Conni Rosati, Oli Rawle, and Jack Spencer.

<sup>2</sup> Precursors include Kant and Hobbes; see §3 below.

rights and release? Or will you allow for the power to release oneself from duties? Your decision here determines what kind of theory you end up with.

Despite its influence, the Paradox has not received much systematic treatment. Partly this is because, since Singer's time, 'duties to oneself have largely disappeared from the radar of academic philosophers' [Cholbi 2015: 852]. Another factor is that Singer's critics are scattered across literatures, and only a few develop their response in depth or survey other options; most are happy to poke a hole in a premise.

I critically survey the responses to Singer's Paradox (§§2–3) and argue for the possibility of self-release, attacking Singer's third premise (§§3–5). Although this premise is the most widely accepted, Singer hardly supports it, beyond his claim that it is 'essential' to obligations that one can't wiggle out. I consider two ways to develop this idea—one using deontic logic (§4), one meta-normative (§5)—and reject both, concluding that there could be bona fide waivable duties to oneself, just as real as duties to others (§6).

Before we begin, let me clarify the topic. When we talk about duties *to* people, we are talking about what is *owed* to them, not just what duties are held 'regarding' them [Singer 1959: 204]. If I promise you to water your petunias, I have a duty to you, and merely regarding your plants. (A telltale sign: if I forsake my duty, I don't wrong the plants—I wrong you.) Now, just about everyone agrees that we can have duties regarding ourselves. For example, I might promise you that I won't smoke this week, even in private. My new duty is self-regarding—concerning my own body—but not self-directed. I owe it *to you* not to smoke. Our topic is the possibility of owing bona fide duties *to oneself*.

## 2. Duties without release?

How can we get out of the Paradox? One option, of course, is to accept the conclusion—that there are no duties to oneself. But we could also contest a premise. That means three more options: we could (1) accept duties without rights, (2) accept rights without powers of release, or

(3) accept that people can release themselves from duties, at least sometimes. Let's start with the most popular options, (1) and (2).

Singer's first two premises link duties to rights and rights to release. The entailment from duties to rights is, on some views, guaranteed by definition. If I have a duty to you not to harm you, you have a 'correlative' right against me that I not harm you. If you owe me \$5, I have a right to \$5 from you. Following Hohfeld [1919], many philosophers take this to be part of the definition of a 'right in the strictest sense', also called a 'claim right' [Thomson 1990: Chapter 1; Johnson 2010]. Other writers say that, by definition, the holder of a right can waive it, releasing the subject of the corresponding duty (e.g. Steiner [2013]). But Singer's critics don't stick to any single use of 'right', and so for us, the term might be more trouble than it is worth. It will be hard to separate those writers who reject (1) from those who reject (2). To avoid verbal disputes, I propose we drop rights-talk for now and focus on the substantive idea behind these two premises: that if X owes Y a duty, it follows that Y can release X from that duty.

How could we break the link between duties to self and powers of release? There are four options to choose from.

First is the idea that duties to oneself aren't 'juridical' or 'legal', like duties to keep promises and refrain from bodily harm. Juridical duties are *external* and *enforceable*: they concern our acts rather than our motives, and we can be coerced into complying. There is also a link between juridical duties and release. A wave of your hand can forgive a debt; a signed form lets the surgeon cut me open. But nothing can release us from our non-juridical duties. They just require right acts from good motives, a requirement that no one can dissolve. So Singer is right—the idea goes—that duties to oneself can't be juridical, but they *could* be non-juridical. We could have duties to ourselves in the sense that we have reason to care about and respect ourselves for our own sakes.

This is the leading response to Singer by a mile.<sup>3</sup> The problem is that ‘non-judicial’ duties don’t seem much like duties at all. The hallmark of duties and rights, as opposed to globs of value and normative reasons, is that they are fit to enforce by legitimate demands and external coercion [Hart 1955: 178]. If you have a duty to pay me back, I may demand the cash. If I have a duty not to harm you, you may preempt my punches by hitting first (if that’s what it takes). But we can’t enforce good behavior in general—brushing teeth, donating a spare kidney, etc.—and non-judicial duties, by definition, just ask for good behavior from nice motives. Non-judicial duties aren’t even *supposed* to be enforceable.<sup>4</sup> They are more like sources of moral advice, telling us to what to value and why. We can call this sort of thing a ‘duty’ if we want, but that is a big concession to Singer, who would just insist that real duties are judicial.

The second response is also concessive. Some writers relax the idea that duties must be owed *to oneself*. For Knight [1961: 212], we have duties only ‘to’ ideals. Some Kantians suggest that obligations are owed only among *parts* of people—no whole *person*, strictly speaking, owes any *person* anything, though we might loosely say that I have duties ‘to myself’ when one part is obliged to another.<sup>5</sup> Then there are those like Meiland [1963] and Fotion [1965: 30] who retreat to the claim that we have self-regarding duties, like the utilitarian duty to cheer oneself up (owed to no one), or the duty to quit smoking as promised (owed to the promisee). Sometimes this retreat is hailed as a triumph: Oakley [2017: 71] argues that we can release ourselves from merely

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<sup>3</sup> Wick [1960: 161–2, 1961] introduced this response, with Mothersill [1961: 207] noting that, for him, ‘duties to oneself... must be of a completely different order from duties of the familiar sort.’ See also Knight [1961] on non-legal duties and Eisenberg [1968] on social contractual duties. Paton [1990: 225–6] argues for ‘non-contractual’ self-obligations, entailing neither rights nor release; she also concedes that we can’t make binding self-promises. Hills [2005: 138] agrees about self-promises, rejecting judicial duties to oneself. These authors’ inspiration is Kant [*MS* 6:383, *LE* 29:117, 632]. (I quote from the Cambridge editions and use pagination from the Akademie Edition; ‘*MS*’ is for *The Metaphysics of Morals*; ‘*LE*’, *Lectures on Ethics*.)

<sup>4</sup> Kant argues: non-judicial duties require us to act from the right motive, but we can’t be coerced into having nobler motives—when coercion works, it *is* the motive! (See [*MS* 6:219].)

<sup>5</sup> On whether Kantian duties to oneself require ‘two selves’, see Denis [1997: 334–5], Potter [1998: 375, fn. 8], Timmermann [2006: 509, 512], Reath [2006: 356], Kerstein [2008: 206], Schofield [2015: fn. 24], and Kant [*MS* 6:417].

self-regarding duties in a paper called ‘Good News for Duties to Oneself.’

These authors do manage to defend *something* like a duty to oneself. But again, if this is the best response to the Paradox, I think it’s safe to say the Paradox wins.

The margin of victory is at its widest with the third response, which is that no one can release *anyone* from obligations [Wick 1960: 162; Denis 2001: 229 fn. 13, 230]. This is blatant overkill. People release people from duties all the time. What else could I be up to when I let you out of a promise [Mothersill 1961: 206], or when I sign my dentist’s consent form?

Finally, the most promising response in the literature. There might be *contingent reasons* why we are unable to release ourselves from certain duties, which could open up space for some (contingently unwaivable) duties to oneself.

The first to suggest this was Daniel Kading, who gives the following case:

Suppose A promises B to do *x* after B’s death. We should certainly want to say that although B, after his death, cannot possibly release A, A does continue to have an obligation to B. [1960: 155]

Not exactly gripping drama, but clear enough. Sometimes you can’t be released because the person to whom you are obligated can’t do what’s necessary to release you. In Kading’s case, the source of incapacity is death. We could also imagine promisees who can’t release anyone because they are napping, gagged, or off the grid.<sup>6</sup>

Singer has some subtle replies.<sup>7</sup> But the real problem for Kading is that his cases don’t have anything to do with the traditional duties to oneself. Even if he does show that we can’t be released from certain duties, these have little to do with the classic examples of self-obligation. It

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<sup>6</sup> Kading [1960: 155] gives two more cases where promisees lack powers of release: one where they have also promised us not to release us; and another where they transfer right of release to a third party. Kading [1960: 356] fourth case is quite different; it is meant to show that you might be unable to release me from my duties *merely regarding* you.

<sup>7</sup> Singer’s [1963: 134] main objection: contingent inability aside, the idea of self-release is still ‘self-contradictory’. I don’t know what to make of this point. He has three other replies to Kading: (1) we wouldn’t say that the promisee has a *right* post-mortem; (2) someone *else* might have the power to release the promisor after the promisee dies; and (3) the promisee has the power to release *pre-mortem* [Singer 1963: 133–5]. The first point isn’t persuasive (why can’t the dead have rights?), and the others are irrelevant. For discussion, see Hill [1991].

is not as if we can, post-mortem, break promises to our past dead selves. Nor is this the sort of thing people have in mind when they say that we owe it to ourselves to take care of our bodies and carry ourselves with dignity.

There are some other contemporary authors who defend unwaivable duties to oneself [Hills 2003; Timmermann 2006: 516; Denis 2001]. But only one has a worked-out theory, and that is Paul Schofield [2015, 2018, forthcoming].

Schofield grants that waivable duties to oneself are impossible. But he thinks we might owe ourselves some unwaivable duties because we can't release ourselves when our acts affect our lives in the *future*.<sup>8</sup>

A person might owe a duty to herself by virtue of occupying a perspective some time in the future to which interests and ends attach. And since she cannot, in the present, get a release from the future perspective that generated the duty—because the perspective is in the future, of course—it seems that the duty *could* actually bind in the way characteristic of genuine moral duties after all. [Schofield forthcoming]

His basic idea is that, to release someone, I need to occupy the right 'perspective' (roughly, my perspective at a time consists of my wants, feelings, and interests at that time; see Schofield [2015: 15–7]). I can't release myself from my duties not to harm you because *I* can't take up *your* perspective; we have different ends and interests. For the same reason, Schofield thinks I can't *now* release myself from duties not to harm myself in the *future*, because I can't now take up the perspective that I will occupy when the harm befalls me [2015: 17]. Though I am the same person as my future self [Schofield 2015: 13], our perspectives diverge, so I can't validly consent to future harms.

The result is that we must treat our future selves like unwilling others.<sup>9</sup> If we smoke for pleasure now, we impose on ourselves a hefty future cost. If we rack up debt, we hamstring our future choices. These acts are wrong, and they wrong *us* ourselves, and this is possible because

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<sup>8</sup> Schofield [forthcoming] extends the account to synchronic duties.

<sup>9</sup> Note that Schofield [2015: 13] doesn't rest his argument on any metaphysics of future 'selves' as momentary agents. On the contrary, he assumes that people endure over time.

we can't now take up our future perspectives to secure release.

Schofield's view is original and principled. There is a lot to like about it. But it seems to me too restrictive, since it makes it wrong to harm ourselves in the future even for our own (future) greater good. Suppose I let my dentist sedate me and take out my crooked wisdom teeth. For a while, it will be unpleasant: I'll be immobile in the chair, unable to do anything, groggy and uncomfortable. But the procedure is safe, and it will spare me even worse grief in the further future. Clearly, subjecting myself to the surgery isn't wrong. But Schofield's view seems to entail that it is. After all, when I agree to the operation, I can't release myself from the duty *not to have my teeth damaged in the future*. Indeed, it is unclear how I could have released the *dentist* from her duty not to harm me later, since I couldn't then have taken up the requisite perspective.

Schofield's view thus seems to forbid perfectly reasonable tradeoffs across one's life. According to the view, just as I may not (in general) harm unwilling others for the greater good—even their own—I may not cause myself future harms, or authorize others to do so—not even for my own good! The problem is especially acute if, as Schofield [2015: 15] seems to think, perspectives may last only for a moment. If I can't validly consent to what happens to me tomorrow, or in 30 seconds, my moral powers are rather feeble, and everyone will need to be very careful how they treat me.

Summing up: we have seen four ways to allow for duties to oneself without release.

- (i) Construe duties to oneself as *non-juridical*.
- (ii) Settle for duties that aren't strictly owed *to oneself*.
- (iii) Give up on the idea that anyone can release *anyone* from duties.
- (iv) Find *contingent reasons* why we might not be able to release ourselves.

But these all have their costs. (i) Non-juridical duties are more like nudges than obligations; (ii) it is a pyrrhic victory if we can only defend duties regarding oneself, or owed to one's parts; (iii) people seem to release each other from duties all the time; and (iv) two of the main views of unwaivable duties have trouble accounting for the cases: Kading can't vindicate any normal duties to oneself, and Schofield generates duties where we ought to be scot-free.

To be clear, I don't think we should close our minds to the possibility of unwaivable duties to ourselves. Schofield and Kading might not have their finger on the reason why certain duties are unwaivable. But consider this rough idea: some duties, like the duty not to kill, might not be waivable (at least not for trivial reasons) because they are too important. You don't wrong me if you flick my arm with my consent. But even if I consent, you wrong me if you kill or torture me for fun. Duties put limits on what you can do even to willing patients. This seems to me like a plausible idea, even though I don't know how to derive it from any theory of rights and duties. (Indeed, the idea is anathema to theories like Steiner's [2013] on which all duties are waivable.) But if you have unwaivable duties to me, why couldn't you also have the same towards yourself? Aren't *you* also a willing patient of your own actions?

This is an intriguing symmetry: some duties to oneself, like the duty not to cause gross and pointless harms, might be the intrapersonal flipside of unwaivable duties to others. But the concept of an unwaivable duty, like that of an unwaivable right, is itself a bit mysterious. (*Why* can't we waive them?) If we want to show that certain duties to oneself aren't really paradoxical, we can't stop now. We either need a deeper rationale for unwaivable duties (think: Schofield on perspectives), or else an argument for the possibility of self-release. Since I don't have a theory of unwaivability, let me turn to my positive arguments for the possibility of waivable duties to oneself.

### **3. The possibility of self-release**

How could one release oneself from a genuine duty? Consider some examples.

Suppose I decide to drop out of a class mid-term. While enrolled, I have obligations to show up and participate—but once I sign the drop form, I seem to release myself [Fruh 2014: 64]. A second case, more controversial, is that I might promise myself to do something—like adopt a pet—and release myself when I learn that it will be more onerous than I could have

expected.<sup>10</sup> There isn't anything obviously paradoxical about any of this. I start out obligated; I end up free.

And yet, Singer [1959: 202–3] thinks the very notion of self-release is 'self-contradictory'.<sup>11</sup> Why? Here is what he says:

It is essential to the nature of an obligation that no one can release himself from an obligation by not wishing to perform it or by deciding not to perform it, or, indeed, *in any other way whatsoever*. In other words, no one can release himself from an obligation, just as no one can release himself from a promise. [Singer 1959: 202. Italics mine.]

This isn't very persuasive. First, Singer draws an analogy with promises to oneself, which he assumes are paradoxical. But why should they be? The only problem he raises for self-promises is that they allow for self-release, which, for all we have seen, is perfectly possible.<sup>12</sup>

Singer's other point is that it is 'essential to the nature of an obligation' that we can't release ourselves from one 'in any . . . way whatsoever'. There is something right about this. Obligations aren't optional, like hobbies or fancies. And so we might think: obligations must be *inescapable*.

How to respond? I think we should take a cue from G.A. Cohen's [1996] critique of Hobbes, who makes the analogous point for legal obligation. In *Leviathan*, Hobbes argues that a Sovereign who can change the law isn't bound by the law (see also Hobbes [1642: XII.4, XI.14]):

The Sovereign of a Common-wealth, be it an assembly, or one man, is not subject to the civil laws. For having power to make, and repeal laws, he may when he pleaseth, free himself from that subjection, by repealing those laws that trouble him, and making of new; and consequently he was free before. *For he is free, that can be free when he will*. [1651: Chapter 26, Section 2, 313. Italics mine.]

Cohen's response is that even the sovereign really is bound by 'those laws that trouble him', *until* he repeals them. After all, the Sovereign has the authority to make laws, and the laws do in fact

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<sup>10</sup> On release from self-promises, see Hill [1991], Habib [2009], Rosati [2011], Fruh [2014].

<sup>11</sup> Kant, too, says that a 'contradiction' would follow if 'the one imposing obligation (*auctor obligationis*) could always release the one put under obligation (*subiectum obligationis*) from the obligation (*terminus obligationis*)' [MS 6:417].

<sup>12</sup> Singer has no other objections to self-promises, besides a suggestion that talk of self-promising could be interpreted as a metaphor for 'settled determination' to act [1959: 203].

cover his actions. This is enough to make the Sovereign legally bound—even though, at will, he could unbind himself.<sup>13</sup> Cohen [1996: 170] concludes:

The big mistake in [Hobbes'] argument is the supposition that if I *can* repeal the law, then it fails to bind me even when I have not *yet* repealed it. Hobbes is wrong that, if you can free yourself at will, then you are already free, that 'he is free, that can be free when he will'. But other important things do follow from my being able to free myself at will, for example, that I cannot complain about my unfreedom.

In a slogan: 'can get free' doesn't mean 'free already'.

The same goes, I think, for moral duties to oneself. Even if we can free ourselves, we are bound until we do so. As it turns out, this point has already been made in the literature on self-promising, where Rosati [2011: 134–5] writes:

We would not be tempted to say that because the promisee can release the promisor at will, the promisor is not really obligated. So long as the promisee has not released the promisor, she is indeed bound. But then we should say the same thing about self-promises: although an agent, as promisee, can release herself, as promisor, at will, *so long as she does not release herself, she is indeed bound*.

I propose extending this point to self-obligation in general. For example: I think we owe it to ourselves not to cause ourselves significant harm, even for others' good. But if we take the choice seriously, and have relatively decent reasons, we can release ourselves from that obligation, making self-harm fine where before we were bound not to do it.

That is the core argument for self-release. There are intuitive examples, and although Singer thinks they don't make sense, we seem to have a coherent way to say how they work: agents are bound *until* they free themselves. (It helps to remember that this kind of thing happens with all kinds of states, not just the state of being obligated. I might be bound by ropes even though the slightest movement would make them fall off (cf. Hill [1991]). A door might be locked even if it will automatically unlock should I ever try to go through (cf. Fruh [2014: 65–6]). The ropes bind me, and the door locks me in, *until* the moment when they *normally* would kick in

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<sup>13</sup> 'Suppose...that the law is indeed universal, or that it includes me within its scope by virtue of some other semantic or pragmatic feature of it. Then, if I had the authority to legislate it, it indeed binds me, as long as I do not repeal it' [Cohen 1996: 170].

to constrain me.)

But could there be more to Singer’s objection than I am giving him credit for? Isn’t there *something* to the idea that we can’t release ourselves from duties? We don’t want to declare victory too early. So let’s try to develop Singer’s worry, first as a principle about the deontic logic, and second as a meta-normative claim about duties and reasons.<sup>14</sup> We can start with deontic logic, the logic of obligation and permission [McNamara 2018].

#### 4. Self-release: the logical objection

Singer’s objection to self-release is that real obligations can’t be shirked. As Hobbes puts it: ‘he is free, that can be free when he will.’

Is this a valid principle in deontic logic? If so, that would vindicate Singer’s hunch. If not—and if we can model counterexamples—that would tell in favor of self-release.

Hobbes’ dictum, as it turns out, has a natural translation into deontic logic:

$$\begin{array}{l} S4 \text{ Axiom} \\ \Diamond\Diamond p \rightarrow \Diamond p \end{array}$$

The diamond means ‘permissibly’. Intuitively, this statement says that if ‘*p*’ is permissible to make permissible, then it’s permissible already.

But there are natural countermodels to the S4 Axiom in standard deontic logic. First, a case of legal obligation. Suppose I’m allowed to petition the state for an exception to its ‘No birthday cakes’ law. (It’s my birthday; I want cake.) In the actual world, I don’t petition, and I don’t bake anything. But I had the ability, and the right, to get an exception. If I had gotten one, I might still not have baked a cake (perfectly permissible). Or I might have gone ahead and

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<sup>14</sup> Here’s a third way to hear Singer’s objection: we can’t release ourselves from obligations because they are *categorical*: they bind us no matter what we want (cf. Wick [1960: 161], Hills [2003: 133]). (By contrast, hypothetical norms, like ‘You have to hurry, if you want to be early’, bind us only if we want a certain end.) But no one thinks we can erase obligations just by wanting out. Duties to oneself could be categorical—i.e. not based in *desires*—while still being sensitive to the *choice* to release oneself. Analogously, for Hobbes, the laws aren’t grounded in what the lawmaker wants, but they do depend on what he chooses to repeal.

baked one (permissible *only given* the exception). Here is a way to depict some of what’s going on in these three possible worlds; if an arrow points from one world to another, then what goes on in the second is *permissible* by the laws as they are in the first:

| $w_1$                  | → | $w_2$                  | → | $w_3$               |
|------------------------|---|------------------------|---|---------------------|
| I don’t petition.      |   | I do petition.         |   | I do petition.      |
| I don’t bake the cake. |   | I don’t bake the cake. |   | I do bake the cake. |

The key point: *what goes on in  $w_3$  is not permissible from the point of view of the law as it is in  $w_1$* . No petition, no cakes allowed. And this is true even though  $w_1$ ’s laws permit what happens in  $w_2$ , whose laws permit the cake-baking of  $w_3$ .<sup>15</sup> In  $w_1$ , it is legally permissible to make cake-baking legally permissible, but that doesn’t make it *actually* lawful.

What about moral obligation? Suppose I am Carol’s neighbor, and I’m allowed to ask permission to use her bike; if she complies, waiving her rights, I am morally permitted to ride it to work. We get the same structure as before:

| $w_4$                   | → | $w_5$                  | → | $w_6$                |
|-------------------------|---|------------------------|---|----------------------|
| I don’t get permission. |   | I do get permission.   |   | I do get permission. |
| I don’t ride her bike.  |   | I don’t ride her back. |   | I do ride her bike.  |

Riding the bike isn’t permissible given my obligations as they are in  $w_4$ . But those obligations do permit me to ask for permission, and if do that, I am free to race off into the distance. My obligations change if I choose to ask permission.<sup>16</sup>

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<sup>15</sup> The arrow is the ‘accessibility relation’. In S4 violations, the relation is non-transitive, as it is in our case. (To fully depict the case, we would add arrows from  $w_3$  to  $w_2$  and  $w_1$ ; from  $w_2$  to  $w_1$ ; and from each world to itself.)

<sup>16</sup> We would have to add the same arrows as before for a full description; see fn. 15, above.

I conclude that there is a natural way to model self-release. (Leaving aside nice details like the timing of release.) We might be permitted to make an act permissible without its actually being permissible. Hobbes' dictum and Singer's hunch aren't logical truths.

## 5. Self-release: the meta-normative objection

'He is free, that can be free when he will' isn't a logical truth. Nor is Singer's version: 'No one can release himself from an obligation.' But there is still *something* right about them.

Think back to Hobbes' sovereign. Because he can change the laws at will, there is a sense in which they never restrain him. He never has to give up what he wants in order to follow the law; he can change the law instead. If the sovereign wants free sandwiches from the bakery, he may legislate that the sovereign eats for free. If I want free sandwiches, I have to steal them.

But if I have the power of self-release, then at least when it comes to duties to myself, I'm a bit like the sovereign: unrestrained. I never have to give up something I want in order to comply with a duty to myself. I can waive it and do as I please.

Is there anything incoherent about norms that don't restrain us? The big worry, I think, is that such norms wouldn't give us any *reason* to comply with them. A (normative) reason is a fact that counts in favor of some way of acting, making it more choiceworthy [Dancy 2004; Parfit 2011; Chang 2014]. But the fact that I have a *waivable* duty doesn't guarantee a reason to comply. Even if the sovereign has reason not to break the law—and the law forbids littering—the law doesn't give him any reason not to litter. It only counts against littering *without changing the law*. Similarly, if I have an easily waivable duty to myself not to guzzle poison, it's not automatically a reason against guzzling; it only counts against *guzzling without waiving*.

Is this possible? Could there be a duty without a reason to comply? Many say *no*: if I owe a duty to someone to do X, it must give me a reason to do X.<sup>17</sup> This suggests a meta-normative

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<sup>17</sup> Hills [2003: 131] presupposes that duties are reasons in asking, 'When should reasons for action be classed as "duties to the self"?' (See also Schofield [2015: 10].) For Reath [2006: 241], a

spin on Singer's objection: if we could release ourselves from duties, we might not have reasons to comply, but it's essential to the nature of a duty that we *do* have reasons to comply—so self-release is impossible.

This is the best objection yet. It is not just mistaken, like the logical objection, nor is it just a bare assertion, like Singer's original point. There is a genuine tension between self-release and the idea that duties give reasons.

But everyone can agree that duties *usually* give reasons. Why think they *always* do? Why couldn't there be some principled exceptions?

We have already seen some potential exceptions—Hobbes' sovereign, Rosati's self-promisor. But these are a bit complicated. None of them involves an ordinary duty owed by one person to another. So let's consider a simpler case: duties to *accommodating others*.

Suppose I promise you—freely, in light of the relevant facts, and with no nefarious intentions—a ride home from the airport. Now I owe you a ride. But suppose also that I know that you are keen to accommodate me. If I ask to be released from the promise, you will gladly let me off and find another way home. The result is a duty without a reason to comply. Even though I have an obligation to you to pick you up, that itself gives me *no reason* to do so, since I could just as well seek a release instead. My obligation only gives me a reason not to break the promise, not to bail on you without release, which means that if getting released is easy and painless, I am free to call you up and let you find another way home.

The point generalizes. I might owe it to you to stay off your land, but that isn't a reason to stay off if I know you would gladly invite me in. I have a duty not to use your nice fountain pen, but that isn't a reason not to use it if I know you are happy to lend it.

What's going on in these examples? Is there any principled reason to think that the duties

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duty is a reason owed to whoever 'is the source of reasons for one to act.' Fruh [2014: 65] claims that we 'expect obligations to be weighty things that well-reasoning, conscientious, non-akratic agents will have to make room for in their deliberations'—i.e. reasons.

involved aren't really reasons?

The key, I think, is that these duties depend too much on my decisions. Whether they are in play depends on what I do—do I seek release, or just drive to the airport?<sup>18</sup> But reasons can't be so decision-dependent. A reason must be able to rationally persuade the agent into a way of acting; if it has force only given that the agent is going to act that way, then it is persuasively powerless, and it can't really be a reason at all.

In a slogan: reasons have to be *stable* over our decisions.

*Stability*

If R is a reason for me not to  $\varphi$ , then R can't depend for its force on my not  $\varphi$ -ing.

This kind of principle was first proposed by Thomas Nagel.<sup>19</sup> It has also found defenders in decision theory [Hare and Hedden 2016]. Clearly, duties to accommodating others aren't stable: my duty to pick you up evaporates if I phone you and get released; the duty doesn't stay in force no matter how I fail to give you a ride. So, Stability says the duty isn't a reason to give the ride.

The same principle, I think, shows why I lack reasons to comply with waivable duties to myself. A waivable duty not to self-harm isn't a reason against the harm, because my *decision* to harm entails my own *consent*—which waives the duty. Again there is an intriguing symmetry between self and other. Earlier, I suggested that unwaivable duties not to harm oneself might be the flipside of duties not to harm even consenting others. Now I am arguing that waivable duties to oneself are like duties to accommodating others: unstable, and therefore unable to give reasons.

I conclude that Singer's objection doesn't work even in its strongest form: waivable duties to self are meta-normatively innocent. We lack reasons to obey them, given their

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<sup>18</sup> Of course, whether the duty is in play also depends on what *you* do, since it's up to you whether to release me. But if you are perfectly happy to grant a release, the presence of the duty will depend on my choice of whether to get released, and the duty becomes unstable for me, so it won't itself give me a reason to pick you up as promised. (I might still have other reasons to pick you up.)

<sup>19</sup> Nagel writes: 'to have a reason to promote an end, one must expect that there will be a reason for it whether one undertakes to promote the end or not' [1970: 53].

instability, but the same is true of other bona fide duties, like those owed to accommodating others.

## 6. Conclusion

Duties to oneself are ‘well embedded both in traditional moral philosophy and ordinary moral thinking’, as even the skeptical Singer admits [1959: 202]. I have tried to defend our ordinary thoughts from Singer’s Paradox by arguing that we can coherently release ourselves from duties.<sup>20</sup>

My defense, however, leaves plenty to the imagination. We still have not seen details about what we owe to ourselves, when a duty is waivable, or how exactly we release ourselves. My goal has not been to answer these questions, or to develop any theory. I have just been clearing a path. Duties to oneself are possible, even defensible, but there is still much to learn about how they work and why they might matter.

In that spirit, let me close with two points about methodology. First, duties to oneself are admittedly unusual in some respects, but we shouldn’t be too quick to cry ‘paradox!’. We should first try to *understand* what makes them unusual. We may find that we already have the elements of a satisfying explanation, as in the mystery of missing reasons. We lack reasons to comply with our waivable duties to ourselves, but that is because they are unstable (if we decide to act against them, we grant ourselves consent). This makes them a bit like duties to accommodating others.

My second point is that we should keep an eye out for this sort of self-other symmetry. Duties to oneself can seem inexplicably odd, if compared to typical duties to others. But the oddness here might turn on merely typical differences: others don’t typically consent to whatever we decide, know what we know, want what we want, and so on. Once we start to hold these factors fixed—say, by considering duties to accommodating others—duties to oneself may start

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<sup>20</sup> The same goes for waiving rights against oneself, if A’s duty to B = B’s right against A.

looking less exceptional, and more explicable, than we had feared.

I make these points because, even if self-release makes sense, that is only the tip of the paradoxical iceberg. Shadowy questions float below. When we infringe duties to ourselves, do we owe compensation? Should we politely ask our own forgiveness? (Cf. Haase [2014: 8].) Most important: does it make sense to enforce a duty to oneself—say, with demands or threats?<sup>21</sup> These questions are challenging. But they shouldn't scare us away from the whole topic of duties to oneself. We should be seeking answers, just as we have sought a solution to Singer's paradox.

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<sup>21</sup> Steiner [2013: 240, fn. 21] writes: 'I cannot have rights against myself; I cannot be both plaintiff and defendant in a legal suit nor, presumably, in its moral counterpart.' By contrast, Gilbert [2018: 177–8] thinks I may enforce any of my commitments (e.g. promises) by making demands of myself. My view is that self-enforcement is usually silly because it is otiose. Why not just do the act?

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*Monash University*