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Løgstrup's Unfulfillable Demand

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In his pioneering work of moral phenomenology, K. E. Løgstrup offered a phenomenological articulation of a central moment of ethical life: the experience in which "one finds oneself with the life of another more-or-less in one's hands" (cf. EF p. 58/ED p. 46). In such circumstances we encounter what Løgstrup calls simply *the ethical demand*. Løgstrup's preferred formulation of the content of that demand is taken from the Bible: *Love thy neighbor*.[1] This neighborly love is expressed in the form of spontaneous, selfless care for the other. We shall have occasion in what follows to return to the content that Løgstrup associates with the ethical demand, but my primary focus here is not its content but its distinctive *modality*. Løgstrup specifies that modality in a fourfold analysis: the ethical demand is *radical*, *silent*, *one-sided*, and *unfulfillable.* My concern in what follows will be with the fourth element in this analysis—or what I shall refer to simply as *Løgstrup's unfulfillability thesis*. My discussion addresses three specific questions: (1) Is it coherent to suppose that the ethical demand is unfulfillable? (2) Why does Løgstrup hold that the ethical demand is unfulfillable? (3) What kind of response is appropriate in the face of an unfulfillable ethical demand?

In starting in on these questions, I propose to begin by considering a preemptive objection that has been levied against Løgstrup's position.

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Alastair MacIntyre has in many respects been one of Løgstrup's chief contemporary advocates. But on the matter of the unfulfillability of the ethical demand, MacIntyre thinks that Løgstrup's position is plainly untenable. He sums up his objection in a pithy and memorable remark: "Løgstrup's account is flawed. The notion that we can be required to respond to a demand that is always and inevitably unfulfillable is incoherent. If I say to you 'This cannot be done; do it,' you will inevitably be baffled."[2] In approaching Løgstrup's unfulfillability thesis, it will be useful to begin by working our way through an analysis and assessment of MacIntyre's objection.

In doing so, we can observe first that MacIntyre's objection relates to the familiar and widely accepted (although not entirely uncontroversial) Kantian principle that "ought" implies "can." If I am under an obligation to do something, then surely it must be possible for me to do it. Or so the thought goes. To deny that principle is to court paradox at best and incoherence at worst. The specific argument that MacIntyre invokes here is itself familiar from the analytic literature regarding "ought" and "can." In *Freedom and Reason*, for example, Hare argued that "it would not do to tell a soldier to pick up his rifle if it were fixed to the ground."[3] Alan Donagan argues that a command to do the impossible would be "ill formed," and indeed ultimately "not a command at all."[4] Sinnott-Armstrong claims that *can* is a "conversational implicature" of *ought*. That is, in telling someone that he ought to do something, my action in speaking carries with it the implication that I believe that it is possible for him to do what I say he ought to do.[5]

We should not be convinced by MacIntyre's preemptive dismissal—or so I shall argue here. In seeing why it fails, we will also be able to gain a better sense for the distinctive texture of Løgstrup's position. Three key points need to be made in this connection: (a) MacIntyre's pithy objection turns on someone *saying* something, but Løgstrup's ethical demand is *silent*. (b) MacIntyre's objection is about an absurdity resulting from a *command*, but Løgstrup's claim is about an unfulfillable *demand*; (c) MacIntyre reports that the outcome of an unfulfillable command will be *bafflement*, but he fails to consider whether that bafflement is an end-state, or whether it might be an intermediary result on a path that leads to some other outcome. Allow me to develop each of these three points in turn.

In broaching these matters, we need to start by considering just what Løgstrup means in claiming that the ethical demand is *silent*. Taken literally, the silence of the ethical demand might seem to consist simply in the

fact that the ethical demand is *inaudible*—and in particular that there is no speech involved when it makes itself felt in our experience. Løgstrup often elaborates his account of the ethical demand with reference to the New Testament parable of the Good Samaritan.[6] So the first point about the silence of the ethical demand would be that the injured man on the road to Jericho does not call out to the Samaritan, asking for or demanding his assistance. Or perhaps better, as a first refinement, we should say that if the injured man does call out for the Samaritan's assistance, *his* demand for help is not to be equated with the *ethical* demand itself.

Already this should begin to make clear that the notion of silence does not simply make reference to the absence of *sound*. Suppose, to vary the example, that the injured man on the road to Jericho was holding up a sign in which he demanded assistance from passersby. There might be no *sound*, per se, but such a demand would not be *silent* in Løgstrup's sense. We would still want to distinguish between the demand inscribed by the injured man and the ethical demand itself. The former, although not vocalized, is still a speech act ascribable to an individual. The latter, according to Løgstrup, does not emanate from the injured man at all.

There is some clear textual evidence that we can invoke on this point. Løgstrup writes in one passage: "The radical demand is thus unspoken. We referred to it earlier as silent *in contrast to the expectations and requests which the other person expresses or implies*" (EF p. 69/ED p. 56; emphasis added). Løgstrup is here referring back to an earlier passage, where he writes: "The demand which is present in any human relationship is, however, unspoken and is not to be equated with a person's expressed wish or request. It is not expressed in his or her spoken or implied expectations" (EF p. 31/ED p. 20). A couple of pages later he sums up this section by writing: "In other words, the demand implicit in every encounter between persons is not vocal but is and remains silent" (EF p. 32/ED p. 22).

It is important to be clear that in insisting on the silence of the demand, Løgstrup is not denying that it figures in our experience, nor is he denying that is has the potential to shape our experience and action. Løgstrup's point is that it does not figure in our experience *as a speech act of any kind* (whether vocalized or unvocalized) and that it is not to be confused with the expectations that may or may not be held by the person in need. Suppose (to vary the parable again) that on the Jericho Road, the Samaritan were to encounter a man who had lost consciousness altogether as result

of his injuries. For Løgstrup the Samaritan would certainly still encounter the ethical demand to care for this person (he finds himself with the life of another more-or-less in his hands), even though the injured man says nothing, makes no pleading gestures, and has no expectations whatsoever.

With this clarification in hand, we can now turn to the second point relevant to our assessment of MacIntyre's objection: the difference between a command and a demand. Recall that MacIntyre's objection turned specifically on the bafflement that is consequent upon an *imperative*: being *ordered* to do something that the commander knows to be impossible. We should notice first that a *command* is by definition a speech act (whether it vocalized, written, sent by telegram or semaphore . . .); as such it analytically implies the existence of a commander. It is significant, therefore, that Løgstrup himself does not talk about an ethical *command*, but an ethical *demand*. A *demand* is not always a speech act (though it can be) and the existence of a demand does not analytically entail the existence of demander.

Here it is worth pausing to bring in an important piece of textual evidence—not from the original text of *Den etiske fordring* (*The Ethical Demand*) itself, but from an article that Løgstrup wrote a few years later. In it, Løgstrup explicitly notes the difference between demands and commands, and makes a point of emphasising (twice!) that "in ethics we speak of demands and not commands" (EO p. 389/ED p. 291). What matters for our purposes here is the difference that Løgstrup marks between the two. In the case of a command, he claims, the validity (or what he calls "the correctness") of the command is always a function of the authority of the person who issues it. If the ethical demand were indeed a command, we could test its validity only by asking (first) who issued it, and (second) what authority that individual had to issue the command. But these questions, Løgstrup plausibly insists, are simply irrelevant to the assessment of the validity of the ethical demand. Its validity might indeed be questioned, but the form of questioning should not involve looking to the authority of some commander. The point is relevant for our purposes here, since it shows that Løgstrup's choice of the language of demands is not incidental, and that part of the reason he chooses that language is specifically to mark the difference from cases where the demand is associated with someone's speech act.

At this point it is natural to ask about the source of this demand. Where exactly does it originate? Some theologically minded readers may be inclined to say that its origin is in God, and in some highly qualified sense

this may be a position to which Løgstrup himself would have assented.[7] But in an important sense, this is exactly the wrong answer. For if the origin of the demand were identified as God, then its "correctness" becomes a function of God's authority. And it is exactly this sort of move that Løgstrup explicitly seems to cut off in distinguishing demands from commands. So what is the alternative?

Here I find it useful to introduce the concept of a *situational demand*. In order to explain what I mean by this concept, let's leave behind the road to Jericho in favor of an even more desolate place: the open sea on the South Indian Ocean. The example I have in mind comes the J. C. Chandor film, *All Is Lost* (Washington Square Films, 2013). In the film, Robert Redford plays an aging unnamed mariner, sailing his yacht single-handedly in a remote region of the Indian Ocean, 1700 miles from the Sumatra Straights. In the opening minutes of the film, the yacht collides with a piece of maritime debris: a large shipping container, filled with shoes, that has been swept off a passing freighter. The collision badly damages the hull, just at the waterline. The rest of the film records the mariner's struggle to cope with the consequences.

The first point to note here is that the Redford character faces a demand. The initial form of the demand is clear: set course and sails so as to lift the damaged region above the waterline, then *find a way to patch the hull*. As the film progresses these initial demands give way to a series of others. The second relevant point to note is that all these demands are *silent*. The film is in fact a study in silence; indeed some critics have described it as a new form of silent film. (The film has about a hundred spoken words, all but a handful of which are heard in the opening minutes.) But the demands are not only silent in the literal sense; they are also silent in Løgstrup's sense. Alone at sea, in international waters, Redford's mariner has no commander. No one tells him to patch the hull. And the "correctness" of the demand is in no way a function of some person's authority to issue it.

So what is the origin or source of the demand that the mariner faces? One possible reply would be to say that *the yacht* demands to be patched. A variant on this position was defended a century ago by Theodor Lipps, who distinguished between two forms of demands: those that derive from persons and those that derive from objects.[8] But Lipps's position cannot be right either, as we can see by varying the example. Suppose that the hull of the yacht had been punctured by a sea container at dockside, just as the

boat was being hauled away for scrap. Or suppose that Redford's mariner had been *hoping* for a collision with a sea container, precisely in order to martyr himself in protest against maritime pollution and the negligence of the commercial shipping industry. In these situations there would be no demand to patch the hull, even though the condition of the yacht might be indistinguishable.

Already with this we can see the shape of the solution. The demand does not emanate from a commander; *ex hypothesi* there is none such. Nor (contra Lipps) does it emanate from the yacht itself or from any object, although this is, in a way, one part of the truth. Rather, the demand derives *from the situation*—a situation that includes the yacht, and the mariner, and the sea container . . . and the sea! Let's calls this *a situational demand*. I mean to be using this expression in a sense that is perfectly continuous with ordinary language. As we might say: the Redford mariner finds himself *in a demanding situation*. And *what the situation demands* is (in the first instance) that the hull be patched.

Løgstrup himself only occasionally uses the language of situational demands.[9] But as I read his position, the concept is implicitly at work in his view throughout. Notice that situational demands are silent. Situations themselves do not speak, either to issue commands or otherwise. In this way, the "correctness" of a situational demand swings free from the authority of a commander, just as Løgstrup's position requires. The notion of a situational demand also allows us to distinguish between two variants of the phenomenology of the Good Samaritan. In one variant, the Samaritan encounters the injured man and follows a demand that he takes to be handed down from God: "I must love this neighbor as myself, *because that is what God (or the priests or the lawgivers) have commanded*." On Løgstrup's variant, however, the demand to which the Samaritan responds derives from the immediate situation: "I must love this neighbor as myself, *because that is what this situation demands*." Finally, the notion of a situational demand allows us to formulate an important phenomenological truth: the world as we encounter and navigate it is populated not only with objects and persons, but by variously demanding situations in which those objects and persons are encountered, and in which we find ourselves called upon to act.

With these first results in hand, we are in a position to return to MacIntyre's objection. We can now see just how badly it misses its mark.

MacIntyre's argument turns on a certain kind of absurdity consequent upon a speech act of a certain kind, but Løgstrup's ethical demand is not a speech act of any kind. MacIntyre's argument turns on what we might call (following Grice and Sinnott-Armstrong) the *implicatures of command*; Løgstrup's position is about a form of demand that is explicitly contrasted to command. But most importantly, once we are alive to the phenomenon of situational demands, we can see that there is nothing particularly baffling about an encounter with a demand that turns out to be unfulfillable. The situation in *All Is Lost* illustrates the point rather powerfully. The mariner's situation demands that the hull be patched. Does it follow that this demand is fulfillable? For the mariner, that is an entirely open question awaiting an answer. For the viewer, it is that open question that drives forward the narrative. Will the demands placed on the mariner be fulfillable? I don't want to spoil the film for those who have not seen it, but suffice to say: there's a significant clue in the title.

Before moving on, it is worth adding one further comment about MacIntyre's failed objection. Up to this point, my response on Løgstrup's behalf has effectively conceded MacIntyre's premise, viz., that there is indeed something incoherent in the issuance of a *command* that is known to be unfulfillable. What we have seen is that Løgstrup can accommodate this claim without giving up his own claims about the modality of the ethical demand. But in fact Løgstrup need not concede the premise, nor should he—at least not in its full generality. This is a matter about which I have written elsewhere, so for present purposes I will put the point briefly, and perhaps rather dogmatically.

Start with a brief historical observation. We have already mentioned the Kantian principle that "ought" implies "can." But it is important to remember that Kant's principle has not always been accepted, and that a rich tradition in ethics has emphatically rejected it.[10] Løgstrup clearly belongs to this minority ethical tradition, the most prominent representative of which was Martin Luther—one of Løgstrup's key sources. Luther explicitly holds that God's commands are, and can be known to be, unfulfillable by man. To take one of Luther's favorite examples, God commands that man shall not covet, yet knows full well, as man's creator, that the impulse to covet is deep-seated and beyond man's control. The commandment therefore cannot be fulfilled. But Luther insists that God's unfulfillable commands do nonetheless have a point. In particular, they teach man something

fundamental about the kind of being man is, and they thereby provide man with a form of ethical orientation in navigating the sphere of his endeavors. In this sense, the unfulfillable command serves an important educative function—even if there is a period of bafflement (or even despair) along the way.[11]

One need not buy into Luther's whole dark theological and psychological position in order to appreciate the point. Consider a secular analogue.[12] Suppose that a father is speaking to his sons on a Friday afternoon, trying to persuade them to make a start on the weekend homework before going out to play baseball. The sons protest, insisting that their friends are all out playing baseball, and that the homework can be done on Sunday evening anyway. The father insists, and the homework is done before baseball. But the next Friday, the same confrontation starts to unfold again. This time, the father surprises the sons by commanding them as follows: "This weekend you shall do all the homework on Sunday evening." Both father and sons know that Dad thinks this impossible. But the command nonetheless serves a function. In Austin's terms, it plays a role in a perlocutionary act.[13] Why? Because come Sunday night, precisely by failing to fulfill the command, the boys have learned a lesson.

What this shows, I submit, is that even baffling, unfulfillable commands can serve a legitimate function. In the Lutheran tradition, that function is what I have elsewhere described as fostering ontological self-consciousness.[14] That is, they make it possible for the agent to recognize something about his own constitution as the kind of being he is. Løgstrup himself is not much interested in ethical *commands*, as we have seen. But it is clear that he sees a form of ontological self-consciousness as an important element of the encounter with the ethical demand. Indeed he goes as far as to write at one point: "A one-sided and unfulfillable demand . . . not only says what a person *ought* to do; it also says *who* a human being is" (EF p. 194/ED p. 170). It is perhaps also worth adding at this point that the bulk of the hundred-odd words in *All Is Lost* are devoted to the mariner's attempt to articulate what his encounter with situational demands has taught him about himself.

Let's pause to take stock. At the outset I distinguished three questions about Løgstrup's unfulfillability thesis. Up to this point I have focused on the first of these, which concerned the *coherence* of an unfulfillable demand. We have seen off one line of argument that alleges incoherence in

Løgstrup's account. But of course this is not enough to establish the coherence of his position. Ultimately, we will need to consider the third question in order to complete our answer to the first. For the best positive proof of the coherence of an unfulfillable ethical demand would be to show that there is a coherent and appropriate way of *acting* in the face of it. But before turning to that final question, we need to spend some time on the second of our trio of questions: why does Løgstrup think that the ethical demand itself is unfulfillable?

It is important to appreciate that nothing we have said so far speaks directly to this question. All I have shown so far is that there are indeed unfulfillable demands. ("Patch the hull" might be one of them.) But this does not yet give us any reason to suppose that the *ethical* demand is unfulfillable. And here we might think that Løgstrup's own preferred parable works against his position. After all, isn't that a story about a Samaritan who *did* fulfill the situational demand that he encountered? On what grounds does Løgstrup suggest otherwise? To find out we need to look more closely at Løgstrup's analysis.

Before getting started on this part of our work, I need to pause to enter one caveat about the language I will be using in what follows. My aim here will be to try to elicit the rationale that lies behind Løgstrup's commitment to the unfulfillability thesis. In tracing that rationale, I shall refer variously to Løgstrup's "argument" or "analysis" in support of that thesis. But care must be taken in framing the point in this way. For there is an important sense in which Løgstrup's work is distorted if we read it as a set of arguments or proofs. Løgstrup belongs firmly within the phenomenological tradition which sees the primary work of philosophy as lying in a fundamentally *descriptive* task. His aim is not to *prove* that there is an unfulfillable ethical demand; his aim is to articulate the structure of what he claims to be a very fundamental form of ethical experience. His claim is that we *experience* or *encounter* an unfulfillable ethical demand. It will be important to bear this in mind as we proceed. It will be useful to articulate and assess various lines or argument or analysis in Løgstrup's accounting, and it is certainly fair to say that he sets out to *defend* the unfulfillability thesis by advancing considerations that support it. But all this argumentative work needs to be taken in the context of a phenomenological project. The arguments are intended to defend a certain articulation of the content and structure of a particular form of experience.

With that caveat in mind, we can turn to Løgstrup's analysis. What we will find, I submit, is that at least two distinguishable lines of thinking are advanced in support of the controversial thesis. One line of thinking that leads Løgstrup to his unfulfillability thesis is familiar from the Pauline/Lutheran tradition of which he forms a part. The crucial claim here is a rather pessimistic thesis about human nature. Given our corrupt and fallen natures, so the story goes, it is simply not possible for us to act in accord with the moral law. We are doomed to sin by our essentially sinful nature. Although this line of argument has clear theological precedents, it need not be articulated in theological terms. A similar line of pessimism can be found in a wholly secular form in Freud, with specific reference to the ethical maxim with which Løgstrup is concerned: "Love thy neighbour as thyself." Freud calls this "Christianity's proudest claim," but insists that it is flatly impossible for human beings to fulfill:

> We can make quite similar objections to the ethical demands of the cultural super-ego. This too is insufficiently concerned with the facts of man's psychical constitution; it issues a commandment without asking whether it can be obeyed. . . . Even in people who are called normal, control of the id cannot be increased beyond certain limits. To demand more is to provoke the individual to rebellion and neurosis, or to make him unhappy. The commandment, "Love thy neighbor as thyself," is the strongest defence against human aggressiveness and an excellent example of the un-psychological proceedings of the cultural super-ego. *The commandment is impossible to fulfil*; such an enormous inflation of love can only lower its value, not get rid of the difficulty.[15]

So we can think of this first line of argument for unfulfillability as relying on the Luther-Freud thesis.

The Luther-Freud thesis comes out most explicitly in Løgstrup in the context of his remarks about human selfishness and ulterior motives. An important part of what the ethical demand demands, according to Løgstrup, is a form of radical selflessness. When the Samaritan encounters the injured man on the road to Jericho, the situation demands that he act so as to care for the man's needs. The first task will be to identify what the injured man needs (this may or may not be what the injured man *wants*) and then act so as to provide for those needs. This might involve some

fairly minor inconvenience on the part of the Samaritan, but it may come at considerable personal costs. Indeed, in the limiting case, I may find myself in situations that demand of me that I sacrifice my life in the service of the needs of others.

According to Løgstrup, however, radical selflessness is simply not available to human beings, given the kind of beings we are. This is not to say that human beings never care for others in need—even at considerable personal cost or risk. Løgstrup's claim is that even in those cases where we perform the overt actions required of us, we do so at least in part out of secret (or not-so-secret) selfish motives. And where those selfish motives are in play, it is not really an instance of acting out of *love* for the neighbor, which is what, on Løgstrup's account, the ethical demand requires of us. Here is one important passage where we can see this line of analysis explicitly informing Løgstrup's position as to the unfulfillability of the ethical demand:

> We disregard the silent, radical, and one-sided demand. It is resisted by our self-assertion and will to power, by our ceaseless concern about what we ourselves will get out of what we do. This resistance is so real that in many situations our falling short of the demand is not so much a matter of our failing to live up to it as of our inability to live up to it except at the expense of our nature. Or, more correctly stated, since in any given instance we can live up to the demand only by going counter to our nature, we distort the demand the moment we attempt to live up to it. (EF p. 187/ED p. 164; translation modified)

Note the Luther-Freud thesis at work here. Our ethical failing is rooted in an *inability*. And the failing is not accidental; it is essential—a function of our nature. If our nature is essential to what we are, and if the ethical demand requires action contrary to our nature, then fulfillment of the ethical demand is impossible for beings like us.

This first and familiar line of argument does not withstand critical scrutiny. In order to appreciate the problem, we need to keep in mind the strength of the unfulfillability thesis. The claim is not that action in fulfillment of the ethical demand is *difficult*, or *challenging*, or *rare*. The claim is not that *most of us* fail to live up to it, or at best live up to it only exceptionally. The claim is that the ethical demand is *unfulfillable*. It is impossible for *any* of us *ever* to fulfill its requirements. In order to do its argumentative

work, then, Løgstrup's thesis about human selfishness would have to be correspondingly strong. The claim cannot be that human beings *often* have selfish ulterior motives when helping others, or that *most people* operate with selfish motives when coming to the aid of others. The thesis would have to be that *no one* (including the Good Samaritan himself!) can possibly act without selfish ulterior motives.

Suppose that a woman on her way to work is passing through a modern train station. She sees a young mother in the busy hall, traveling with a toddler and an infant. The mother is struggling to collapse a stroller in order to ascend an escalator. As she does so, and in an instant, the toddler slips away and dashes onto the moving stairs. Before the mother has appreciated what has happened, the young child is well away, oblivious to the hard fall looming at the end of the ride. For whatever reason, it is just not possible for the mother, holding the infant, to get to the child in time to help. The commuter on her way to work sees all this unfold. And she drops her bag, sprints up the escalator, coming to the aid of the child just in time.[16]

Now why can we not say that we have in this instance a fulfillment—a very human fulfillment—of the ethical demand? The commuter finds herself "with the life of another more or less in her hands." The situation demands of her that she act out of love to care for the child. Without a moment's thought or hesitation she does so. According to the first line of argument for the unfulfillability thesis, the young commuter *could not* have actually fulfilled the ethical demand in this situation. Why not? Because she *must* have had an ulterior selfish motive. Perhaps she is expecting a reward in heaven. Or perhaps she expects a heartwarming word of thanks from the mother here on earth, or a "warm fuzzy" feeling of satisfaction at playing the moral hero. Perhaps she is contributing to a social practice from which she herself hopes to benefit when she has children of her own. Of course all of this *may* be true of our commuter. But does it really *have to be*? In this *and in every case*? And more importantly, does Løgstrup actually give us any reason to suppose that it must be?

At this point it is worth remembering that both Luther and Freud had independent grounds that supported their very pessimistic views of human nature. Luther had theological reasons for thinking that human motives are corrupt to their very core: human sinfulness infects every action and motive. Freud had an elaborate psychological theory that purportedly

showed that a selfish id must be at work in every human action, and can never be wholly tamed by the super-ego, which is the source of the ethical injunction. If either of these theories were true, then there simply could be no genuinely selfless action.

Løgstrup does occasionally seem to buy in to a version of this pessimistic psychology. At one point he writes, in a passage that could come straight out of Luther: "Nothing can be subtracted from man's wickedness. The self brings everything under the power of its selfishness. Man's will is in its power; addressed to our will, the demand to love is unfulfillable" (EF p. 161/ED p. 141; translation modified). But on other occasions we can see that he is not wholly in line with the fully despairing Lutheran position. For example, in the passage cited above, he includes an important qualification in describing the alleged contradiction with human nature: "This resistance is so real that *in many situations* our falling short of the demand is not so much a matter of our failing to live up to it as of our inability to live up to it except at the expense of our nature" (EF p. 187/ED p.164; emphasis added). The qualification is significant. It is one thing to say that fulfillment of the ethical demand *often* requires action contrary to our nature. It is something else entirely to claim that the ethical demand is *always unfulfillable*. The latter claim does not follow from the former without support from some variant of the Luther-Freud thesis.

However the Luther-Freud line of analysis does not exhaust everything Løgstrup has to say on this topic. A second line of argument and analysis is specifically associated with what Løgstrup refers to as the *radical* character of the ethical demand. The radicality of the ethical demand serves as something of a catchall category in Løgstrup's account. At its first introduction, the principle of the radical character is associated with at least three seemingly discrete features: (1) the ethical demand is uncompromising, persisting even if the demanded action is unpleasant, disrupts my own plans and projects, and so "intrudes disturbingly upon my own existence"; (2) the ethical demand is unspecified, requiring me to determine exactly what it is that needs to be done in order to care for the needs of the person whose life I find in my hands; (3) the ethical demand is not associated with any right on the part of the person in need.[17]

I shall not here undertake to analyze these features in order to try to bring out the underlying unity that Løgstrup associates with the idea of a radicality. The important point for our purposes is that Løgstrup later adds

a fourth feature to the list: "In other words, what is demanded is that the demand should not have been necessary. This is the demand's radical character."[18] With this radical element in the ethical demand, quite a different set of considerations come into play as regards its unfulfillability. On the Luther-Freud line of argument and analysis, the focus was on the (supposed) facts of human nature, human motivation, and human psychology. And the claim was that these facts somehow preclude fulfillment of the ethical demand. As we have seen, this line of argument does not seem sufficient to deliver the unfulfillability thesis—at least not in its fullest, unqualified form. But this fourth, radical feature of the demand shifts our focus from human nature and human psychology to the ethical demand itself. Perhaps there is something *about that demand* that makes it impossible to fulfill—whatever the facts about human nature.

To get a preliminary orientation with regard to this second line of argument, consider the following scenario. Suppose that a mother says to her son: "You really ought to thank your grandfather for taking you to the baseball game." And now imagine that she goes on to add, perhaps with a note of frustration in her voice: "You know you really ought to thank your grandfather *without being asked to do so*!" Both of these claims are probably true. And the first demand is perfectly fulfillable. The boy thanks his grandfather; job done. But the second demand puts the boy in an impossible position. He is being asked to do something that it is now too late for him to do. The second demand is (for him, now, in this new situation) unfulfillable.

It is crucial to appreciate that the unfulfillability of the mother's second demand does not turn on dark Lutheran or Freudian pessimism about human nature—either in general or as regards this particular boy. Perhaps the boy was about to thank his grandfather spontaneously, and without any thought of future gain, when he politely paused to hear what his mother had to say. If she had said nothing (or *anything* else), he might have satisfied both maternal expectations. But once Mom spoke, the second demand became strictly impossible to fulfill—even if he happened to be a boy-saint!

The example of the mother's demands cannot be applied directly in analyzing Løgstrup's position on the ethical demand. The mother's unfulfillable demand is a clear example of a speech act, and it is directly attributable to a person. Løgstrup's demand, as we have learned, is silent and situational. The case of the mother's demand might also suggests that

the problem is all about the *timing* of the demand, rather than about the demand itself. *After* the mother had spoken, it was *too late* for the boy to fulfill the demand.[19] Nonetheless, the example does perhaps provide us with a lead that we may be able to exploit.

In order to develop that lead, I propose to borrow a technique of analysis from deontic logic—the branch of logic that concerns obligation and permission. In standard systems of deontic logic, obligations and permissions are represented by the use of deontic operators that take a proposition as their argument, yielding a deontically modified, truth-evaluable proposition as the output. If t is the proposition "I pay my taxes," then $OB(t)$ represents the proposition "It is obligatory that I pay my taxes." $OB(-)$ is here the *deontic operator* ("It is obligatory that . . ."); t represents the *deontic content* of the obligation.

Using this technique of analysis, let's consider how to represent some of the demands with which we have been concerned so far. To do so we start with a set of propositions:

p The mariner patches the hull.
q The commuter rescues the child on the escalator.
r The Good Samaritan aids the injured man on the road to Jericho.

Next we need to introduce a new deontic operator. Let's use $DE(-)$ to represent "The situation demands that . . . ," where the blank is filled by a proposition. Hence $DE(p)$ represents the proposition: *The situation demands that the mariner patches the hull.*

With this, we can begin to specify an important deontic peculiarity in Løgstrup's ethical demand. In the familiar cases of deontically qualified propositions, the specifically deontic notion (e.g., "it is obligatory that") plays its role strictly as the deontic *operator*. The deontic *content* of the obligation can be specified without relying on any specifically deontic notion. Hence for example, if $OB(q)$ means, *It is obligatory that the commuter rescues the child*, then the deontic content (i.e., the actual content of the obligation) can be specified by the proposition *the commuter rescues the child*. Note that there is no deontic notion at work in the content; q is a straightforward categorical proposition.

But the same is not true of Løgstrup's ethical demand. To see this, consider again the passage cited above: "What is demanded is that the demand

should not have been necessary." Notice here the double occurrence of the word "demand." To represent this claim formally, we will need two occurrences of the modal operator, one of which figures within the scope of the other. In the case of the escalator incident, as Løgstrup would understand it, the ethical demand cannot simply be captured as DE(q): the situation demands that the commuter rescues the child. The ethical demand is that the commuter rescue the child *without its being demanded that she do so*. Formally, we would have to specify it as follows:

DE(q & ~DE(q)).

To get a sense for the potential severity of the trouble that looms here, consider briefly the modal analog of this formula:

$\Box$(q & ~$\Box q$).

The modal analog is a flat-out contradiction; it entails both $\Box q$ and ~$\Box q$. The deontic formula is happily not a contradiction. That much is good for Løgstrup: if it were a formal contradiction then it would be necessarily false! But it does serve to specify a demand that is strictly impossible to fulfill. Why? Roughly speaking, because the demand demands its own absence.[20] More exactly, the deontic formula entails both DE(q) and DE(~DE(q)). Consider the demand that this places on our poor commuter. Part of what her situation demands is that she come to the rescue of the child: DE(q). But if Løgstrup is right, her situation also demands that there should be no such demand: DE(~DE(q)). If our commuter acts in response to the ethical demand then she ipso facto fails to fulfill it.

   In the balance of my remarks, I shall use the expression, "*the deontic peculiarity*" to refer to this feature of Løgstrup's position. Notice first that the deontic peculiarity renders the ethical demand strictly unfulfillable, and that its unfulfillability is independent of any controversial theological or psychological claims about human nature. Moreover, on this analysis, the unfulfillability of the demand does not depend on the timing of a speech act but on the perverse interaction between its content and its modality. Taken on its own, however, the deontic peculiarity serves more to sharpen our second question than to answer it. For why should we suppose that the ethical demand really exhibits this deontic peculiarity? In order to follow

through on this line of thinking, our deontic analysis must be matched to the phenomenology. More specifically, Løgstrup's claim is that when we find ourselves in a situation where we have the life of another more or less in our hands, we encounter a demand that exhibits the distinctive deontic structure that we have been discussing. Can this claim be vindicated?

In the last analysis, it is far from clear that it *can* be vindicated, and Løgstrup himself says less than one might hope in support of this pivotal feature of his analysis. But two related lines of thinking on this matter merit consideration. The first begins from the thought that what the ethical demand demands is not simply an *action*, but an action *undertaken in a certain spirit*. This feature of the demand is perhaps best exemplified in the breach. Suppose that the Good Samaritan had come to aid the man on the Jericho Road, but only after willfully suppressing a strong impulse to look away and pass by. And suppose that while providing aid, he all along had harbored a secret resentment against the person whose needs were interfering with his own immediate plans, and perhaps more broadly with his aspiration to maintain autonomous control of his life rather than being given over to the unpredictable requirements of others.[21] We would likely feel (and such a Samaritan might himself feel) that he had not really lived up to the demands of the situation, despite having provided the aid that the person so desperately needed.

So what is the positive ideal according to which this all-too-human Samaritan would have failed? One possible framing appeals to the ideal of spontaneity, or "spontaneous mercy." Charity that is delivered grudgingly or hesitatingly falls short of the ethical demand insofar as what is demanded is spontaneous and immediate care, provided in a spirit of love. If this is indeed the content of the ethical demand, then it might be claimed that the deontic peculiarity lurks within. Why? Because (so the thought goes) care that is provided in response to a demand is ipso facto not spontaneous. In demanding a spontaneous response, the demand in effect demands that the demand itself not be necessary.[22]

In assessing this line of thinking, particular care needs to be taken over the rather slippery notion of "spontaneity." In one sense, a spontaneous response might be understood to be a response which occurs *immediately* on the part of the care giver. In ordinary language we might say: "He provided aid *without hesitation* and *without giving it a second thought.*" The story of the commuter might well suggest that spontaneity

of this form exemplifies the proper response to the experience of having the life of another in one's hands. But we should not confuse the content of the ethical demand with the specific requirements of its fulfilment in the commuter's situation. The commuter's situation calls for an immediate response, and the proper form of intervention is pretty obvious. So there is no need for any delay, and indulging in one would likely defeat the purpose of the intervention. But this is by no means always the case, as Løgstrup himself emphasizes. Coming to the aid of a person in need will sometimes require careful thought, and an impulse to intervene immediately may sometimes need to be checked precisely in order to leave room for investigation and reflection.[23] So if "spontaneous" means "immediately and without further thought," then the ethical demand does not demand spontaneity—at least not as a general matter, even if it may in exceptionally pressing circumstances.

But this itself suggests a second line of interpretation, corresponding to a different understanding of the demand for spontaneity. Let's allow that an ethical response to the ethical demand may sometimes require that we pause to think and make a decision about intervention. It is nonetheless worth distinguishing between two different shapes that such a decision might take. The Samaritan might pause to consider the best *means* for coming to the aid of the man on the Jericho Road. This sort of decision is clearly compatible with the ethical demand, for the reasons just indicated. But the decision which gives the Samaritan pause might instead be a decision about *whether to respond to the man's needs at all*—or whether to pass by in pursuit of the Samaritan's own more-or-less pressing business. If the Samaritan has to struggle with this kind of decision (in something like the manner of Aristotle's continent man), then we might conclude that he has failed to fulfill the ethical demand—even if he goes on to provide the needed aid and saves the man's life.

On this line of interpretation, the ethical demand can be said to involve a demand for spontaneity, but not in the first sense considered above. To act spontaneously in this second sense would require acting *without the need to overcome contrary inclinations*. In this sense the Good Samaritan might be said to come to the aid of the man spontaneously, even if he then finds that (unlike the commuter) he must take some time and thought in devising an appropriate response. Now some might wonder whether the ethical demand as a fundamental ethical experience is really as demanding

as this account seems to require.[24] But for our purposes here the crucial question is how this account of the content of the demand bears on the deontic peculiarity which renders it unfulfillable.

Robert Stern has proposed an answer to this question. Drawing on Kant's famous remarks about the holy will (for whom ethics does not take an imperatival form), Stern argues that we experience a call to ethical action *in the form of a demand* only insofar as we find ourselves with contramoral inclinations that must be disciplined in order for us to do the right thing.[25] If indeed there is a saintly Samaritan—that is, a Samaritan with no selfish inclinations to be brought into line—then such an individual would never encounter the ethical *demand*; she would simply recognize the needs of the man on the Jericho Road and care for him. Following this line of thought, then, we would indeed arrive at the deontic peculiarity. If (first) the ethical demand demands a spontaneous ethical response, and if (second) spontaneity requires the absence of contramoral inclinations, and if (third) we experience an ethical demand only where contrary inclinations are present, then the demand does in effect demand its own absence. Its very manifestation is due testimony to our failure to fulfill it. Notice that on this interpretation, Løgstrup need not insist that no one ever provides spontaneous aid to a person in need, but that no one ever does so *in response to the ethical demand*.

Stern's analysis is compelling, but I find myself with certain reservations, particularly in connection with the third of the three conditions just specified. Is it really the case that we experience the ethical demand only in the face of countervailing inclinations? In thinking about this matter, it is worth recalling that the Kantian discussion upon which Stern's proposal draws pertains specifically to the *imperatival* character of Kantian ethics. But as we have already had occasion to see, Løgstrup is careful to distinguish between an ethics of *command* and an ethics of *demand*. Both might be described in Kantian terms as forms of practical necessitation, to be sure. But might we not find ourselves to be *practically necessitated by a situational demand*, even in the absence of contramoral inclinations that must be disciplined by a moral command—whether from God or Kantian practical reason?

In addressing this question we find ourselves in the risky business of speculating about the phenomenology of saintly experience—a matter in which I claim no firsthand expertise. But consider the following dilemma.

Suppose that a saintly Samaritan finds herself on the Jericho Road and provides aid to the man in need. As she approaches the scene there would seem to be two exclusive and exhaustive possibilities: either she recognizes that the situation demands a response on her part, or she does not. In the first case, we would have to allow that the ethical demand can figure in experience even without the presence of opposing inclinations. So if Stern is right, then she must *not* register the situational demand. But then we have a problem: how do we explain the fact that she came to the aid of the traveler if she did not recognize the demand that the situation placed on her? Generalizing the Kantian account of the holy will, the answer would have to be: she recognized that helping the man was good, and she moved spontaneously (i.e., without contrary inclination) to do the good thing. But doesn't this rather under-describe the moral urgency of the situation? The point is that in circumstances such as these, where we suddenly find ourselves with the life of another more-or-less in our hands, the intervention does not simply present itself as a good thing, or even as a *very* good thing, or as *the best thing to do in the circumstances*. These descriptions arguably miss out the feature of the phenomenology that is so central both to the experience itself and to the power of Løgstrup's accounting: the way in which the plight of the other calls to us in the modality of practical necessity—that is, as something that *must* be done, whatever one's inclinations might happen to be.

Rather than speculating further about these matters, I turn by way of conclusion to the third and final question with which we began. Given what we have now learned about unfulfillable demands, and about Løgstrup's reasons for including the ethical demand among them, is there a coherent response to adopt when confronted with such a demand? From the point we have reached, at least two answers suggest themselves—each corresponding to rather different strands in the Christian ethical tradition.

To bring the first of these responses into view, it helps to return one last time to the mariner in *All Is Lost*. As we have already had occasion to note, the film's one monologue, spoken as the mariner is down to his last half-day of rations, is an expression of the self-knowledge he has gained while facing down the extreme demands of his situation. And the dominant note struck in that monologue is telling: *apology*. Such a response is perfectly in keeping with the Lutheran ontology that informs Løgstrup's outlook and can be seen at work in Redford's film. To confront an unfulfillable demand

and to recognize it as such is to recognize one's own failings; one coherent response to such a realization is repentance. The multiply ambiguous ending in *All Is Lost* can itself be read as a completion of the Lutheran cycle, as the unfulfillable demand leads to a form of apologetic repentance (not just for what one has *done*, but for what one *is*), which itself finally leaves room for grace.

But a different, and less thoroughly Lutheran, form of response is also within reach here. The response to an unfulfillable demand obviously cannot consist in fulfilling it. But there might be a way in which we can fittingly adjust our behavior in light of what the encounter with the unfulfillable demand has taught us. If indeed it is the presence of contraethical impulses that both brings us face-to-face with the ethical demand and at the same time renders it unfulfillable, then one form of response would be to work on ourselves so as to try to minimize or eliminate those impulses, and to cultivate ourselves towards the point where we might indeed respond spontaneously to the needs of others. Such a response would not amount to a fulfillment of the demand, but it would be to act in a way that was informed by its lesson. It is perhaps a more Catholic response than a Lutheran one, insofar as it presupposes that a certain form of ethical saintliness is a coherent ideal with which to orient the self-cultivating endeavors even of fallen beings like us.

Notes

1. The formula is commonly cited from the Gospels, e.g., Luke 10:27. But those New Testament passages are explicitly invoking an Old Testament source: Leviticus 19:18.

2. Alastair MacIntyre, "Human Nature and Human Dependence: What Might a Thomist Learn from Reading Løgstrup?," in *Concern for the Other: Perspectives on the Ethics of K. E. Løgstrup*, ed. Svend Andersen and Kees van Kooten Niekerk (Notre Dame, IN: University of Notre Dame Press, 2007), 164.

3. R. M. Hare, "'Ought' and 'Can,'" in *Freedom and Reason* (Oxford: Clarendon, 1963), ch. 4.

4. Alan Donagan, "Consistency in Rationalist Moral Systems," *Journal of Philosophy* 81 (1984): 298.

5. Walter Sinnott-Armstrong, "'Ought' Conversationally Implies 'Can,'" *Philosophical Review* 93 (1984): 249–61.

6. Luke 10:25–37.

7. To get a sense for the sort of qualification that would be involved, see Løgstrup's invocation—in the opening pages of *The Ethical Demand*—of Gogarten's claim that "the individual's relation to God is determined wholly at the point of his relation to his neighbor" (EF p. 12/ED p. 4).

8. I have discussed Lipps's position in "Theodor Lipps and the Psycho-Logical Theory of Judgement," in *Judgement and Truth in Early Analytic Philosophy and Phenomenology*, ed. Mark Textor (London: Palgrave Macmillan, 2013), 9–35.

9. See, for example, EF p. 72/ED p. 59: "This is why—as we have put it—the radical demand refers us to our own unselfishness and our own understanding of life to learn *what the concrete situation demands*" (emphasis added).

10. I provide an overview of this minority tradition in "In Defense of Bad Infinity," *Bulletin of the Hegel Society of Great Britain* 55/56 (2007): 168–87.

11. I touch on Luther's position in "Ought but Cannot," *Proceedings of the Aristotelian Society* 109 (2009): 103–28.

12. The example was suggested to me by Bill Blattner.

13. On the notion of a perlocutionary act, see lecture 8 of J. L. Austin, *How to Do Things with Words* (Cambridge, MA: Harvard University Press, 1962).

14. "The Judgment of Adam: Self-Consciousness and Normative Orientation in Lucas Cranach's Eden," in *Art and Phenomenology*, ed. Joseph Parry (New York: Routledge, 2010), 105–37.

15. Sigmund Freud, *Civilisation and Its Discontents*, trans. James Strachey (New York: Norton, 1961), 109; emphasis added. I am grateful to Jaakko Immonen for reminding me of this passage.

16. I am indebted to Dan Watts, who reported to me a variant of this story.

17. For Løgstrup's elaboration of these three points, see ch. 3, §1: "The Demand Is Radical" (EF pp. 56–58/ED pp. 44–46).

18. EF p. 168/ED p. 146; see also OK pp. 117–18/BED p. 69: "The demand demands that it be itself superfluous."

19. On the idea that the ethical demand always comes too late, see ch. 3 in this volume, by Hans Fink.

20. This rough formulation of the problem is usefully pithy, but logicians will recognize that it is not strictly correct. On the full specification of the ethical demand, its content takes the form of a conjunction: $DE(q \ \& \ \sim DE(q))$. The absence that it demands is not conjunctive: $DE(\sim DE(q))$. Logically speaking, the two demands are distinct, since they have different contents. So strictly speaking the ethical demand does not demand *its own* absence. But it does demand the absence of a demand that it entails.

21. On the aspiration to autonomy (or "sovereignty in our own lives") as standing in contradiction to the ethical demand, see EF pp. 167–68/ED p. 146.

22. On this theme, see ch. 13 in this volume, by Patrick Stokes.

23. See, for example, EF pp. 33–39/ED pp. 22–28.

24. Although it goes beyond my purposes in this essay, one might worry that this specification of the ethical demand serves to locate it rather more narrowly in cultural space than is desirable, given Løgstrup's larger purposes. Part of what makes Løgstrup's account compelling is the way in which he manages to identify arguably universal features of the human ethical situation in the form of shared phenomenological responses—responses that are rooted in the ontology of the human situation as such, and which therefore do not presuppose any particular ethical code or religious conviction. But it is one thing to agree that all (well-functioning) human beings experience the call to come to the aid of a person whose life they find "more-or-less in their hands"; it is something rather more specific to suppose that everyone experiences the presence of contrary inclinations as a kind of ethical failure in the face of such a call. The latter claim seems to involve commitment to a certain ideal of saintliness or "purity of heart" that may be far from universal.

25. See ch. 14 in this volume, by Robert Stern. For his account of the Kantian holy will, see his *Understanding Moral Obligation* (Cambridge: Cambridge University Press, 2012), ch. 3.