

THE RANGE OF OPTIONS

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Article:

What options we have in a situation can clearly be of great moral significance. I shall argue that our options are far more restricted than is commonly thought. If I am right, then my argument has important moral implications.

An option is an action that one can perform.¹ The sort of "can" at issue is that which J. L. Austin called "all-in."² Its analysis is controversial.³ I won't try to analyze it here; I hope that what I have in mind will be clear enough if I say that it is the sort of "can" that lies at the heart of the debates on free will and determinism and on whether "ought" implies "can."

I shall proceed as follows. In section I, I shall present my argument, which will contain one premise (with three clauses) and a conclusion. In Section II I shall defend the principle of inference used. In Sections III-IV I shall defend the three clauses of the premise as best I can when they are taken individually. In Section VI, I shall defend the premise as a whole (by this time it will have undergone some modification). I shall conclude in Section VII with some brief observations about the moral implications of the argument.

I. THE ARGUMENT

Here is an initial, incomplete rendering of the argument:

- (A) (1) In any situation, very many of one's apparent options are actions which are such that
- (i) one cannot perform them unless one has certain conscious thoughts concerning them and
 - (ii) one does not in fact have these thoughts.

Hence:

- (2) In any situation, very many of one's apparent options are actions which one cannot in fact perform.

Before moving to an evaluation of the argument, let me note just what is at stake in its conclusion. By "an apparent option" I don't mean an option which it in fact appears to someone (oneself or another) that one has; I mean, roughly, an option which a normal person would admit to having when asked whether it is (or was) an option that he or she has (or had) in the situation and when answering sincerely. For example, suppose that Joe, a normal person, forgot to keep an appointment. While it didn't occur to him to keep it, nonetheless, if he were asked whether it was an option of his, he would say that it was;

indeed, he'd probably say that it was one he should have taken. Or again, suppose that Joe, eager to press his point of view, kept interrupting his interlocutor. While it didn't occur to him to keep his mouth shut, he would, if asked, admit that he could and should have done so. Or finally, suppose that Joe, listening to his favorite song on the radio, ran a red light and caused an accident. He'd admit that he could and should have been paying more attention to what he was doing. My contention (put bluntly and a little too boldly) is that, in all of these (and other such) cases, Joe is mistaken. None of the apparent options were actual options of his, and this is simply because performing them never crossed his mind.

Let us now turn to an evaluation of the argument. It may appear that it goes awry in a familiar way. Consider this argument, which, apart from the absence of quantifiers, seems analogous to mine:

- (B) (1) (i) Jones cannot walk unless he moves his legs, and
(ii) Jones does not in fact move his legs.

Hence:

- (2) Jones cannot in fact walk.

Clearly, something has gone wrong here, and the diagnosis is not hard to come by. Using obvious symbolism—obvious but, as we shall soon see, not entirely innocent—we may put the diagnosis as follows. It may at first be tempting to construe (B) as having this form (form "a"):

- (Ba) (1) (i) $-m \rightarrow -P(w)$ &
(ii) $-m$

Hence:

- (2) $-P(w)$

But while this form of argument is valid, it is apparent that (Ba 1) does not capture what is meant by (B1). On the contrary, (B) would appear to have the following form:

- (Bb) (1) (i) $-P(w \ \& \ -m)$ &
(ii) $-m$

Hence:

- (2) $-P(w)$

But now, it will be pointed out, although the first premise is true, the argument is invalid. (It is assumed that personal possibility—that which is expressed by "P" and, in English, by "(all-in) can"—is wholly analogous to strict logical possibility.)

I think that this dismissal of (B) is quite correct. But now consider this argument:

- (C) (1) (i) Smith cannot walk unless she has legs, and
(ii) Smith in fact has no legs.

Hence:

- (2) Smith cannot in fact walk.

This seems much better than (B). Why? Presumably because it would not be a mistake to see it as having the following valid form:

(Ca) (1) (i) $\neg h \rightarrow \neg P(w)$ &
(ii) $\neg h$

Hence:

(2) $\neg P(w)$

But now we need to enquire: why is it that (Bli) and (Cli) should be seen to have such different logical forms when, on the surface, they appear so similar?

To answer this question, consider one way to modify (Bb) so that (B)'s form is apparently valid. The alteration is in the second clause of the premise:

(Bc) (1) (i) $\neg P(w \ \& \ \neg m)$ &
(ii) $\neg P(m)$

Hence:

(2) $\neg P(w)$

If Jones cannot move his legs, then he cannot walk. (The principle of inference presupposed here seems to be this:

(P1) $\neg P(p \ \& \ \neg q), \neg P(q) \mid \neg P(p)$

Again, an analogy is apparently presupposed between personal possibility and strict logical possibility. For, where the latter is substituted for the former in (P1), we have an acceptable principle.⁴) This alteration to the argument, though, while rendering it valid, does not succeed in rendering it sound. For (Bc 1 ii), we may assume, is false; even if Jones doesn't move his legs, he can.

In this respect, though, arguments (B) and (C) differ. Not only does Smith have no legs, it is not personally possible for her to have any; that is, roughly, she can do nothing about her legless condition.⁵ It is this implicit understanding of the difference between Jones's and Smith's situations that accounts for the difference between the arguments. That is, while (Ca) does capture the form of (C), the following would render explicit what is at issue in (C):

(Cd) (1) (i) $\neg P(w \ \& \ \neg h)$ &
(ii) $\neg h$ &
(iii) $\neg P(h)$

Hence:

(2) $\neg P(w)$

Given principle (P1), (Cd1) yields (Cal). The proponent of (C) is implicitly relying on the truth of (Cd1), even though what is explicitly stated is captured by (Ca 1).

Now, how does all this apply to my original argument (A)? Not surprisingly, I want to say that that argument is properly seen to have a form analogous to that of argument (C), not (B), and thus that it is to be understood along the lines of (Cd). Roughly, then, and with quantifiers omitted, what we have is an argument of this form:

- (Ad) (1) (i) $\neg P(a \ \& \ -c) \ \&$
 (ii) $\neg c \ \&$
 (iii) $\neg c \rightarrow \neg P(c)$

Hence:

- (2) $\neg P(a)$

More fully (although this isn't the final version):

- (A') (1) In any situation, very many of one's apparent options are actions which are such that
 (i) one cannot both perform them and not have certain conscious thoughts concerning them,
 (ii) one does not in fact have these thoughts,
 and
 (iii) if one does not have these thoughts, one cannot have them.

Hence:

- (2) In any situation, very many of one's apparent options are actions which one cannot in fact perform.

What we need now to do is look more closely at the modal principle of inference presupposed and at the argument's premise.

II. THE PRINCIPLE OF INFERENCE

I have said that the modal principle of inference presupposed in (Bc)—and hence, by extension, in (Cd), (Ad), and finally (A')—seems to be the following:

$$\neg P(p \ \& \ -q), \neg P(q) \mid \neg P(p).$$

It is natural to treat (P1) as akin to familiar principles of the logic of strict logical necessity and possibility. If we do this, we must interpret 'p' and 'q' as propositional variables, and as a propositional connective, and 'P' as a propositional operator. (P1) may then be thought to be equally well rendered as

$$N(p \rightarrow q), P(p) \mid P(q)$$

(where "N" expresses personal necessity or unavoidability), and this itself may be seen to be equivalent to

$$N(p \rightarrow q), N(p) \mid N(q).^6$$

Each of these principles is extremely plausible, but how exactly are phrases of the form "P(p)" and 'N(p)' to be rendered in English?

The best rendition, I think, is this: "P(p)" means the same as "it is personally possible for agent S at time t that p," and "N(p)" means the same as "it is personally necessary for S at t that p." (Just what these mean, I'll get to in a moment.) But here we run into a snag. So understood, (P3) (to which, it has just been said, (P1) is equivalent) has been used in a well-known recent argument for the thesis that free will is incompatible with determinism.⁷ While that argument relies on several assumptions other than the

assumption that (P3) is valid, nonetheless some sympathizers with compatibilism have claimed that it is (P3) that is to be rejected. Three objections have been raised: that (P3) is invalid when p' expresses a proposition having to do with the past⁸; that, in its use of "N(p)," (P3) presupposes what is impossible, viz., that an agent can enter into a causal relation with a proposition⁹; and that (P3) begs the question against compatibilism¹⁰. I shall now address these concerns.

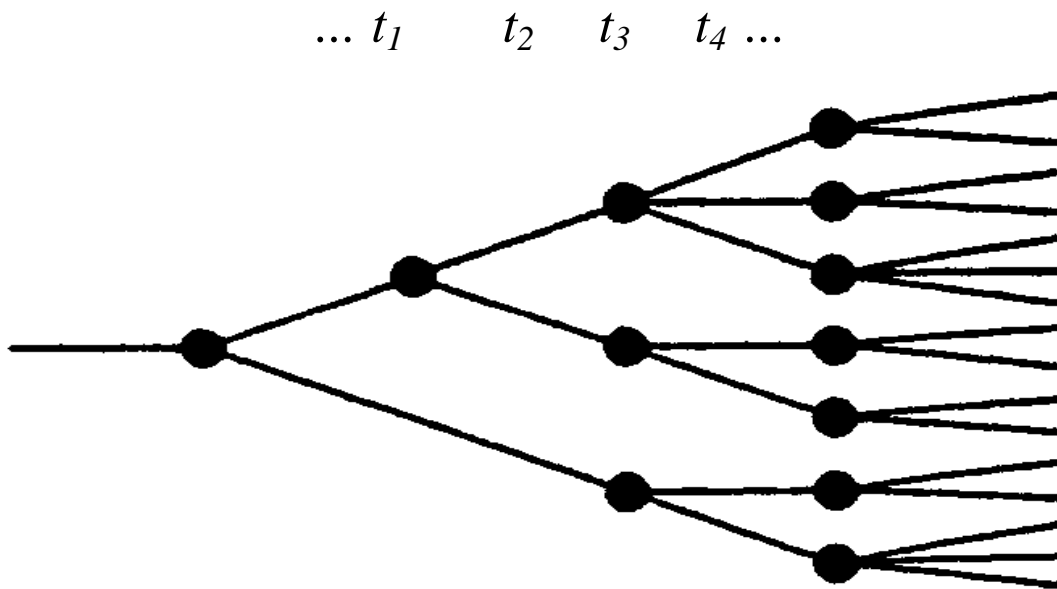
While I believe the first objection to be mistaken, the best way to deal with it for present purposes is simply to circumvent it by adopting a principle that is narrower than (P3) but which still serves to validate the conclusion of my argument. Thus I propose the following, where t is no later than either t' or t*

If it is not personally possible for S at t that event e occur at t' and event f not occur at t*, and if it is not personally possible for S at t that f occur at t*, it follows that it is not personally possible for S at t that e occur at t'.

That is, in symbolism more explicit than that used so far:

$$(P4) \neg P_{s,t'}(e_{t'} \ \& \ f_{t^*}), \neg P_{s,t'}(f_{t^*}) \mid \neg P_{s,t'}(e_{t'}).^{11}$$

The second objection can be met by giving a definition of personal possibility that employs the all-in "can" in such a way as to dispel any fears of pre-supposing an impossible relation between agents and propositions. This definition is based on the following considerations. Life is a series of choices.¹² At each point of choice we are faced with a number of different directions in which we may travel. By travelling in one direction rather than another, we actualize one possible future and close off others. Each possible future is a segment of some possible world. Thus, at each point of choice, we have the option of actualizing one possible world rather than another.¹³ The picture is roughly this:



Two comments are in order. First, this picture is inaccurate because each point of choice may have many more lines leading from it than are indicated here. (Nonetheless, the point of this paper is that the

number of these lines is far smaller than is commonly believed.) Second, the picture conforms with (P4). If there is no line leading from a point of choice at t on which e occurs at t' and f does not occur at t^* , and if there is no line leading from that same point of choice on which f occurs at t^* , then there is no line leading from that point of choice on which e occurs at t' .

I now suggest the following recursive definition (where a possible world is understood as a logically possible proposition that entails every proposition or its negation, and where "can" is all-in):

- (D1) It is personally possible for S at t that p =df for some possible world W :
- (i) W entails that p , and either
 - (ii) S exists at t and W is actual, or
 - (iii) for some choice c and time f :
 - (a) S can at t make c at f , and
 - (b) if (1) S were to make c at t' and
(2) whatever S cannot at t prevent from occurring at t' were to occur at t'
then either (3) W would obtain
or (4) it would be personally possible for S at t' that W obtain. ¹⁴

The third objection is more difficult to handle, because what constitutes question-begging is itself very unclear. I believe that there is good reason to reject the objection simply on the basis that the assumption that (P4) is valid does not by itself entail that compatibilism is false; as noted earlier, other assumptions are required. Nonetheless, some may complain that (P4) does by itself pose a threat to compatibilism, in that many compatibilists presuppose a conditional analysis of "can" and (P4) implies that such an analysis is false. Thus these compatibilists, at least, won't find (P4) innocuous.

Now, whether (P4) is inconsistent with a conditional analysis of "can" of course depends on just what the analysis is. (P4) certainly is inconsistent with the following popular analysis:

- (D2) S can do a =df if S were to choose to do a , S would do a .¹⁵

But this analysis is demonstrably false anyway.¹⁶ Still, it must be acknowledged that perhaps some conditional, compatibilist analysis of "can" could be devised, the overturning of which would require appealing to (P4) (or some principle implied by (P4)). In this case, there would be a stand-off. Independent considerations would have to be summoned in favor of the analysis on the one hand and of (P4) on the other. I see every reason to think that the plausibility of (P4) would outweigh any consideration in favor of the analysis.¹⁷ In saying this, I am presupposing what is surely true, namely, that the truth of compatibilism does not require the adequacy of any such analysis. Thus, while (P4) by itself may pose a threat to some compatibilists, I still believe that it poses no threat to compatibilism as such.

III. THE PREMISE: FIRST CLAUSE

If we are to consider the first clause of the premise in isolation, we must consider this proposition:

- (i) In any situation, very many of one's apparent options are actions which are such that it is not personally possible for one both that one perform them and that one not have certain conscious thoughts concerning them.

Just what the "certain conscious thoughts" are will vary from case to case, but the general point is simply that very many actions are such that one cannot perform them unless one pays some attention to what one is doing; success in one's endeavors very frequently requires that one concentrate on the task at hand.

There may appear to be three broad classes of actions that do not satisfy this general condition. The first is that of unintentional actions. In reaching out for a second cup of coffee, I may "succeed" in knocking over the coffee pot. Doing this never crossed my mind; it certainly wasn't something that I was attending to. But here we may observe that, even though I was not attending to knocking over the coffee pot, I was attending to reaching out for a second cup of coffee; moreover, I would not have done the former unless I had done the latter, and doing the latter required my attention. In general, even unintentional action involves intentional action¹⁸ and must therefore involve whatever conscious thoughts intentional action must involve.

The second class of apparent exceptions is that of routine or habitual actions. To what extent such actions can be performed unthinkingly is unclear. It surely is true that such actions can be performed without being the focus of one's attention, but whether or not they can be performed without the agent lending some minimal attention to them is controversial.¹⁹ Let us assume, however, that some routine actions require not even minimal consciousness of them for their successful undertaking. (Perhaps tying one's shoelaces, scratching an itch, changing gears, and so on, are frequently actions of this sort.) At most this assumption requires admitting that many of one's apparent options are actions which are such that it is personally possible for one both that one perform them and that one not have certain conscious thoughts concerning them. It does not require that we reject (i).²⁰

The third class²¹ is that of actions whose initiation appears to require certain conscious thoughts but whose continuation does not. Presumably, in order to begin sunbathing I must pay some attention to what I am doing; but it seems that I can continue doing this quite mindlessly (perhaps I am engrossed in the novel I'm reading). Two points are in order here. First, just as with the second class of exceptions, this class does not imply that (i) is false. Second, even if continuing certain actions requires no thought, desisting from their continuation seems to require some (while my sunbathing may stop without my thinking of anything, it would appear that I cannot stop it without thinking about what I am doing), and this observation supports (i).

IV. THE PREMISE: SECOND CLAUSE

The proposition that we must now attend to is this:

- (ii) In any situation, very many of one's apparent options are actions concerning which one does not in fact have conscious thoughts.

There are two types of evidence for this claim. The first is personal. For my own part, when I concentrate on what I am doing, I do not attend to what I may otherwise do. When I do not concentrate on what I am doing, then usually my mind wanders; again, I do not attend to my options. I strongly suspect that most people are similar to me in these respects, although I have no firm evidence to support this. Of course, it can and does at times happen that I take the time to reconnoiter the territory, to canvass my options. Even here, though, I attend to few options at a time. And at this point the second

type of evidence— experimental evidence—is pertinent. Apparently humans are capable of attending to at most five to seven independent chunks of information at once.²² Now, regardless of just how this claim is to be interpreted, it is evident that consciousness is highly selective. No one is capable of attending to many independent options at once; hence no one does.

5. THE PREMISE: THIRD CLAUSE

The proposition to be considered here is this:

(iii) In any situation, very many of one's apparent options are actions which are such that, if one does not in fact have conscious thoughts concerning them, it is not personally possible for one that one have such thoughts.

This will most likely appear to be the most vulnerable part of my argument. Why should it be necessary to have the thoughts in question in order for it to be possible for one to have them? Indeed, this claim is indefensible as it stands, but I think that a strong case can be made for a somewhat diluted version of it.

First, we should ask how in general it might be personally possible for someone at t that he or she have a certain conscious thought at t' . There seem to be just two main possibilities. Either one has a choice at t as to whether one has the thought at t' , or one does not. If one has a choice, then one can ensure its occurrence in one of two main ways. Either one already has the thought at t (or at some time t^* intermediate between t and t') and can maintain it through t' (i.e., so act that one contributes to its sustenance through t'); or one does not already have the thought at t (or t^* —or one has it at t (or t^*) but fails to maintain it through t' —but can so act that one contributes to its occurrence at t' . If, on the other hand, one does not have a choice at t as to whether one has the thought at t' , it is still personally possible for one at t that one have the thought at t' if, but only if, it is personally necessary for one at t that one have it then; that is, if, but only if, the thought occurs anyway at t' , independently of any choice that one makes at t (or t^*). In summary, then: one can have a thought just in case either one can maintain it, or one can contribute to it, or it will occur anyway.

Let us now turn to our immediate options. By "an immediate option," I don't mean an action that can be completed immediately. There are no such actions, since all actions, even the most basic, take time to complete. Nonetheless, if there are any actions we can perform at all, there are actions that we can begin immediately to complete, and it is such actions that I call our immediate options.

The point here is this. Given (i), very many of my immediate options are such that I cannot (begin to) perform them without having certain conscious thoughts. Thus, if it is personally possible for me now immediately to perform them, it must be personally possible for me now immediately to have the thoughts in question. Given the ways in which having such thoughts is personally possible, having them immediately is personally possible for me now only if I can now maintain them, or I can now contribute to them, or they will occur anyway. But it is being assumed (in the antecedent of (iii)) that I do not now have these thoughts; hence I cannot now maintain them. Moreover, I wish to argue, I cannot now contribute to their immediate occurrence; for this would require that the contribution be a basic action, and yet contributing to the having of a conscious thought is never (or hardly ever²³) a basic action. That is, one can accomplish such contribution only by way of some intermediate action which itself contributes to the having of the thought; this intermediate action must take place at a time intermediate between now and the time of the thought; hence the thought cannot be immediately produced. Thus we

are left only with this possibility: having the thought immediately is personally possible for me now only if the thought occurs independently of any choice of mine now. Now, while it may be very likely that some thought (or thoughts) will immediately occur to me (and hence very likely that it is personally possible for me now to have some thought), every thought, I contend, (with one possible exception) is such that it is very unlikely immediately to occur to me; hence (with one possible exception) every thought is such that it is very un-likely that it is personally possible for me now immediately to have it.²⁴

Why should this be, though, and what is the possible exception? Consider, first, that the number of independent conscious thoughts any one of which one is in principle capable of having at one time is extremely large (call it V); and second, that the maximum number of independent conscious thoughts all of which one is capable of having at one time is very small (five to seven, as mentioned before—call it n). Thus, if all thoughts were equiprobable, the likelihood that on some occasion a particular one of them should occur would be n/N —i.e., very low indeed. Now, of course, we cannot assume that all thoughts are equiprobable; some are far more likely to occur than others, given the agent's past history, propensities, circumstances, etc. For example, one is much more likely to think of what to have for dinner than to wonder how much wood a woodchuck could really chuck. Indeed—and this is the possible exception—it may be that having a certain thought at t' is personally necessary for someone at t because of some choice made by him or her prior to t . In such a case it may even be likely (from a perspective prior to t'), rather than unlikely, that the thought in question will occur at t' . But even if this is so for some thoughts, it will not be so for many others. Indeed, it cannot be; for, given that at most n independent thoughts can occur at once, the increased likelihood of one thought tends to render others less likely. Thus, ironically, whatever exceptions there are prove²⁵ the general rule. This is so even if we ignore "irrelevant" thoughts altogether and concentrate only on those that are of potential concern to the agent; for the number of such thoughts is still very large (call it N^*) and hence n/N^* is still very small.²⁶

We may thus conclude that, in any situation, very many of one's apparent immediate options are actions which are such that, if one does not in fact have conscious thoughts concerning them, it is very likely not personally possible for one that one have such thoughts. This is significant because, conjoined with the other clauses of the premise, it yields (with a caveat to be explained in the next section) the conclusion that the number of lines immediately issuing from a point of choice is far smaller than one would normally think. And, of course, this restriction on the number of immediate options entails a restriction on the number of non-immediate, or remote, options. Still, it could yet be that the number of remote options is very large, and so let me now address this matter directly.

Given what was said above, it is personally possible for me now that I have certain conscious thoughts in the non-immediate future—thoughts which I do not now have—only if I contribute to them or they occur anyway. That any particular such thought should occur independently of any choice or action of mine is just as unlikely in this case as in the case of my immediately having the thought. But, in this case, as opposed to the former case, there is no reason in principle to think that I cannot contribute to such thoughts; for time to do this is in principle available. Nonetheless, there is still good reason to think that, for almost any particular such thought, it is highly unlikely that I can contribute to it. Let me explain.

I can contribute to the having of a thought in one of two ways: intentionally or unintentionally. I suggest that one can intentionally contribute to the having of a conscious thought only if, at the time at which the contribution is initiated, one has the thought. Since we are working under the assumption that I do not

presently have the thought, the only contribution to the later having of the thought that I can now initiate is unintentional. Now, it seems to me that most of my conscious thoughts are indeed brought about in just this way: I do something which unintentionally results in my having a certain thought. But how likely is it that one particular thought rather than another would²⁷ be unintentionally brought about on some particular occasion—especially when the number of immediate options is as small as I have argued? Again, it seems that, given the very large pool of candidate thoughts (even when restricted to "relevant" thoughts) and the very small number of thoughts that can be had at any one moment, we must conclude that the likelihood is, in almost all cases, very small.²⁸

Here an objection may be made. It may seem that there is an intermediate path between simply unintentionally producing a thought and intentionally producing it, and that is the strategy of intentionally scanning my apparent options and thereby, given sufficient time and skill in scanning, latching consciously on to almost all such options, thus rendering them genuine options after all. While none of the thoughts that I would thereby produce would itself be intentionally produced, I would intentionally bring it about that such thoughts occur to me. Doesn't the fact that such scanning is frequently possible show that the likelihood of my having conscious thoughts concerning particular apparent options is in fact often quite high?

The answer, I think, is still no. Although I concede that having the leisure to scan one's apparent options will raise the probability of each such option's being thought of and hence becoming a real option, two important points must be borne in mind. First, if undertaking the scanning is itself to be possible for one, one must have a conscious thought concerning it—and this itself may well not be very likely. Second, it is not enough to latch consciously on to an apparent option for it to become a real option; one must latch on to it at the right time. If at t_1 , during the course of scanning, I think of a certain possible course of action at t_3 but at t_2 , during the course of further scanning, I relinquish the thought and it doesn't recur to me at t_3 , then at t_3 the option that requires the thought will remain merely apparent. Now, I concede that having a thought raises considerably the probability of its occurring later²⁹, and so my having the thought at t_1 will raise the probability of its recurring at or during t_3 . Indeed, it may even render it likely that I will have the thought (perhaps it will occur to me to maintain the thought from t_1 through t_3 ; or perhaps it will occur to me to make a reminder to myself that I'll be likely to consult in time). But, as before, this ironically supports my general thesis. For if a certain thought is rendered likely, then, given the cap on the number of thoughts that may occur simultaneously, other thoughts are rendered less likely, so that, in general (even if there are certain particular exceptions), the likelihood of a certain "relevant" thought occurring to me at a certain time will be low, whether or not scanning has taken place.³⁰

I therefore conclude that the following modification to (iii) is true:

(iii') In any situation, very many of one's apparent options are actions which are such that, if one does not in fact have conscious thoughts concerning them, it is very likely not personally possible for one that one have such thoughts.

VI. THE ARGUMENT: FINAL VERSION

The final version of my argument must obviously reflect the modification just made to the third clause of the premise. But getting the final version of the premise is not just a matter of conjoining (i), (ii), and (iii'), because (and this is the caveat mentioned in the last section) it may be that very many x are F, very

many x are G, and very many x are H, while it is not the case that very many x are F and G and H. I believe, however, that in the present case this fact presents no problem. For the considerations that were advanced separately in support of (i), (ii), and (iii') taken individually may, I believe, be advanced jointly in support of a "merged" version of these propositions. That is, it seems reasonable to believe that very many of the very many apparent options that satisfy (i) also satisfy (ii) and (iii'), i.e., that there is a high degree of overlap between them. If this seems too complacent or contentious, consider the following. Suppose that we made the conservative estimate that the "very many" of one's apparent options at issue in each of (i), (ii), and (iii') constituted only 90% of those options, and that we also made the assumption that there was the minimal possible overlap between the options which satisfied (i), (ii), and (iii'). The result would still be that 70% of one's apparent options satisfied all of (i), (ii), and (iii')—and this still constitutes "very many." Hence I claim that the considerations brought to bear in the preceding three sections furnish strong support for the following argument:

- (A") (1) In any situation, very many of one's apparent options are actions which are such that
- (i) it is not personally possible for one both that one perform them and that one not have certain conscious thoughts concerning them,
 - (ii) one does not in fact have these thoughts,
 - and
 - (iii) if one does not have these thoughts, it is very likely not personally possible for one that one have them.

Hence:

- (2) In any situation, very many of one's apparent options are actions which are such that it is very likely not in fact personally possible for one that one perform them.

VII. MORAL IMPLICATIONS

Joe forgot to keep his appointment; he kept interrupting his interlocutor; he ran a red light. If my argument is sound, it is likely that he couldn't have done otherwise. If one ought to do only what one can do, then it is likely not the case that Joe ought to have done otherwise. If one is responsible only for what one could have avoided, then it is likely not the case that Joe is responsible for what he did. Both theses are plausible; if they are correct, then my argument implies that there is likely much less wrong done and much less responsibility incurred than is commonly believed. Even if the theses are not correct, some close modification of them probably is, and so my argument probably still has this implication.³¹ At the very least, if (as is surely plausible) what one ought to do and what one is responsible for doing are in part functions of what options one has or had, then my argument implies that obligation and responsibility are often in an important respect "subjective," tied to the agent's state of mind.

At this point it should be acknowledged that there is an ambiguity to "can," even when it is circumscribed as at the outset of this paper. First, there is the question whether a person under compulsion can, in the relevant sense, resist the compulsion. Can one, at gunpoint, defy a gunman's order? A "liberal" on this issue will say yes (for all it takes is the choice, admittedly a difficult one but not an impossible one, to decline to cooperate), while a "conservative" will say no.³² Then there is the question whether a person who cannot intentionally do something can nevertheless sometimes do it. Can one open a safe even when one has no idea what the combination is?³³ Again, a "liberal" will say yes (for all it takes is a series of finger movements, easy to perform) while a "conservative" will say no.³⁴

Unlike some, I am willing to declare myself a liberal. That is, as long as one has the requisite conscious thoughts, one can, I believe, defy the gun-man and one can open the safe. This has been the position implicitly adopted in this paper, for my argument applies to options even when so liberally construed. But what of the two moral theses just mentioned? Do they concern the liberal "can" or some more conservative "can"? An answer to this question need not be given here, for if my argument is sound with respect to the liberal "can" it is ipso facto sound with respect to some more conservative "can" and hence will still have the moral implications cited.³⁵

Throughout this paper I have construed an option to be an action that one can perform. But what of omissions? It may seem that there is a large class of morally significant behavior that is left untouched by the foregoing observations, even if they are otherwise accurate: that of satisfying negative duties. I can, it may be said, satisfy the duties not to kill, not to commit adultery, not to bear false witness, and so on, quite mindlessly; indeed, I do so whenever I am absorbed in routine activities.

The easiest response to this claim is capitulation. We should, I am sure, grant that omissions in general and the satisfaction of negative duties in particular are sometimes options that we have, and I would be quite content if my case for the restricted nature of our options were itself to be restricted to our "positive" options (genuine actions that we can perform) so that our "negative" options ("not-doings" that are personally possible for us) are left untouched.³⁶

Another response, however, is this. If one ought to do only what one can avoid doing, then the satisfaction of negative duties does not constitute an exception to my argument after all. Even if omissions are not actions³⁷ and even if they are sometimes options that we have, if "ought" implies "can avoid" it will not be the case that I ought not to kill, or commit adultery, or bear false witness unless I can do these things. If, given my argument, I can rarely do these things, then I rarely have the duties in question.

Finally, it may be claimed that my argument could be used as a basis for the thesis that we ought to ensure (or try to ensure) that we have certain conscious thoughts—those thoughts without which the duties that we would otherwise have would become defunct. This seems plausible to me, but whether or not it is correct can be determined only by appeal to a general theory of obligation, something that I shall not undertake here. Still, this much can be said: if my argument is sound, and if "ought" implies "can," it is very likely that one has the obligation to (try to) ensure that one has certain conscious thoughts only if it occurs to one to (try to) ensure this.³⁸

NOTES

1. More precisely: an option is either an action or an omission that one can accomplish. On omissions see section VII below.
2. [1] p.319.
3. Some have said that one can "all-in" do something just in case one has the ability and the opportunity to do it ([20] p. 325); others have denied this ([14] p. 242). Many have touted a conditional analysis (including [2] p. 282, [10] p. 159, [12] p. 104> [18] pp. 90-91, [21] p. 57); others have rejected this ([4] p. 345, [14] pp. 248-50, [24] p. 114ff.)—more on this later.
4. In the "weakest" modal system > T, the following is an axiom (rather than a principle of inference):
$$L(p \rightarrow q) \rightarrow (Lp \rightarrow Lq).$$

(See [11] p. 31> where "L" and "M" are used to express strict logical necessity and possibility, respectively.) This is provably equivalent to:

$$(-M(p \ \& \ -q) \ \& \ -Mq) \ \rightarrow \ -Mp.$$

5. See (D1) in section II for a more precise account.
6. Again, compare the logic of strict logical necessity and possibility. See note 4 above.
7. [24] p. 94. Actually, "N" is not agent- and time-bound in the argument as it is implicitly in (P3).
8. [22] p. 19.
9. [19] p. 84. Cf. [24] p. 67.
10. [9] p. 71. Cf. [24] pp. 18> 102-4; [8] pp. 432-40.
11. Why opt for something so complicated? Why not simply accept the following?
If S cannot at t do action a at t' without doing action b at t*, and if S cannot at t do b at t*, it follows that S cannot at t do a at t'.
The answer is this. Even if this principle is valid (as I believe), it is inapplicable to my argument (specifically to Aeli) because having conscious thoughts is not itself an action (although it is perhaps something that one "does," in some broad sense).
12. In saying this I don't assume that all choices must be conscious. Nonetheless I am inclined to believe that this is so. See note 20 below.
13. Cf. [6] p.16ff.
14. Clause (ii) accommodates those relatively rare occasions where S is already travelling in some direction but cannot ever again make a choice.
15. See the philosophers mentioned in note 3 above as ones who have advocated a conditional analysis. All of these writers have embraced something close to (D2). That (P4) is inconsistent with (D2) is shown by the following illustration. Suppose that Smith is a sensible person. He knows that he cannot make a cake from scratch without using flour, and so he would choose to make a cake from scratch only if flour were available. Moreover, if he did choose to make a cake from scratch, he'd succeed in doing so. Of course, he would not succeed in making a cake from scratch without flour if, for some bizarre reason, he were to choose to do that. It is also true, though, that he has no flour and that, unbeknownst to him, he has no way to get any; thus, if he were to choose to get flour, he'd fail to do so. Let S be Smith, m be the proposition that Smith makes a cake from scratch, and f be the proposition that Smith has flour. What this case tells us, given (D2), is this (temporal subscripts omitted): $\neg P_S(m \ \& \ -f)$, $\neg P_S(f)$, but $P_S(m)$. Thus we have a counterexample to (P4).
16. See [24] p. 119. Cf [7], p. 17ff.
17. Cf. [24] p. 122.
18. Or something close to it. See [26] p. 140.
19. On the question of the focus of attention, see [25] Ch. 10, section 2; [13] section 35.
20. I believe that the assumption is in fact much less far-reaching than this alone would suggest, however. Routine or habitual actions (given that they are wholly unthinking) seem to be performed on "automatic pilot," to use a common and suggestive analogy. Such actions are typically intentional and may involve decisions, but these decisions are not choices between presently competing alternatives> for the course has already been set. Routine or habit dictates the decisions, so that other options, even if they were once genuine, are no longer so; they have been ruled out. Only when one consciously backs off from the routine (because some object or event has forced itself upon one's consciousness-cf. [25] p. 163) do other options emerge as genuine candidates for choice. Thus I would contend that a conscious appraisal of one's situation is in fact necessary if one is to have genuine alternatives. Cf. [16] pp. 241-43, [17] p. 316.

21. Pointed out to me by Terry McConnell.
22. [16] pp. 236, 246ff.
23. It may be that some people (e.g., skilled mental arithmeticians) can sometimes immediately conjure up some thoughts. But if this proves an exception to my argument, I take it to be one that is negligible. Surely it is far, far more common that thoughts can be and are evoked only nonbasically.
24. The phrase "(un)likely that it is personally possible" may be disconcerting, involving as it does a double modality. The best antidote I can think of is simply to keep in mind that it is the all-in "can" that is at issue. It doesn't sound odd to say, "He can probably do that."
25. In the sense of "confirm," and not of "test."
26. Sample "relevant" thoughts include thoughts concerning: this project; that project; what to have for dinner; what's upsetting Joe; what to get Jane for her birthday; paying the car insurance premium; committee work... It would be tedious to extend this list; it could, and in almost all cases would, be very long.
27. Or could. See clause (iiib4) of (D1).
28. It is important that I do not presently have the thought in question and hence that any contribution to its later occurrence is unintentional. I concede that my presently having the thought would raise considerably the probability of its occurring as a result of some action that I can now perform.
29. See the last note.
30. One particular sort of exception to this general claim should be explicitly noted, however, and that is where the time in question is sufficiently extended. Compare my calling Sue at noon and my calling her by noon. It is much more likely that I can do the latter than the former, and this is because what constitutes the "right" time for the relevant thought to occur is much longer in the latter case.
31. I believe that "ought" implies "can." I do not believe that responsibility implies avoidability, although I do think that one cannot be responsible for doing something unless one believed one could avoid doing it (as long as one is not responsible for not believing this). See [27] p. 22 and Ch.4, section 10.
32. A representative liberal: Thorp ([23] pp. 8-9). A representative conservative: Dennett ([5] p. 133).
33. See [24] p. 230, n.9.
34. A representative liberal: Feldman ([6] pp. 24-25). A representative conservative: Lemos ([15] p. 302).
35. In [27] pp. 85-6 I argued that one typically lacks control, in the second of the conservative senses just cited, over one's thoughts and that this would afford an excuse for much thoughtless behavior. My contention in this paper is that one typically lacks control even in the liberal senses over one's thoughts.
36. Still, it should be noted that intentional omissions – refraining -- will often require conscious thoughts, just as actions often do. Thus my argument would apply to them.
37. Although they sometimes involve them. See [26] pp. 183-84.
38. My thanks to Josh Hoffman, John King, Terry McConnell, Al Mele, and Gary Rosenkranz for helpful comments on earlier drafts.

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