CHAPTER 9

AN ANSWER THAT CANNOT BE NEGLECTED

THE SOLUTION

At the end of the last chapter, I indicated the general strategy for my solution to the problem of culpability for NO's. The basic idea is that in every NO, the agent has some awareness or consideration of the object of an intellection. This consideration carries along with it the virtual reflection that one should further consider that intellection's object more. If the agent were to do this, she would arrive at knowledge of her obligation and be able to avoid the NO. Ex hypothesi, she does not perform further consideration even though she (virtually) knows she should and thus voluntarily causes ignorance.

What remains is to show how this general strategy can be applied to each of the different types of NO. After I do this, I will discuss how my ultimate solution relates both to the traditional understandings of the solution for NO's and to some of the insights gained from the other authors discussed in this book.

I. EXPLANATION OF THE DIFFERENT TYPES OF NO

A. Type-1 NO's

1. General Description of the Solution

Recall the basic structure of Type-1 NO's. They are situations in which the time span between the last point at which one was specifically aware of one's obligation and the time of expected fulfillment (TEF) is short enough such that the agent is reasonably expected to keep her obligation in mind continuously until TEF so as to be sure not to forget it. In Chapter 5, we parsed this expectation in terms of the requirement that the agent continuously perform complacere on the obligation-related intellection such that it not cease. We then noted that in order to ascribe blameworthiness to an agent who does not keep that obligation continuously in mind, we must give some account of how the agent is to know that she should keep that obligation continuously in mind until TEF. We also noted that while doing so we must make sure that the
account of that knowledge does not imply that her subsequent ignorance and omission are intentional.

We can now easily meet this two-fold task. To demonstrate how, let us return once again to Sample 1. When John first undertakes the obligation at 6:55, he must at the very least be aware of the fact that he is undertaking that obligation; if he has no such awareness, it is difficult to understand how he could be obligated in the first place. Hence he has an intellection of the fact that he should pick up Des at 7:00 and must, at some level, be considering its object, his obligation. This act of consideration, in turn, means he has the virtual cognition that he can push this consideration further. If he were to push consideration further, he would come to realize explicitly (not virtually) the following detail that is related to this initial consideratum: the TEF is near-enough such that he reasonably can and thus should keep the full obligation-related intellection in mind continuously. In other words, he would realize that he is in a Type-1 scenario, a scenario in which he must keep the obligation continuously in mind. This further consideration would ideally then lead him to the yet further explicit consideration that, in order to do this, he must apply constant psychic attention to this obligation (i.e., perform complacere). Consequently, it is within his power to know both how and that he should keep the full obligation-related intellection in mind continuously until TEF. Since he could have come to this knowledge by performing further consideration upon the initial

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1 Sample 1: At 6:55 p.m., John promises, and is thus morally obligated in some sense, to pick up his friend Des at the airport, for which he will need to leave at 7:00. At 6:56, a mere one minute after promising Des, John begins watching television and subsequently forgets to leave at 7:00 to pick Des up. It is not until 9:00, when Des calls John to ask him where he is, that John realizes he has omitted to fulfill his obligation.

2 The only knowledge that is virtual is that concerning the possibility or requirement to perform further consideration of some consideratum. Knowledge arrived at on account of this further consideration is explicit, not virtual.

3 If he pushed consideration further and did not reach this knowledge, his ignorance would be invincible and he would be blameless. Given that we are assuming a NO takes place, it must then be the case that the ignorance is not invincible and thus the agent can gain the relevant knowledge on account of further consideration.

4 No problem arises from the fact that he may come to this further knowledge in step-wise fashion. It is possible that upon the first consideration of the obligation, he ‘considered further’ the obligation and arrived at knowledge that TEF is nearby. But now, the fact that TEF is nearby is itself being considered. It is thus open for him to consider this fact further, by which he would arrive at the knowledge of the fact that he must apply constant psychic attention. In other words, a detail arrived at on account of considering some prior consideratum further is itself something one is now considering, and it is open to the agent at this point to ‘consider further’ this fact.