

Binding Oneself

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Abstract: This article advances three claims about the bindingness of duties to oneself: (1) To defend duties to oneself, one had better show that they can *bind*, i.e., provide normative reason to comply. (2) To salvage the bindingness of duties to oneself, one had better construe them as owed to, and waivable by, one's present self. (3) Duties owed to, and waivable by, one's present self can nevertheless bind. In advancing these claims, I partly oppose views recently developed by Daniel Muñoz and Paul Schofield. My arguments at least tentatively suggest three general lessons for moral theory: (a) Bindingness is an essential feature of duties in general. (b) The long sought-after explanation of supererogation is not to be found in waivable duties to oneself. (c) The bindingness of duties is a distinctive normative phenomenon which does not crucially depend on some physical, temporal, or psychological distance between the binding and the bound self.

1. Introduction

Consider the following argument, which I shall call the *Release Argument*:

Premise 1: If we had duties to ourselves, we could release ourselves from them.

Premise 2: It is impossible to have a duty from which one can release oneself.

Conclusion: We cannot have duties to ourselves.

Influential versions of this, by now classic, argument have been advanced by Hobbes, Kant, and Marcus Singer (Hobbes 1651: 184; Kant 1797: 6:417; Singer 1959, 1963).

A popular way to challenge the *Release Argument* is to reject *Premise 1* by insisting that duties to oneself just aren't the type of duties that can be waived (Cholbi 2018: 111-12; Denis 1997: 335; Hills 2003; Paton 1990; Schofield 2019, 2021b: Chapter 4; Timmermann 2006: 516; Wick 1960: 161). Recently, however,

philosophers have also begun to explore the possibility of rejecting *Premise 2* instead (Kanygina 2022; Muñoz 2020; Oakley 2017; Rosati 2011: 128-31; Schaab 2021).

This strategy is worth exploring because, if successful, it would avoid the need to explain why duties to oneself, unlike many duties to others, are not waivable (Kanygina 2022: 571; Muñoz 2020: 695-96; Schofield 2021b: 50-55). In this way, it would reveal a fundamental symmetry between self- and other-regarding morality, which may have theoretical virtues such as parsimony (Muñoz and Baron-Schmitt 2024). Furthermore, it might expand the set of possible duties to oneself to include, not only those duties that are plausibly unwaivable, such as duties of basic self-respect and self-care, but also duties arising from commitments, self-promises, and the demands of one's contingent practical identities (Habib 2009; Hill 1991; Rosati 2011; Schaab 2019, 2021; Sun 2022). Finally, and perhaps most consequentially, waivable duties to oneself might even explain the phenomenon of supererogation (Baron-Schmitt and Muñoz 2023; Muñoz 2021).¹

However, this strategy has recently been challenged by Paul Schofield (2021a; 2021b: 46-50). Schofield objects that, if we could waive duties to ourselves, they wouldn't *bind* us in the way that is characteristic of duties. He suggests that this issue of bindingness is what's motivated *Premise 2* of the *Release Argument* throughout most of its history.

In this article, I contend that, while it would indeed be a problem if waivable duties to oneself didn't bind, there is ultimately no good reason to think that they don't bind. I start by offering an interpretation of Schofield's challenge: to say that waivable duties to oneself don't bind is to say that they don't provide a normative reason to comply (§2). Subsequently, I critically discuss Daniel Muñoz's arguments to the effect that non-binding duties are meta-normatively unproblematic (§3). I contend that Muñoz's approach runs into serious difficulties, and thus we should try to salvage the bindingness of duties to oneself. To make things worse, I argue that the most prominent attempt in the literature to salvage the bindingness of duties

¹ I explain and discuss this idea in §3.

to oneself in a way that does justice to *Premise 1*, by characterising them as owed to our past or future selves, runs into difficulties as well (§4). Yet, fortunately, I argue that duties which are owed to, and waivable by, our present selves can bind us after all (§5). I end by drawing the following general lessons for moral theory from my discussion (§6): First, bindingness appears to be an essential feature of duties *in general*. Second, waivable duties to oneself probably don't provide the long sought-after explanation of supererogation. Third, the bindingness of duties is a distinctive normative force, which does not crucially depend on some sort of physical, temporal, or psychological distance between the binding and the bound self.

Following convention, I distinguish duties to oneself from merely *self-regarding* duties (e.g., Muñoz 2020: 692; Schaab 2021: 176; Schofield 2015: 514; Singer 1959: 204; Timmermann 2006: 506). A merely self-regarding duty concerns an agent's conduct towards herself, but the agent does not *owe* its fulfilment to herself. For example, a health professional's duty to get enough rest can plausibly be construed as owed to her patients, her employer, or society at large, rather than to the health professional. By contrast, a duty to oneself is *owed* to oneself, such that, by violating the duty, one potentially *wrongs* oneself. This also highlights why it matters whether there are duties to oneself: if there are, then the distinctive class of *relational* or *bipolar* deontic concepts associated with duties *to* specific individuals, such as *wronging* and perhaps even *rights*², find appropriate application in the domain of self-regarding morality.³

2. The Meaning of Binding Oneself

To deal with Schofield's challenge, we need to get clearer on what it amounts to. He writes (2021a: 192):

A person said to owe duties to herself, we might worry, is like a detainee in possession of keys to her own handcuffs. For [...] whether she's ultimately held to the standard at all is something that

² For discussion of whether duties to oneself imply rights against oneself, see Muñoz (2020: 692) and Schaab (2019: 526, n. 14; 2021: 176-77).

³ On relational or bipolar deontic concepts, see Thompson (2004), Darwall (2013), and May (2015).

is within her power to determine. Thus, she finds herself in a normative situation very unlike being interpersonally obligated.

The problem with a waivable duty to oneself, Schofield tells us, is that it is up to the agent whether she is ultimately *held* to the duty. But why is that a problem? Why does it undermine the duty's bindingness?

In spelling out his challenge, Schofield appeals to Hobbes's claim that a sovereign cannot be bound by his own laws (Hobbes 1651: 184, spelling modified; cited in Schofield 2021a: 191, 2021b: 48):

[H]aving the power to make, and repeal laws, he may when he pleases, free himself from that subjection, by repealing those laws that trouble him ... [H]e that can bind, can release; and therefore he that is bound to himself only, is not bound.

Schofield does not offer a detailed analysis of Hobbes's reasoning. But Daniel Muñoz insightfully reconstructs it, and its application to waivable duties to oneself, as follows (2020: 699):⁴

The big worry, I think, is that such norms wouldn't give us any reason to comply with them. [...] Even if the sovereign has reason not to break the law—and the law forbids littering—the law doesn't give him any reason not to litter. It only counts against littering *without changing the law*. Similarly, if I have an easily waivable duty to myself not to guzzle poison, it's not automatically a reason against guzzling; it only counts against *guzzling without waiving*.

So, perhaps, to say that a waivable duty to oneself to φ does not *bind* is to say that it fails to provide a *normative reason* to φ . Such a duty does not restrain the agent from not- φ -ing. After all, if she doesn't want to φ , she can simply release herself from it. It only restrains the agent from not- φ -ing *without releasing herself*. This also helps us make sense of Schofield's handcuff analogy: a detainee in possession of the keys

⁴ Muñoz also offers an alternative reconstruction of Hobbes's reasoning: the permission to make φ -ing permissible suffices to make φ -ing permissible; therefore, waivable duties to oneself are logically impossible (2020: 697-698). Here, however, I am concerned with Schofield's challenge to the *bindingness* of waivable duties to self, not with challenges to their *logical possibility*.

to her own handcuffs is not prevented from moving her hands freely; she is only prevented from moving her hands freely *without using the keys*.

For our purposes, then, we may assume that a duty to φ binds only if it provides a normative reason to φ . Note, however, that duties can't be *mere* reasons. Reasons are commonly taken to be considerations that *favour* or *recommend* a course of action (see Parfit 2011: 31, Scanlon 1998: 17). Duties, by contrast, are taken to *require* or *demand* that we act in a certain way (e.g., Darwall 2006: 26, Schofield 2021b: 27-29, Liberman and Schroeder 2016: 107, Wallace 2019: 26-30, Zylberman 2021: 402).⁵ Connectedly, agents are commonly taken to be *accountable* for unexcused violations of their duties in a way in which they aren't for unexcused disregard for their reasons (e.g., Darwall 2006: Chapter 5, Schofield 2021b: 33-34, Wallace 2019: Chapter 3). Hence, if duties are to be understood in terms of reasons, it must be in terms of a special *kind* of reasons. We may call these "deontic" or "second-personal" reasons (Wallace 2013 and Darwall 2006, respectively). While this is worth bearing in mind, it will not impact my discussion in what follows since none of the participants to the debate claim that waivable duties to oneself provide *mere*, non-deontic reasons. So, I will continue to frame the discussion in terms of whether or not such duties provide normative reasons.

3. The Importance of Binding Oneself

Now we have a clearer idea of what the bindingness challenge amounts to. Should we worry about it? Muñoz doesn't think so. He concedes that a waivable duty to oneself to φ is not a reason to φ , but he insists that such duties are nevertheless "meta-normatively innocent" (2020: 700).

Muñoz draws an analogy between waivable duties to oneself and duties to *accommodating others*, i.e. duties to persons who will reliably release us from these duties if we ask them to do so. Just as duties to oneself

⁵ This does not mean that individual duties cannot be *outweighed* by other considerations but that they "enter the deliberative field in a distinctive normative key", as presumptive *constraints* rather than as mere *recommendations* (Wallace 2013: 164).

merely provide reasons against failing to comply *without releasing oneself*, duties to accommodating others merely provide reasons against failing to comply *without seeking release*. He argues that duties to accommodating others are nevertheless “bona fide duties”, and hence the same should be said of waivable duties to oneself (2020: 700).

I will ultimately argue that waivable duties to ourselves can give us reasons (see §5). In this context, I will revisit Muñoz’s invocation of duties to accommodating others and Schofield’s handcuff analogy. For now, I want to see what would follow if duties to ourselves didn’t bind. I argue that the consequences would not be as unproblematic as Muñoz thinks.

As I mentioned above, there’s taken to be a close link between duties and *accountability*. The idea here is not that unexcused violations of duties intrinsically warrant *punishment*. Instead, if A is obligated to φ , A’s unexcused failure to φ intrinsically warrants the adoption of *reactive attitudes*, such as blame, towards A (see, e.g., Darwall 2006: Chapter 5; Mill 1998: Chapter 5; Schofield 2021b: 33-34; Wallace 2019: Chapter 3; Williams 1995: 40–44).⁶ But such attitudes seem to presuppose that A had *conclusive reason* to φ . After all, as Stephen Darwall puts it, “[it makes] no sense to blame someone for doing something and then add that he had, nonetheless, sufficient reason to do it, all things considered” (2006: 28; also see Kant 1781/1787: A555/B583; Skorupski 1999: 42–43; Williams 1995: 40–44). When we blame A for failing to φ , we must presuppose that A did not have sufficient reason not to φ , which is to say that A had conclusive reason to φ . If this is correct, then the very notion of a duty to φ that doesn’t provide a reason to φ seems incoherent. After all, this notion implies the possibility that A has a duty to φ , but no one could hold A accountable for failing to φ without excuse.

Let’s illustrate this idea by applying it to the domain of duties to oneself. Suppose Francis, a passionate painter, has just finished his masterpiece. His older brother George, who’s only ever shown contempt for

⁶ I use the terms ‘duty’ and ‘obligation’ interchangeably.

Francis's passion, ridicules the painting. Ever seeking George's approval, Francis destroys the painting. Afterwards, Francis blames himself for this undignified action.

I take it that, if there are duties to oneself, Francis's action plausibly constitutes the violation of such a duty. This is also indicated by the seeming appropriateness of Francis's self-blame. However, if by the very action of destroying the painting, Francis also *released* himself from his duty not to do so, and if this means that the duty never gave him a *reason* not to destroy his painting, it is hard to *make sense* of Francis's self-blame. How can Francis intelligibly blame himself for doing something he had sufficient reason to do?

Muñoz might reply that the link between duties and accountability, as sketched above, at best holds for *binding* duties. Indeed, he argues that waivable duties to oneself play a different role in practical reasoning and person-to-person interactions than duties to (unaccommodating) others do (Muñoz 2021).

Muñoz states his argument in terms of waivable *rights* against oneself. Let's assume for the sake of argument that such rights are the conceptual flipside of waivable duties to oneself: A has a waivable right against herself that she φ if and only if A has a waivable duty to herself to φ . Muñoz thinks that these rights are "finkish", i.e. they "are waived by the choice to do what they forbid" (2021: 616). From this, he infers that they cannot give us *reasons* not to do what they forbid. But he thinks that they can nevertheless feature in a *defence* of our choice not to do what they forbid (2021: 617):

Imagine that I go up to Amanda and say, "How dare you not crush your arm! Bert is in dire need, and you have most reason to save him!" She might defend herself by leaning on her rights. "But it's *my* body," she could insist, "and I'm not willing to harm it."

Let's unpack this. Muñoz supposes that Amanda has a right against herself not to harm herself. He further supposes that this right is not a reason for Amanda not to harm herself (because it would be waived by her choice to harm herself). Yet, he argues, Amanda can appeal to her right against herself in defending her choice not to harm herself, even if harming herself (say, by crushing her arm) would be a necessary means

to saving a stranger, Bert. As Muñoz puts it, “[h]er right evaporates when acted against, but not when leaned on as a justification” (2021: 617).

In this way, according to Muñoz, instead of giving us a reason to φ , a waivable duty to ourselves to φ gives us a *prerogative* to either φ or not- φ . Whereas duties to (unaccommodating) others tend to make things impermissible, waivable duties to oneself tend to make things permissible. Acts that might otherwise be obligatory are thus made *supererogatory*, i.e., good but not required (Baron-Schmitt and Muñoz 2023).

An immediate objection to Muñoz’s argument is that Amanda’s defence is circular. Amanda justifies her unwillingness to harm herself by appeal to a right whose existence *depends* on her unwillingness to harm herself. Muñoz grants this, but insists that it’s not a problem (2021: 617):

To defend one’s decision is to show that it was justifiable, that it was good enough by the standards of the moral community. Now, since defending oneself isn’t the same as deliberating about what to do, circular reasoning is no longer a problem. In defense, we may take for granted that we aren’t doing the very best thing.

Here, Muñoz seems to suggest that the circularity in Amanda’s defence is not a problem because the issue is whether her decision is “good enough by the standards of the moral community”, not whether it is “the very best thing”. However, I fail to see why this distinction should make a difference. To show that her decision *not to harm herself* is good enough by invoking her right against herself, Amanda would have to show that her decision *not to waive this right* is good enough. If these two decisions are actually identical, as Muñoz claims, then *nothing is gained* by Amanda’s appeal to her right. It leaves us right where we started.

Muñoz gives a second, more elaborate reply to this objection. He starts by restating the objection in terms of an analogy. One might object, he notes, that just as we cannot defend our choice not to enter a room by pointing out that there’s a bomb in the room that is automatically defused once we enter, Amanda cannot defend her choice not to harm herself by appeal to a right against herself that is automatically

waived once she chooses to harm herself (2021: 619). Muñoz replies that the presence of the bomb is at best an outcome-based, or telic, reason. It is based on the badness of the outcome of the bomb blowing up while you're in the room. Once this outcome is ruled out, the reason vanishes. Rights, by contrast, are usually taken to be what Muñoz calls "responsive reasons", features of the world that intrinsically ought to be reflected by our actions (2021: 619).

Muñoz hastens to add that waivable rights against oneself cannot be responsive *reasons* (2021: 620). After all, he thinks, they are finkish. But then it is hard to see how his invocation of "the telic/responsive distinction" is supposed to help (2021: 620). He says that "in the case of your kidney, your finkish right *does* in a sense count against your taking it out" (2021: 619). After all, "the right is there, and this fact is in itself significant" (2021: 620). But it is hard to see what its significance consists in, if not in its being a reason. Indeed, the claim that the right *counts against* something strongly suggests that it *is* a reason.

But even if Muñoz could consistently claim that waivable rights against oneself are responsive reasons, his reply to the objection wouldn't be successful. First, responsive reasons can justify φ -ing only if φ -ing reflects normative reality more accurately than not- φ -ing does, i.e. if there is an aspect of normative reality that φ -ing responds to but not- φ -ing doesn't. But since, according to Muñoz, a waivable right against oneself to φ is waived by the very choice to not- φ , it is not the case that, by virtue of failing to respond to that right, not- φ -ing reflects normative reality less accurately than φ -ing does. Once the right is waived, there's nothing left to respond to. Second, if not- φ -ing reflected normative reality less accurately than φ -ing does, then this would put pressure on Muñoz's preferred conclusion that both options are *equally permissible*. In other words, if Amanda's right against herself provided a responsive reason not to harm herself, making it the case that not harming herself reflects normative reality more accurately than harming herself, then it would be questionable whether harming herself is just as permissible as not harming herself.

This brief discussion is not meant to pass a final verdict on Muñoz’s original proposal. However, I hope to have shown that there is reason to be sceptical of the idea that duties can serve a respectable role in practical reasoning and interpersonal interactions besides giving reasons. Given that there’s independent pressure to think that duties must always bind (due to their link to accountability), this in turn gives us a reason to be sceptical that non-binding duties are meta-normatively innocent. This establishes a presumption in favour of approaches that purport to salvage the bindingness of duties to oneself.

4. The Importance of Binding Oneself to One’s Present Self

One approach that purports to salvage the bindingness of duties to oneself, without simply rejecting *Premise 1* of the *Release Argument*, is advanced by Schofield himself (2015; 2021b: Chapter 3).⁷ Schofield introduces a division between the self that binds and the self that is bound by such a duty. He identifies the bound self with the present self, and the binding self with a *past* or *future* self. In this section, I argue that Schofield’s approach faces serious difficulties, and hence that, other things equal, we should prefer approaches that construe duties to oneself as owed to present selves.

4.1 Duties to Oneself Across Time

Although he assumes that persons endure over time, Schofield argues that we take up different “perspectives” on our actions as our “interests and ends” change (e.g., 2015: 524). By a *perspective*, Schofield means, roughly, “a point of view from which one perceives, or feels emotions, or has sensations, or judges a proposition to be true, or wills some particular action, and so on” (2015: 517).

Suppose that, right now, I prefer playing video games over working on a paper, but if I do so, I will regret having done so two months from now, because then I will have missed an important deadline. In

⁷ Schofield also offers a defence of duties to self that more or less straightforwardly rejects *Premise 1* (2019, 2021b: Chapter 4). It posits unwaivable duties to self based on practical identities that “cannot simply be given up through a mere act of will” (2021b: 123). But since my focus in this paper is on defences of duties to oneself that preserve *Premise 1*, at least in spirit, I will bracket that defence here.

Schofield's framework, this means that I occupy one perspective, P1, at the present time, T1, and a different perspective, P2, two months from now, at T2. Schofield suggests that, from P1 at T1, I might recognise a duty to work on my paper which is generated by a demand that I could legitimately make of myself, from P2 at T2, and which protects the ends and interests associated with P2.

Schofield says that this duty would be owed to *myself* because both P1 and P2 are occupied by *me*, albeit at different times (2015: 520). Moreover, this duty would do justice to *Premise 1* of the *Release Argument* because, from P2, I could in principle *release* myself from the duty (2015: 522). In this way, Schofield's approach purports to be an advancement vis-à-vis approaches that simply reject *Premise 1*, insisting that duties to oneself are unwaivable (2015: 515-516; 2021b: 50-55). Finally, however, the duty would also *bind* me at T1, because, at *that* time, I do not yet occupy P2, and hence cannot release myself (2015: 521; 2021b: 76).

Thus, according to Schofield, while the binding self is numerically identical to the bound self, the bound self cannot release itself because the perspective from which it is bound is not yet (or no longer) available to it. In this way, according to Schofield, our relation to our past and future selves is *morally*, though not metaphysically, analogous to our relation to *others*.⁸

4.2 The Non-Identity Problem

I now want to highlight three serious difficulties for Schofield's approach. The first is that the approach's advocacy for duties to *future* selves faces a version of the Non-Identity Problem. The Non-Identity Problem is originally construed as a challenge for obligations to future people (see Parfit 1984: 351-355; Roberts 2021). The challenge is that acts that decrease the well-being of future people, and which many would intuitively deem to *wrong* these people, often also affect *who* ends up coming into existence. As a result,

⁸ For instance, he says that "the demand [of P2] places normative pressure upon [P1], just as a demand from another person might" and that the notion of temporal perspectives "enables us to draw parallels between distinct persons relating to each other and a single person relating to herself over time" (2021b: 68 and 80, respectively).

these acts cannot be said to make future people *worse-off* than they would otherwise be; after all, if these acts do not occur, *these* particular people will not exist at all.

The Non-Identity Problem clearly poses a challenge to duties to future selves if these selves are construed as numerically non-identical to present selves (Andersen 2020). After all, if at T2 I won't be the same person as at T1, then clearly my actions at T1 can affect *which* person I will be at T2. It may be less clear whether it also poses a challenge for an approach like Schofield's, which assumes that persons endure over time. However, as Yuliya Kanygina points out, even if our actions at T1 don't affect which *person* I will be at T2, they can still affect which *perspective* I will take up at T2 (2022: 568).⁹ Kanygina uses the example of Bob, whose decision to start exercising at the age of 15 makes him occupy a different perspective 45 years down the road (that of fit 60-year-old Bob) than he otherwise would (that of overweight 60-year-old Bob). This makes it difficult to say that Bob *owes* it to his future self to start exercising at age 15.

One might reply that whether 60-year-old Bob is fit or overweight needn't affect his *perspective* on 15-year-old Bob's decision. After all, whether he's fit or overweight, Bob arguably still has an *interest* in being fit. And, in Schofield's framework, perspectives are individuated by ends and interests, not (directly) by fitness or weight.¹⁰

However, when we turn to a different kind of case, this reply doesn't work anymore. Consider again my decision of whether to work on a paper or play video games. Suppose that, if I worked on the paper, I would eventually grow tired of it and stop caring about meeting the deadline. As a result, my perspective at T2 would be different from the one that I will end up occupying if I decide to play video games. Instead of P2, I would occupy P2*. From P2, I might still wish I hadn't missed the deadline. But it is not the case

⁹ For discussion, also see Muñoz (2023: 454-55).

¹⁰ In this way, focusing on perspectives rather than persons might defuse the non-identity problem somewhat, even as it affects duties to future people. If our duties are to persons *qua* occupants of specific perspectives, rather than *qua* specific individuals, then some of our actions might wrong future people, by setting back the interests associated with their perspectives, irrespective of *who* in particular occupies these perspectives (cp. Kumar 2003).

that my interests at T2 will have been set back *by my decision at T1*; if I hadn't made that decision, I wouldn't even have those interests.

4.3 Intertemporal Trade-offs

The second serious difficulty for Schofield's approach is that it seems to forbid reasonable trade-offs across a person's life (Muñoz 2020: 695; Kanygina 2022: 568-569). Mirroring John Rawls's claim that the separateness of persons makes it wrong simply to maximise the good *across society*, independently of how it is distributed among individual persons, Schofield argues that the separateness of temporal perspectives makes it wrong simply to maximize the good *across one's life*, independently of how it is distributed among individual temporal perspectives (Rawls 1999: 24). He writes (Schofield 2015: 525-526):

[T]he prospect of suffering burdens from a particular temporal perspective can provide an individual with a moral reason for acting a particular way—a reason that would preempt or silence considerations about her overall wellbeing. That is to say, it's possible for the self-imposition of burdens to be morally impermissible *even when the imposition of those burdens leaves the individual better off on the whole than she otherwise would have been.*

This suggests that it could be wrong for me to impose a burden on myself in the near future in order to avoid a series of individually smaller, but *cumulatively larger*, burdens on myself in the distant future. But this can seem counterintuitive. After all, it seems perfectly reasonable for me, e.g., to consent to a surgery next month which will be painful at the time but spare me a lot more suffering overall.

Schofield replies to this objection by emphasising that his approach is silent on the question of *which* duties we owe to our past and future selves, and how demanding those duties are (2021b: 68, n. 7). It leaves open “whether a person would legitimately be able to demand that she not do *any* harm to herself, or whether the amount of harm she is permitted to inflict is the same as that which she might inflict on others” (2021b: 68).

However, if Schofield wants to avoid the objection, he cannot remain neutral on this issue. On the contrary, he must say that our duties to our past and future selves are *much less* demanding than our duties to others are commonly taken to be. After all, the constraints on interpersonal trade-offs are commonly taken to be quite strict indeed. For example, it is usually not taken to be permissible to impose a surgery-sized harm on one individual in order to prevent a series of individually smaller, but cumulatively larger, harms from befalling a group of *other* individuals.

This puts pressure, not only on Schofield's agnosticism about the demandingness of duties to our past and future selves, but also on his approach more generally. As I noted above, his approach depicts our relation to our past and future selves as *morally analogous* to our relation to others. Indeed, he writes that "the person deciding whether to smoke [to the detriment of her future self's health] confronts a choice situation analogous to the one faced by a person deciding whether to benefit herself to the detriment of a metaphysically distinct third party" (2021b: 68). But if this analogy is to hold, we need an explanation of why duties to our past and future selves are so much less demanding than duties to others.

4.4 Waivability

The third serious difficulty for Schofield that I want to point out is that it seems questionable to what extent his approach does justice to *Premise 1* of the *Release Argument*. Schofield does not say much about whether it is possible to release oneself from cross-temporal duties to oneself. He uses hypothetical formulations like "a successful release of the duty *would have to* come from [the relevant perspective]" without specifying whether such a release *could* ever be successful (2021b: 76, italics altered).

Indeed, it seems doubtful that it could. In the case of a duty owed to one's past self, the duty would have had to be waived before there is anyone whom it binds; after all, at that time, the perspective from which the duty binds is not yet occupied. It is thus questionable whether the relevant action would qualify as a *waiver*. But perhaps it would at least have the effect of *preventing* the duty from binding anyone.

In the case of a duty owed to one's future self, the duty would have to be waived when there is no longer anyone whom it binds; after all, at that time, the perspective from which the duty binds will not be occupied anymore. Here, it is not only questionable whether the relevant action would qualify as a *waiver*, but it also wouldn't seem to have any *effect*.

For, arguably, at the time at which the agent was bound by the duty, she was required to proceed on the assumption that she would *not* release herself later. She might rightly have judged that she *would* release herself later, but hypothetical consent of this kind is arguably not sufficient for a duty to be waived, as Schofield himself notes: "Knowledge that someone would consent to my entering their home if I'd asked does not license me to enter the home, for instance. Actual consent is required for entry" (2021b: 77). This suggests that, even if the agent *tries* to release herself later, her release will not affect the normative status of her earlier action: if she acted contrary to the duty *then*, that action will remain wrong *regardless* of the attempted release.

This raises the question of whether a power to release that cannot successfully be exercised is a genuine power to release at all. If it is not, it seems that Schofield's approach does not do justice to *Premise 1* of the *Release Argument*. But then his approach does not mark an advancement vis-à-vis accounts that simply reject *Premise 1* after all.

Schofield might reply that, although his approach rules out that release from a duty to oneself could ever be successful, this approach is still compatible with *Premise 1*. This reply could mirror Marcus Singer's argument to the effect that duties to the dead are compatible with *Premise 1*. Singer writes (1963: 34):

The proposition that, if B has a right against A, he can give it up and release A from his obligation, does not imply that B must always and in all circumstances retain the capacity or have the opportunity of releasing A. It only implies that it is not self-contradictory to speak of his doing so. And this is why the fact of B's death would be irrelevant to the situation.

Singer's point seems to be that B's death makes it *nomologically* but not *conceptually* impossible for B to release A. There is no self-contradiction in the thought of the laws of nature changing such that B can rise from the grave and release A from his duty.

Let's grant for the sake of argument that the conceptual possibility of release is enough to do justice to *Premise 1*. Can Schofield give a reply along the lines of Singer's? To do so, he would have to maintain that the temporal distance between P1 and P2 is the only thing that prevents me from releasing myself from my duty to myself. He would have to maintain that, if the laws of nature changed such that I could occupy P1 and P2 at the same time, I *could* release myself. However, this is precisely what Schofield denies. More specifically, as we saw in §2, he denies that a duty that I could release myself from while I am subject to it would bind me, and thus that it would be a genuine duty at all (2015: 520-521; 2021a). So, far from being the only thing that prevents me from releasing myself, the temporal distance between P1 and P2 is what *sustains* duties to oneself, according to Schofield.¹¹

Again, I do not take the arguments of this section to pass a final verdict on Schofield's innovative approach. But the difficulties highlighted in this section seem serious enough to warrant a *presumption* in favour of approaches that depict waivable duties to oneself as owed to, and thus waivable by, one's present self.

5. The Possibility of Binding Oneself to One's Present Self

We have seen reasons to be sceptical of the meta-normative innocence of non-binding duties, and thus to take seriously Schofield's bindingness challenge for waivable duties to oneself. Thus, if we are to defend

¹¹ One might object that the relevant counterfactual scenario is not one in which I have direct psychological access to P1 and P2 simultaneously, but one in which my T1-self, occupying P1, and my T2-self, occupying P2, are able to communicate, by sending messages or travelling across time. Schofield's approach seems compatible with self-release in the second scenario. However, why would this be the relevant scenario in the present context? Indeed, Alexander Dietz argues that this kind of scenario lends intuitive support to the notion that my T1-self and my T2-self are metaphysically distinct agents, which contradicts Schofield's view (Dietz 2020: 376-377). Moreover, I argue in §5.3 that, if we grant self-release in the second scenario, we should also grant it in the first.

the possibility of waivable duties to oneself, we had better show that they can bind us. However, we've also seen reasons to be sceptical of Schofield's own attempt to salvage the bindingness of duties to oneself by depicting them as owed to, and waivable only by, past or future selves. Thus, if we are to defend the possibility of waivable duties to oneself, we had better depict them as owed to the present self.

So, it seems like we're back to square one: the idea of waivable duties to oneself is exposed to the full force of the bindingness challenge. But how much force does this challenge have? Are there any good reasons to doubt that duties owed to, and waivable by, our present selves can bind us? I don't think there are.

5.1 The Handcuff Analogy

Let's return to Schofield's handcuff analogy, which seems to illustrate the heart of his argument against the bindingness of waivable duties to one's present self. He writes (2021a: 192):

A person said to owe duties to herself, we might worry, is like a detainee in possession of keys to her own handcuffs. For [...] whether she's ultimately held to the standard at all is something that is within her power to determine. Thus, she finds herself in a normative situation very unlike being interpersonally obligated.

I want to raise two points in reply. First of all, it is highly questionable that having a waivable duty to oneself is analogous to holding the keys to one's own handcuffs. To see this, consider two recent accounts of such duties.

First, Yuliya Kanygina argues that, in order to release oneself from a duty to oneself, one has to exercise a normative power akin to consent (2022). Like consent, an exercise of this normative power must meet certain conditions of autonomy to be normatively transformative. Specifically, it "requires an autonomy-conferring attitude of reflective endorsement" to have the effect of releasing oneself from a duty to oneself (Kanygina 2022: 572). The attitude of reflective endorsement, in turn, requires that, in releasing herself, the agent must "act on her higher-order desires and commitments" (Kanygina 2022: 573). To illustrate,

Kanygina contrasts a medical student who injects himself with an experimental drug “[i]n a fit of bravado” with a leading scientist who injects herself with the drug because, after careful consideration, she concludes that the potential scientific breakthrough is worth the risk to her own health (2022: 572). Kanygina argues that the scientist, but not the medical student, succeeds in releasing herself from a self-directed duty against self-harm.

Second, I’ve argued that waivable duties to oneself are owed to oneself *qua* occupant of a specific perspective (Schaab 2021: 182-186).¹² This perspective need not be tied to a specific time in the agent’s life. It might instead be attached to a specific *practical identity*, such as the agent’s identity as a philosopher or athlete.¹³ I contend that, since practical identities are tied to specific ends and interests, many possible motives for release are not available from the perspective of some practical identities. For example, an agent cannot release himself from a duty to work on his paper (which, we may suppose, he owes to himself *qua* philosopher) from a mere desire to play video games. For, arguably, that desire is not available from his perspective as a philosopher.¹⁴

¹² Interestingly, Schofield formulates his handcuff analogy as a *response* to my account. Why does Schofield consider his analogy apt? As far as I can see, the only reason he gives is that, even on my account, “whether [an agent is] ultimately held to [a waivable duty to herself] at all is something that is within her power to determine” (2021a: 192). However, whether this is by itself sufficient to render waivable duties to one’s present self non-binding—or, for that matter, whether this by itself makes the handcuff analogy apt—is precisely what is at issue between Schofield and me.

¹³ On the notion of a practical identity, see Korsgaard (1996: 101). As I mentioned in footnote 10, Schofield also considers duties to oneself based on practical identities possible, but only if they are unwaivable (2019; 2021b: Chapter 4).

¹⁴ This account might seem to posit a psychologically questionable level of conflict or dividedness within the agent’s psyche. But it’s worth noting that waiving a duty might not always require *consent*. Instead, A’s duty to B might also be waived by A and B deciding something *together* (see Muñoz and Baron-Schmitt 2024; Gardner 2018). Accordingly, the violation of practical-identity-based duties to ourselves might often be avoided, not because the relevant practical identity *consents*, but because our practical identities function as a *team*.

If one of these accounts (or something close to either of them) is plausible, then having the power to release oneself from a duty to oneself is *not* analogous to holding the keys to one's own handcuffs.¹⁵ What these accounts suggest is that releasing oneself from a duty to oneself is a *demanding* act. Far from being an option that is always available and virtually costless, successful self-release involves crossing substantial normative and psychological hurdles (also see Hill 1991: 147). An *attempt* to release oneself can easily—and, in practice, often will—fail to *count* as a genuine release, and thus fails to bring about the intended normative transformation.

The second point that I want to raise in reply to Schofield's handcuff analogy is that, even if the analogy holds, it is unclear what it shows. Schofield does not deny that a detainee in possession of the keys to their own handcuffs is restrained *in some sense*. Instead, he writes that "her situation is still very much unlike that of a person cuffed [...] without the keys" (2021a: 192).¹⁶ Accordingly, the conclusion he draws from the analogy is that someone who can release herself from a duty to herself "finds herself in a normative situation very unlike being interpersonally obligated" (2021a: 192).

Now, even if having a waivable duty to one's present self is "very unlike being interpersonally obligated", does it follow that such duties don't bind? This follows only if *the way* in which the two situations are "very unlike" each other is relevant to the bindingness of the respective duties. In other words, the difference between them has to be such that one, but not the other, involves a binding duty. But Schofield gives no argument to think that the difference is of this nature. He thus fails to rule out that, while the two situations are very different, they nevertheless both involve binding duties. Just as the detainee in possession of the keys to their handcuffs is still restrained (although perhaps *less* so than a detainee without the keys), a person under a waivable duty to their present self might still be bound (although perhaps *less* so than

¹⁵ For a third account that supports this conclusion, see Muñoz and Baron-Schmitt (2024).

¹⁶ Similarly, he grants that "perhaps there is *some* sense in which a person can be constrained by a rope that will fall off the moment she moves" but insists that "a person who is powerless to loosen her constraints [...] is in a profoundly different circumstance" (2021b: 47).

someone obligated to another person). Therefore, his argument against the bindingness of waivable duties to one's present self is incomplete.

At this juncture, it's beginning to look like the burden of proof is not on those who think that waivable duties to one's present self *can* bind but on those who think they *can't*.

5.2 Duties to Accommodating Others

That waivable duties to one's present self *aren't relevantly different* from duties to others is suggested by Muñoz's analogy between waivable duties to one's present self and duties to accommodating others. Again, duties to accommodating others are duties to people who will reliably release us from these duties if we ask them to. To illustrate, Muñoz invites us to imagine that he's promised someone to give them a ride home from the airport, but he knows for sure that they will release him from the resulting duty if he asks them to do so (2020: 699).

As we saw in §3, Muñoz thinks that this kind of duty doesn't bind. On the face of it, this seems odd. Duties to accommodating others seem like ordinary duties, and it seems less than fully virtuous not to consider oneself bound by them. Thus, absent some good argument, it seems overly revisionist to claim that duties to accommodating others don't bind.

So, what's Muñoz's argument? He claims that "duties to accommodating others aren't stable" (2020: 700) Stability, as a condition for a norm's bindingness, is defined as follows:

Stability: If R is a reason for me to φ , then R's force can't depend on my φ -ing.

Applied to our context, this means that if a duty is to bind me at all, then its bindingness cannot depend on my compliance with it. In other words, it cannot be the case that the duty ceases to bind me just because I don't comply.

Why does Muñoz think that waivable duties to one's present self don't meet Stability? He argues that "Stability says that the duty isn't a reason to give the ride" because "my duty to pick you up evaporates if I

phone you and get released; the duty doesn't stay in force, no matter how I fail to give you a ride" (2020: 700). But that doesn't seem right. The duty doesn't evaporate *no matter how* Muñoz fails to comply with it. It only evaporates if he *asks to be released* beforehand. In other words, duties to accommodating others depend on the agent's *not seeking release*, not on the agent's *compliance*.

Thus, there doesn't seem to be a good reason to suppose that duties to accommodating others don't bind. But Muñoz might insist that waivable duties to one's present self still don't bind. After all, he thinks that these duties are *finkish*, i.e., "waived by the choice to do what they forbid" (2021: 616). So, Muñoz might backtrack on his own analogy by arguing that waivable duties to one's present self are *less stable* (i.e. more dependent on the agent's choices) than duties to accommodating others. Alternatively, he might redesign his example, constructing it in such a way that his friend will release him from his duty if he fails to fulfil it, regardless of whether he seeks release first.

But are waivable duties to one's present self *finkish*? Recall the accounts advanced by Kanygina and myself, according to which releasing oneself from a duty to one's present self is a demanding act, with no guarantee of success (Kanygina 2022; Schaab 2021).¹⁷ If something close to either of these accounts is plausible, it follows that waivable duties to one's present self are not *finkish*. Indeed, both accounts imply that waivable duties to one's present self are *more stable*, not less, than duties to accommodating others.

5.3 An Intuitive Argument

I've defended the possibility that waivable duties to one's present self bind. Yet, to some readers, this possibility might seem somewhat abstract and theoretical. Besides, my arguments so far have mostly been negative, dispelling doubts about the bindingness of waivable duties to one's present self. In this subsection, I provide a more positive argument for the bindingness of such duties. The argument proceeds through a succession of cases, starting with a duty that most parties to the debate take to be binding and

¹⁷ In more recent work, Muñoz himself seems to be moving towards such an account (Muñoz and Baron-Schmitt 2024).

ending with a waivable duty to one's present self. I argue that none of the differences between one case and the next plausibly undermine the bindingness of the duty in question. Since the point of the series of cases is merely to determine which features of a situation are relevant to a duty's bindingness, the cases needn't be realistic.

No Contact: From my present perspective, P1 at T1, I prefer playing video games over working on my paper. From my future perspective, P2 at T2, I prefer having worked on my paper at T1 over having played video games at T1. From P1, I anticipate that, from P2, I could make a legitimate demand of myself to work on my paper at T1, thus putting myself under an obligation to do so. Since this obligation is based on a demand from P2, it can only be waived from P2.

This case is already familiar from §4. Schofield thinks that this kind of case describes a binding duty.

Meet & Release: The same as *No Contact*, except I can travel back through time, from T2 to T1. This allows my T2-self to release my T1-self from my duty to work on my paper. After all, my T2-self occupies P2, which is the perspective from which the duty was generated, and hence can be waived.

If we think *No Contact* describes a binding duty, then we should say the same about *Meet & Release*. The only difference is that, in this case, my T2-self can actually, well, meet and release my T1-self. But this is regularly possible in *interpersonal* cases as well. So, it shouldn't reduce the bindingness of the duty.

Telepathy: The same as *No Contact*, except my T2-self can communicate with my T1-self via telepathy across time. This allows my T2-self to release my T1-self from my duty to work on my paper. After all, my T2-self occupies P2, which is the perspective from which the duty was generated, and hence can be waived.

If we think *Meet & Release* describes a binding duty, we should say the same about *Telepathy*. The only difference is that, here, release doesn't require my T2-self to travel through time *with my body*. Instead, release is a mental act to which my T1-self has direct introspective access.

Practical Identities: From my perspective as a gamer, I prefer playing video games over working on my paper. From my perspective as a philosopher, I prefer working on my paper over playing video games. From my perspective as a gamer, I am aware that, from my perspective as a philosopher, I could make a legitimate demand of myself to work on my paper, thus putting myself under an obligation to do so. Since this obligation is based on a demand from my perspective as a philosopher, it can only be waived from that perspective.

Practical Identities has the same structure as *No Contact* insofar as it involves a duty to myself, *qua* occupant of a specific perspective, which can only be waived from that perspective. Yet, in terms of what it takes to effectively release myself, *Practical Identities* mirrors *Telepathy*. Release is a mental act that I can perform from my perspective as a philosopher, and of which I am immediately aware from my perspective as a gamer.

The only difference between *Practical Identities* and *Telepathy* is that the two relevant perspectives are occupied at the same time. But this shouldn't matter since release must still come from the right perspective to be successful. My role in my release *qua* gamer in *Practical Identities* is just as passive as my role in my release *qua* T1-self in *Telepathy*. Hence, if we think that *Telepathy* describes a binding duty, we should say the same about *Practical Identities*. By transitivity, it follows that, if we think that *No Contact* describes a binding duty, we should say the same about *Practical Identities*. But *Practical Identities* describes a waivable duty to one's present self.¹⁸ Therefore, if we believe that duties to one's past or future self can bind, then we should also believe that waivable duties to one's present self can bind.

6. Lessons for Moral Theory

Before I conclude, I want to highlight some important implications that my discussion has for moral theory, beyond the question of whether waivable duties to one's present self can bind.

¹⁸ *Practical Identities* corresponds to my account of waivable duties to one's present self (Schaab 2021).

The first implication is that, for now, we'd best hold on to the common notion that bindingness is an important, arguably essential, feature of duties in general. Due to duties' distinctive role in practical reasoning and moral practice, namely that of mediating accountability relations, the claim that an agent has a duty to φ presupposes that the agent has a (conclusive) reason to φ . We've seen that Munoz's alternative suggestion that waivable duties to one's present self play a different role (that of defending agents against moral demands to self-sacrifice) runs into serious problems (since the resulting defence would seem to be circular).

The second important implication that I want to highlight follows directly from the first: there's not much hope in supporting supererogation, or agent-centred prerogatives, by appealing to duties to oneself. Philosophers seeking to explain and defend these notions might thus be better advised to look elsewhere.

Third, from my discussion in §5, we can also draw some general lessons about what it *takes* for a duty to bind. More specifically, we learn that, for a duty to bind, it is not crucial that there be some kind of physical, temporal, or psychological *distance* between the binding and the bound self.

Schofield seems to assume that bindingness requires a potential tension, opposition, or conflict between the binding and the bound self (e.g. 2015: 518-20; 2021b: 61, 65). He thinks that it is the fact that different perspectives are attached to different sets of ends and interests that enables them to sustain duties to oneself. Thus, for Schofield, it is the fact that, in *No Contact*, P1 and P2 have potentially conflicting preferences regarding my gaming activities at T1 that enables me to be obligated, from P1, to myself, from P2. Presumably, this is why Schofield denies that I could be obligated to myself if I could take up the perspective from which I can release myself at the same time. In his view, the potential for conflict between the two sets of ends and interests would dissolve if they both formed parts of *my* ends and interests, all at T1. For, then, the agent "with her *singular* will [...] wields the power to avoid the necessity associated with the obligation" (Schofield 2021a: 194, italics added).

However, as I argued in §5, I can be bound to myself while also having access to the perspective from which I can release myself. The fact that I can make *legitimate demands* of myself from that perspective is

what enables it to give rise to a binding duty. It is thus the *normative relation* to myself that my perspectives enable me to stand in—not some physical, psychological, or temporal *distance* between them—that enables me to bind myself.¹⁹ Thus, insofar as a potential for some sort of conflict between two perspectives is necessary to sustain binding duties to oneself, that potential is secured even if both perspectives can be taken up by the same person at the same time.

Indeed, the *mere* potential for conflict between two perspectives is not sufficient to sustain binding duties, and *too* great a distance between them is even detrimental to bindingness. This has to do with the reason why duties *bind* in the first place. Recall that duties are closely related to accountability. As we've seen, one implication of this is that duties provide reasons for compliance, and thus bind (see §3). Another, related implication is that agents must be able to *internalise* the considerations that give rise to their duties. Arguably, just as it doesn't make sense to blame someone for φ -ing while denying that they had conclusive reason to φ , it doesn't make sense to blame someone for φ -ing while denying that they could have appreciated, and directed themselves by, the considerations that *warrant* the demand that they φ (Darwall 2006: 22-25). In short, the reason to φ that a duty to φ must provide to the agent who is bound by it must be the very reason that justifies the duty. This corroborates the familiar, enlightenment idea that moral duties must be adjudicated within a standpoint that is *shared* by all moral agents.²⁰

Thus, if a demand from a specific perspective, P2, is to bind me from another perspective, P1, it must be justifiable from within the shared moral perspective. This highlights another way in which Schofield's

¹⁹ P1 and P2 are physically, psychologically or temporally distant if and only if the same person, inhabiting the same body, does not simultaneously have access to both perspectives in such a way that she can waive duties from P1 which bind from P2, and *vice versa*.

²⁰ This is what Darwall calls the "second-person standpoint" (2006: 35). It is telling that Schofield seems to miss the essentially *shared* nature of this standpoint. Instead, he (falsely) attributes to Darwall the view that "[w]hat renders a standpoint *second-personal* [...] is [...] the possibility of a person's altering or having altered her normative situation by someone occupying a perspective distinct from hers—someone whose interests, ends, and flourishing are, perhaps, *at odds* with her own" (2021b: 61, italics altered).

handcuff analogy is off. The *normative* force of duty is not analogous to the *physical* restraint of handcuffs. The latter results from unyielding laws of nature. It's a constraint that cannot be reasoned with and that we must either work around or overcome by brute force. By contrast, duty engages our capacity for normative reasoning, drawing us into a justificatory exchange, aiming to be appreciated and internalised. This, I submit, is why the transition from *No Contact* to *Practical Identities* works: while it reduces the physical, temporal, and psychological distance between the two relevant perspectives, the *normative* relation between them remains the same. They are distinct perspectives that nevertheless *meet* in a shared moral perspective, so to speak, to negotiate their demands. Only in this way can they be connected by a binding duty. They can't be so radically separated as to be normatively *out of touch*. But this shared moral perspective also allows us to appreciate that only an act initiated from P2 could count as *waiving* the duty.

7. Conclusion

There's no good reason to doubt—but good reason to believe—that waivable duties to one's present self bind. This is good news for duties to oneself in general. For, as we've seen, the alternative strategies of denying the importance of bindingness or identifying the binding self with our past or future self face serious difficulties. Beyond this issue, my arguments have three implications for moral theory. First, bindingness is plausibly an essential feature of duties in general. Second, the long sought-after explanation of supererogation is unlikely to be found in waivable duties to oneself. Finally, the bindingness of duties is a distinctive normative phenomenon which does not crucially depend on some physical, temporal, or psychological distance between the binding and the bound self.

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