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'Ought' Does Not Imply 'Can'

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ABSTRACT: According to the *Ought-Implies-Can* principle (OIC), an agent ought to perform a certain action only if the agent can perform that action. Proponents of OIC interpret this supposed implication in several ways. Some argue that the implication in question is a logical one, namely entailment. Some think that the relation between 'ought' and 'can' is a relation of presupposition. Still others argue that 'ought' conversationally implicates 'can'. Opponents of OIC offer a variety of counterexamples in an attempt to show that there are cases in which an agent ought to perform a certain action even though she cannot perform that action. Such counterexamples often involve either culpable or non-culpable inability. In cases of culpable inability, the agent renders herself unable to fulfill an obligation. For example, a student is unable to submit a paper on the due date because she procrastinated until it became too late to write a paper by the assigned deadline. In cases of non-culpable inability, the agent somehow becomes unable to fulfill an obligation, through no fault of her own. For example, an agent becomes unable to pay back a loan to a bank because she was robbed on her way to the bank. This paper attempts to offer counterexamples to OIC of a sort different from the one discussed by opponents of OIC so far. If these counterexamples are correct, then they seem to suggest that there are cases in which an agent has an obligation to perform an action even though she may not be able to perform that action, and thus OIC is false. In other words, 'ought' does not imply 'can'.

1. Introduction

At first glance, the *Ought-Implies-Can* principle (OIC) might appear to be intuitively compelling. According to this principle, an agent ought to perform an action only if the agent can perform that action.¹ However, it seems that OIC can be construed in several ways. How, then,

¹ OIC can be stated in a number of equivalent ways: 'If A ought to do X, then A can do X', 'If A can't do X, then A is not obligated to do X', 'Unless A can do X, A is not obligated to do X', and 'Only if A can do X, A ought to do X'. In

is 'ought' supposed to imply 'can'? Some argue that 'ought' logically implies 'can'. In other words, the relation between 'ought' and 'can' is supposed to be a relation of entailment. Others maintain that the relation of entailment is too strong, and so they argue for the weaker claim that 'ought' presupposes 'can'. On this view, an ought-judgment is meaningful just in case the corresponding can-judgment is meaningful and true. Still others claim that even the relation of presupposition is too strong. Instead they argue that 'ought' conversationally implicates 'can'.

In what follows, these three versions of OIC are examined by considering four counterexamples. The following counterexamples are different from those hitherto considered by opponents of OIC in at least one important respect. Counterexamples to OIC usually involve either culpable or non-culpable inability. That is, an agent either renders herself unable to fulfill an obligation or becomes unable to fulfill an obligation through no fault of her own. An example of the first type of counterexamples is the following: A student procrastinates before a due date for an assigned paper, so that she becomes unable to submit the paper by the deadline.² An example of the second type of counterexamples is the following: A debtor becomes unable to repay a loan to a bank by the deadline because she is robbed on her way to the bank through no fault of her own.³ In light of such counterexamples, the debate seems to turn on the question whether the obligation expires once the inability sets in or the obligation persists even after the inability sets in. Proponents of OIC argue that the obligation expires, whereas opponents of OIC argue that the obligation persists.⁴ In order to avoid this deadlock, I will present four counterexamples that are intended to circumvent the question of expiration. In what follows, those counterexamples are discussed with respect to the three versions of OIC previously mentioned, i.e., in terms of entailment, presupposition, and implicature.

2. 'Ought' Does Not Entail 'Can'

Before discussing counterexamples to OIC, some terminological notes are in order. In this paper, 'ought' is used to express a duty or moral obligation. For example, the sentence "Parents ought to be revered" means that one has a duty to revere one's parents. Indeed, this is the sense of 'ought' on which the literature has focused. That is, 'ought to' and 'is obligated to' are used interchangeably.⁵ As for 'can', construing 'can' in terms of what is logically possible for an agent to do seems too strong. So a reasonable understanding of 'can' seems to be in terms of what an agent is capable of doing within the limits of her physical and mental abilities in the circumstances. Having the physical and mental abilities requisite for performing a certain action, however, need not guarantee success. As in the case of 'ought', this is the sense of 'can' on which the literature has focused.⁶ In this paper, 'can' and 'ought' are used in the same senses. However, there may be some plausible

what follows, the first formulation is used simply because it has a straightforward conditional form.

2 See, e.g., Henderson (1966), 105.

3 See, e.g., Zimmerman (1996), 95.

4 Vranas (2007).

5 See, e.g., Frankena (1969), Kekes (1984), Statman (1995), and Stocker (1971).

6 See, e.g., Howard-Snyder (2006) and Vranas (2007). To ability, Vranas adds "opportunity" as well, where an agent has an opportunity to exercise her abilities when she is in a situation that allows her to do so (2007), 170.

alternative meanings of 'ought' and 'can' that are available to those who wish to defend a weaker version of OIC. These alternatives will be discussed in the penultimate section of this paper.

With these senses of 'ought' and 'can' in hand, the analysis will now focus on the relation of implication. Some have argued that the relation of implication in OIC should be taken as logical implication. For example, Henry Sidgwick seems to endorse OIC in this sense.⁷ As he writes:

...in the narrowest ethical sense what we judge 'ought to be' done, is always thought capable of being brought about by the volition of any individual to whom the judgment applies. I cannot conceive that I 'ought' to do anything which at the same time I judge that I cannot do.⁸

If conceivability is a guide to logical possibility, then Sidgwick seems to suggest that 'ought' logically implies 'can'. In other words, it's inconceivable that an agent ought to perform a certain action if that agent cannot perform that particular action. If this is correct, then the supposed implication seems to be the following:

(OIC) If *A* ought to do *X*, then *A* can do *X*.

If this conditional is supposed to express a relation of logical implication, then there seem to be several counterexamples to this alleged entailment.⁹ Consider one counterexample.

Case I: On the battlefield, a soldier is severely injured and the commander of the platoon orders the platoon's medic to treat the injured soldier.

7 This version of OIC is usually traced back to Kant. See, for example, the *Critique of Pure Reason*, where Kant writes, "The action to which the 'ought' applies must indeed be possible under natural conditions" (1958), 260. Recently, however, Stern (2004) has argued that Kant endorsed a more qualified version of OIC. Other proponents of OIC (interpreted as a relation of entailment) include Sapontzis (1991), Vranas (2007), and Zimmerman (1996). Vranas, however, construes OIC in a slightly different way: "By virtue of conceptual necessity, if an agent at a given time has an objective, pro tanto obligation to do something, then the agent at that time has both the ability and the opportunity to do the thing" (2007), 171.

8 Sidgwick (1962), 33. It's important to note that Sidgwick then goes on to identify a wider sense of 'ought'. As he writes: "In a wider sense, however,—which cannot conveniently be discarded—I sometimes judge that I 'ought' to know what a wiser man would know, or feel as a better man would feel, in my place, though I may know that I could not directly produce in myself such knowledge or feeling by any effort of will. In this case the word merely implies an ideal or pattern which I 'ought'—in the stricter sense—to seek to imitate as far as possible. And this wider sense seems to be that in which the word is normally used in the precepts of Art generally, and in political judgments..." (1962), 33. So it seems that Sidgwick distinguishes between a sense of 'ought' that expresses what is ideal (or desirable) and a sense of 'ought' that expresses duty or obligation. His student, G. E. Moore (1922), made a similar distinction in terms of "rules of duty" and "ideal rules." Consider, for example, "Little children ought not to have to suffer." In this sentence, 'ought' is used to express what is ideal or what is a desirable state of affairs. See Zimmerman (1996). Although one may plausibly argue that this sentence expresses an obligation after all (i.e., the obligation that we all have to make sure that children don't suffer needlessly), I will not consider such examples in this paper and I will focus on what Sidgwick calls the "narrow ethical sense."

9 The so-called "paradoxes of material implication" and other formal problems associated with entailment are beyond the scope of this paper. For present purposes, a truth-functional interpretation of 'if...then' is assumed.

Commander: "Medic, take care of your comrade; he's bleeding to death!"

Medic: "Sir, I can't do it."

Commander: "What do you mean you can't do it? You're the medic of this platoon and I just gave you an order to take care of your fellow soldier. He's going to die."

Medic: "Sir, I know I should, and I would if I could, but I can't."

In this case, unbeknownst to the commander, the medic is paralyzed by fear because the platoon is under heavy fire, and so he is unable to bring himself to help his fellow soldier. Nevertheless, both the commander and the medic know that the latter ought to treat the wounded soldier. Hence, in this case, it's true that the medic ought to treat the wounded soldier, by virtue of his capacity as the platoon's medic, even though it's false that he can actually do so. If this is correct, then Case I seems to be an instance in which

(M1) The medic can treat his fellow soldier

doesn't follow from

(M2) The medic ought to treat his fellow soldier

even though both the medic and the commander know that (M2) is true, and the medic may even realize that he would, if he could, but he can't. Since (M2) is true and (M1) is false, a conditional of the form (OIC) in Case I would be false. In Case I, the medic cannot care for his fellow soldier, even though he ought to, because he is paralyzed by fear.

Proponents of OIC might object that paralysis due to fear doesn't "really" render an agent incapacitated and unable to perform the required action. It's still within the medic's physical and mental abilities, in the circumstances, to take care of his wounded comrade. In reply to this objection, it may be stressed that those who have experienced paralysis due to fear know how incapacitating it can be, especially on the battlefield where any movement can prove to be the last movement a soldier will ever make. In addition, given the sense of 'can' specified above, involving the physical and mental abilities of an agent in the circumstances, it seems natural to say that the medic is obligated to treat the wounded soldier precisely because of the circumstances. More explicitly, in virtue of being the platoon's medic, he is obligated to provide medical attention to his comrades. Nevertheless, if a sense of 'can' that includes mental as well as physical abilities seems too strong, then it seems that supposing that the medic can't help his fellow soldier because heavy enemy fire is physically preventing him from moving, as opposed to psychologically incapacitating him due to fear, doesn't undermine the point this case is supposed to make.

Accordingly, that the medic ought to care for the wounded soldier seems unquestionable in this case. Indeed, it's reasonable to suppose that the commander of the platoon may even think,

upon discovering that the medic was paralyzed by fear, and thus unable to assist the wounded soldier, that this is not a sufficient reason for excusing the medic from his responsibility toward his comrades. Furthermore, it's reasonable to suggest that the medic may be not only blamed for being derelict in his duty but also punished for failing to act in accordance with military rules and norms. These suggestions indicate why there is a strong intuition that the medic is obligated to carry out his duty even though he is unable to do so. They are not essential to the case, but they do seem to flesh out the intuition more clearly.¹⁰ Case I, therefore, is an instance in which the antecedent of a conditional of the form (OIC) is true, i.e., (M2) is true, but the consequent is false, i.e., (M1) is false. As a result, the conditional (OIC) is false; 'ought' doesn't entail 'can'.¹¹

3. 'Ought' Does Not Presuppose 'Can'

Some proponents of OIC recognized that the relation of entailment is too strong. Whatever relation holds between 'ought' and 'can', it seems to be weaker than entailment. Accordingly, some proposed presupposition as a likely candidate. According to R. M. Hare:

The sense of 'imply' in which 'ought' implies 'can' is not that of logical entailment. It is a weaker relation, analogous to that which Mr. Strawson has claimed to exist between the statement that the King of France is wise, and the statement that there is a King of France.¹²

On this view, 'A ought to do X' presupposes 'A can do X'. This version of OIC doesn't allow for contraposition. That is, the move from 'If A ought to do X, then A can do X' to its contrapositive 'If A can't do X, then A is not obligated to do X' is ruled out.¹³ OIC as presupposition is different from OIC as entailment insofar as the latter takes 'A ought to do X' as false in cases where A is unable to do X, whereas the former takes 'A ought to do X' as meaningless in cases where A is unable to do X.¹⁴ So, on the presupposition version of OIC, ought-judgments are meaningful only if the corresponding can-judgments are true. Consider, then, a case in which it seems that the ought-judgment is meaningful, whereas the can-judgment is false, as a counterexample to OIC as presupposition.

Case II: Driver A and a passenger in one car are involved in a car accident with a second car. Driver A in the first car tells the passenger to go and assist driver B in the second car.

¹⁰ These considerations, having to do with blame and responsibility, will be taken up again in the penultimate section of this paper in which a normative version of OIC will be examined.

¹¹ The point may be simply put by noting that 'A ought to do X' and 'A cannot do X' are not contradictory in any straightforward logical sense. Hence, the conclusion of an inference from 'ought' to 'can' or from 'cannot' to 'not-ought' that is supposed to be deductive can be denied even if its premise is true. See Henderson (1966), 102.

¹² Hare (1963), 53-4.

¹³ Collingridge (1977). Cf. Howard-Snyder (2006).

¹⁴ Saka (2000).

Driver A: "Go and help the driver in the other car! You can exit the car but I can't because I'm stuck."

Passenger: "I can't do it."

Driver A: "What do you mean you can't do it? You ought to help that driver."

Passenger: "I know I should, and I would if I could, but I can't."

In this case, unbeknownst to driver *A*, the passenger is disgusted by the gory sight of human flesh and blood, and thus cannot help driver *B*. Nevertheless, both driver *A* and the passenger know that the latter ought to help driver *B*. To see why, consider how the passenger may feel guilty for failing to assist driver *B*. The passenger might blame herself for not doing so, even though she might not be blamed by others, and thus not chastised for being derelict in her duty to help a person in need. In this case, it is meaningful, and true, that the passenger ought to help driver *B*, even though she cannot actually do so because she is the sort of person who would faint or pass out at the gruesome sight of human flesh and blood.

Proponents of OIC might have different intuitions about this case. They might object that it's not true that the passenger ought to help driver *B*. Nevertheless, the presupposition interpretation of OIC requires that an ought-judgment is meaningless if the can-judgment is false. But in Case II it seems that the ought-judgment is perfectly meaningful, even though the can-judgment is false. One can tell a coherent story about the passenger's feelings of guilt and remorse for failing to help the driver in need. It's also reasonable to suppose that had the passenger tried to help driver *B*, she would have fainted at the gory sight of the bleeding driver. Case II, then, seems to be an instance in which the ought-judgment is meaningful and true, whereas the can-judgment is false. In Case II,

(P1) The passenger ought to help driver *B*

is meaningful and true, whereas

(P2) The passenger can help the driver *B*

is false. As a result, a conditional of the form (OIC) in Case II would be false. In Case II, there is no need to presuppose (P2) for (P1) to be meaningful in the same way that 'the King of France is bald' presupposes that there is a King of France.

Perhaps proponents of OIC as presupposition might respond to this case by claiming that an ought-judgment is pointless, rather than meaningless, when the agent in question is unable to perform the required action.¹⁵ So, in Case II, it's pointless to tell the passenger that she ought to

15 J. Brown (1977), 218.

help the other driver, even though it's meaningful, because she can't do it. If this is correct, then consider another case.

Case III: A mother decides to spend some time in the park with her two children. While playing in the park, her older child falls and begins to cry. As she happens to have her sight on the older child, the mother immediately attends to that child while the younger child is left in the stroller. Subsequently, the child in the stroller begins to cry. Two bystanders comment on the situation:

Bystander A: "She really ought to attend to the child crying in the stroller."

Bystander B: "She most certainly should."

Unbeknownst to the bystanders, however, the mother is hearing-impaired, and thus unable to hear the child crying in the stroller while her attention is focused on the older child. Being a caring mother, she would attend to the child, if she could, but she can't because she cannot hear the child crying. Nevertheless, a crying child ought to be attended to, one might think, and, as the mother of this child, she is obligated to do so. If this is correct, then it seems reasonable to suggest that the mother ought to attend to her crying child even though she can't do so. In this case, it's not meaningless, as well as not pointless, to say that the mother ought to attend to the crying child. To see why, consider how the bystanders might react upon learning that the mother is hard of hearing. It seems reasonable to say that they might not be sympathetic to the mother, in spite of her disability, because they might deem her irresponsible for taking a walk in the park with two young children she cannot carefully monitor at all times. If this is correct, then the point of saying that the mother ought to attend to the crying child is to indicate that she is behaving somewhat recklessly and that she needs to be more careful, because of her disability, when taking her children for walks. Once again, Case III is a case in which

(D1) The mother ought to attend to the crying child in the stroller

is meaningful and true, as well as not pointless, even though

(D2) The mother can attend to the crying child in the stroller

is false. In the circumstances, it seems natural to say that (D1) is true by virtue of a mother's obligation to her children, whereas (D2) is false by stipulation (given the mother's disability).

Cases I-III, then, suggest that there is no logical or semantic relation between an ought-judgment and a corresponding can-judgment. In other words, that an agent ought to perform a certain action doesn't necessarily provide a reason to think that she can perform the action. For example, it seems reasonable to claim that a person ought to pay back a loan. The fact that this person may not be able to pay back the loan, simply because she has no money at the moment, doesn't seem to diminish or invalidate the obligation to pay it back. It seems perfectly reasonable

to urge her to pay back the loan because she ought to, whether she has the money or not.¹⁶

4. 'Ought' Does Not Conversationally Implicate 'Can'

Proponents of OIC might protest that in Cases I-III the agents in question (i.e., the medic, the passenger, and the mother) are somehow forced to act in a certain way (i.e., not treating the wounded soldier, not helping the second driver, and not attending to the crying child) because of some debilitating condition from which they suffer (i.e., a paralyzing fear, a blood phobia, and a hearing impairment). If so, then perhaps whenever people tell others that they ought to do something, they implicate, rather than imply, that others are capable of doing that thing.

Note that this interpretation of OIC is already a much weaker version of the principle. Sinnott-Armstrong argues that "the relation between 'ought' and 'can' is not a semantic entailment or presupposition but is sometimes a pragmatic conversational implicature."¹⁷ On this construal of OIC, the fact that *A* ought to do *X* doesn't entail or presuppose that *A* can do *X*. However, in ordinary circumstances and contexts, speakers would not utter '*A* ought to do *X*' unless *A* were capable of doing *X*. More importantly, by the rules of efficient conversation specified by H. P. Grice, speakers would be able to "work out" the implicature.

Grice introduces the term 'implicature' to distinguish between cases in which what speakers mean is not the same as what the sentence uttered by speakers means. "Implicature," according to Grice, "is a blanket word to avoid having to make choices between words like 'imply', 'suggest', 'indicate', and 'means'."¹⁸ Grice introduces this term to account for instances where what speakers mean, imply, suggest, or indicate is distinct from what they say, i.e., the words (sentences) that they use. For instance, several sentences might be uttered as appropriate replies to the following question:

(Q1) Are you going to the game tomorrow?

In reply, a speaker might utter any of the following sentences:

(R1) I'm too tired.

(R2) I have to watch the kids.

¹⁶ According to Stocker, "it would be at best a bad joke for me to suggest that if I have squandered my money then I no longer ought to repay my debts" (1987), 108. Cf. Vranas (2007). Vranas deals with the "moral laziness" objection by claiming that OIC doesn't allow agents to get rid of unwanted obligations without residue (i.e., it doesn't let agents off the hook), 182.

¹⁷ Sinnott-Armstrong (1984), 250.

¹⁸ Grice (1989), 86.

(R3) I have to work.

By uttering (R1)-(R3), a speaker suggests or indicates that she is not going to the game tomorrow. But, clearly, this is not what these sentences literally mean. Hence, in using (R1)-(R3) as responses to (Q1), a speaker doesn't explicitly say that she is not going to the game tomorrow. Rather, she implicates that she is not going to the game.

This example characterizes the so-called "conversational implicature," i.e., implicatures that depend on the conversational context. The conversational context in which question (Q1) is asked allows for (R1)-(R3) as appropriate responses, which implicate that the speaker is not going to the game. If question (Q1) is slightly altered, then the conversational context is changed, and (R1)-(R3) might not have the same implicature. For example, instead of question (Q1), one might ask the following question:

(Q2) What are you doing tomorrow?

In this case, sentences (R1)-(R3) as responses to (Q2) no longer have the same implicature they have as responses to (Q1).

In addition to such conversational implicatures, there are conventional implicatures, which are implicatures that are part of the meaning of the sentences that the speaker utters. Consider the following example:

(CI) He was an attractive and intelligent man but he never married.

In uttering (CI), a speaker implicates, i.e., she suggests or indicates without explicitly saying, that beauty and intelligence are characteristics that usually attract companions for the purpose of marriage. The use of the word 'but' in (CI) contributes to the implicature that the man in question never married despite possessing such attractive characteristics. This implicature is part of the conventional meaning of (CI).

Accordingly, the crucial question for present purposes is whether the implication in OIC is supposed to be a conversational implicature or a conventional implicature. In Case I, for instance, it doesn't seem to be part of the conventional meaning of (M2) that the medic can care for his fellow soldier in the same way that it's part of the conventional meaning of (CI) that despite possessing attractive characteristics the man in question never married. When parents urge their child to do homework and utter "You ought to do your homework," it doesn't seem to be part of the conventional meaning of that sentence that the child can do the homework. The child may respond meaningfully and truly by saying "I can't right now." As Cases I-III seem to suggest, 'ought' doesn't seem to carry a conventional implicature in the same way that the use of 'but' in (CI) does.

Perhaps it's conversationally implicated that the medic can treat the wounded soldier, that the passenger can help the second driver, or that the mother can attend the crying child.¹⁹ If this is

¹⁹ Grice's theory explains and predicts implicatures by means of his rules of efficient communication. These rules, which are supposed to be instances of general rules of rational and consistent behavior, include the Cooperative

correct, then it seems that one should be able to infer 'can' from 'ought' based on Grice's general pattern for working out a conversational implicature:

He [i.e., the speaker] has said that p; there is no reason to suppose that he is not observing the maxims, or at least the Cooperative Principle; he could not be doing this unless he thought that q; he knows (and knows that I know that he knows) that I can see that the supposition that he thinks that q is required; he has done nothing to stop me thinking that q; he intends me to think, or at least willing to allow me to think that q; and so he has implicated that q.²⁰

It seems, however, that in Cases I-III the speakers, i.e., those who utter the ought-judgment, do not conversationally implicate that the agents to whom the judgment is addressed can perform the action in question, for a conversational implicature is a speech act performed by the speaker who utters the sentence. In Case I, for example, it's the commander who performs the speech act. But the medic, the agent to whom the command is addressed, knows that he cannot perform the action in question. Hence, the medic would have to infer either that the commander doesn't observe the rules of efficient communication and conversational maxims or that the commander erroneously assumes that he (i.e., the medic) can perform the action. As stipulated in Case I, however, the medic cannot perform the action. Therefore, he cannot infer that the commander conversationally implicates that he (i.e., the medic) can perform the action. If this is correct, then it seems that a conversational implicature of 'can' from 'ought' cannot be worked out in the way Grice has specified. Cases II and III seem to yield similar results.

If the aforementioned considerations are correct, then Cases I-III seem to provide a way out of the impasse in the OIC debate. As mentioned above, the debate seems to turn on the question whether the obligation expires once the inability sets in or the obligation persists even after the inability sets in. Proponents of OIC argue that the obligation expires, whereas opponents of OIC argue that the obligation persists. In Cases I-III, however, this question doesn't come up because the obligation and the inability seem to be permanent with respect to the agents in question. In Case III, for example, there is no question of an inability setting in because the mother is hearing-impaired. This is a condition she has regardless of her obligation to attend to her children by virtue

Principle: "Make your conversational contribution such as is required, at the stage at which it occurs, by the accepted purpose or direction of the talk exchange in which you are engaged." The rules also include the following maxims divided into categories: The Category of Quantity: (a) "Make your contribution as informative as is required (for the current purposes of the exchange)" and (b) "Do not make your contribution more informative than is required." The Category of Quality: (a) "Do not say what you believe to be false" and (b) "Do not say that for which you lack adequate evidence." The Category of Relation: "Be relevant." The Category of Manner: "Be perspicuous"; (a) "Avoid obscurity of expression"; (b) "Avoid ambiguity"; (c) "Be brief (avoid unnecessary prolixity)"; (d) "Be orderly" (1989), 26-27. Grice characterizes the notion of conversational implicature as follows: "A man who, by (in, when) saying (or making as if to say) that p has implicated that q, may be said to have conversationally implicated that q, provided that (1) he is to be presumed to be observing the conversational maxims, or at least the Cooperative Principle; (2) the supposition that he is aware that, or thinks that, q is required in order to make his saying or making as if to say p (or doing so in those terms) consistent with this presumption; and (3) the speaker thinks (and would expect the hearer to think that the speaker thinks) that it is within the competence of the hearer to work out, or grasp intuitively, that the supposition mentioned in (2) is required" (1989), 30-31.

20 Grice (1989), 31.

of being their mother. Unlike other counterexamples to OIC, this is a case neither of culpable nor of non-culpable inability.

To make this crucial point clearer, consider a final counterexample to OIC that is not a case of culpable or non-culpable inability and in which the question of the obligation persisting or expiring doesn't seem to arise.

Case IV: Suppose that *A* promises in the morning to meet *B* for dinner. Unbeknownst to *B*, *A* suffers from long-term memory damage. Because of this medical condition, *A* can remember new experiences for a short period of time and will forget the promise to *B* by the afternoon. In other words, *A* cannot form long-term memories.²¹

In Case IV, it seems that

(A1) *A* ought to keep the evening dinner date

is true in the morning when the date is scheduled, but

(A2) *A* can keep the evening dinner date

is false, even in the morning when the date is scheduled, because *A* will forget about the date by the afternoon. Case IV, therefore, seems to be an instance in which the antecedent of a conditional of the form (OIC) is true, i.e., (A1) is true, but the consequent is false, i.e., (A2) is false. This seems to be the case even at the time when the promise is made to *B*, who is unaware of *A*'s condition. And that is why the question of the obligation's persistence or expiration doesn't arise. Since the time *A* made a promise to meet *B* for dinner, it was always the case that *A* ought to keep this promise, just as it was always the case that *A* wouldn't be able to do so, given *A*'s medical condition.²²

5. OIC as a Normative Principle

If the aforementioned considerations are correct, then it seems that 'can' doesn't follow from 'ought', whether the implication is construed as entailment, presupposition, or implicature. Proponents of OIC might still try to defend the principle by denying that Cases I-IV involve any duties after all. In other words, the medic, the passenger, and the mother are not obligated to care for the wounded soldier, the second driver, and the crying child respectively. Moreover, the person who suffers from amnesia is not obligated to keep the promise to show up for dinner, or so one might argue is defense of OIC. This attempt to defend OIC, however, seems to be rather counterintuitive. That is, it seems counterintuitive to deny that the medic is obligated to treat

²¹ Apparently, this is a genuine medical condition known as "anterograde memory dysfunction." See Budson and Price (2005). For the sake of argument, suppose that *A* is not aware of this medical condition and that *A* has no way of recording the date, such as using a calendar or mobile phone.

²² Cf. Howard-Snyder (2006).

his fellow soldier, that the passenger is obligated to assist the second driver, and that the mother is obligated to attend to the crying child. After all, in Case I, it's part of every soldier's job—let alone a medic—to assist his comrades in need. In fact, soldiers usually take an oath to do so. And medics certainly vow to treat the wounded on the battlefield. Similarly, in Case II, it seems that people ought to help a person in need, especially on the scene of a car accident. As for Case III, it seems odd to deny that a mother has an obligation to care for her children. If the bystanders' judgment that the mother is being irresponsible is reasonable, then it seems to indicate that she ought to care for both children despite her disability.

Another attempt to defend OIC might involve challenging the moral character of the agents in question. Such an attempt might proceed by granting that these agents have certain obligations toward others while explaining their dereliction in duties by appeal to defective moral characters. It seems, however, that one cannot simply deny the consequences of Cases I-IV by challenging the moral character of the agents in question. For it seems reasonable to suppose that they acknowledge and know that they ought to perform the action called for in the circumstances. Furthermore, it seems plausible to suggest that they might even feel some guilt and remorse for failing to assist a person in need. Nevertheless, for various reasons, they cannot bring themselves to actually carry out the required action. In that respect, Cases I-IV might actually be rather common in everyday life. More specifically, it seems that agents are faced rather frequently with situations in which they and others know exactly what their duties are, yet they cannot act in accordance with their duties, for some reason, as opposed to situations in which some duties conflict with other duties. This is nicely captured by the following confession, written by Sidgwick to be said over his grave: "A sinful man who partly tried to do his duty."²³ In that respect, Cases I-IV differ from other cases discussed in the literature insofar as they are not cases of moral dilemmas.²⁴

These considerations, however, seem to point to another way in which some version of OIC might be plausibly held. So far, I tried to show that OIC cannot be plausibly construed in terms of some logical or semantic relation between 'ought' and 'can'. According to Brown, however, "what is required [to settle the question 'Does ought imply can?'] is an ethical inquiry and ultimately an ethics."²⁵ Similarly, Hintikka argues that 'can' is not a logical but a deontic consequence of 'ought'.²⁶ On this view, OIC should be affirmed as a normative principle on the ground that an agent should not be considered blameworthy for failing to do what she is unable to do. Brown constructs this argument from blameworthiness as follows:

(AB1) If *A* is unable to do *X*, then *A* is not blameworthy for not doing *X*.

(AB2) If *A* is not (would not be) blameworthy for not doing *X*, then it is not the case that *A* ought to do *X*.

²³ Harrison (1996), 423-438.

²⁴ Cf. Sapontzis (1991), Kekes (1984), and Vranas (2007).

²⁵ S. M. Brown Jr. (1950), 275. Brown asserts as a normative principle that "what [an agent] ought to do, [she] also can do" (1950), 284.

²⁶ Hintikka (1969), 197.

(AB3) Therefore, if *A* is unable to do *X*, then it is not the case that *A* ought to do *X*.²⁷

Accordingly, to claim that OIC is warranted on moral grounds is to claim that it would be wrong, unfair, or unjust in some way to hold agents accountable for failing to fulfill obligations they cannot fulfill, rather than to claim that a logical mistake is being committed when the word 'ought' is used while the agent in question is incapable of fulfilling the obligation. So the crucial premise seems to be (AB1). In Cases I-IV, however, it doesn't seem to be unfair or unjust to suggest that the agents involved are blameworthy, even though they are unable to carry out their duties. This suggestion is reasonable because blame (and praise) seems to be an indicator of obligations, whereas obligations may not be indicators of blame (or praise). In other words, a major factor in the determination of an agent's blameworthiness is the extent to which the agent's actions are (or are not) in accordance with her obligations.²⁸ And so, since in Cases I-IV it seems natural to say that the agents involved are blameworthy to some extent, then that seems to indicate that their actions were not in accordance with their duties. Cases I-IV, then, challenge premise (AB1) of the argument from blameworthiness.²⁹

Trying to defend a weaker, normative version of OIC, by conceding that there is no logical relation between 'ought' and 'can', while advancing ethical considerations in favor of some plausible formulation of OIC that might figure in moral theories, the problem for proponents of OIC seems to be that this requires that the senses of 'ought' and 'can' be modified and qualified in some way. For example, instead of 'is obligated to', proponents of OIC might take 'ought' to mean 'may be reasonably held responsible for doing or failing to do *X*'. And instead of 'has the physical and mental ability to do *X*', proponents of OIC might take 'can' to mean 'may be reasonably expected to be able to do *X*'. Accordingly, OIC may be construed as follows: 'If *A* may be reasonably held responsible for doing or failing to do *X*, then *A* may be reasonably expected to be able to do *X*'.³⁰

This weaker version of OIC seems more promising, but there are still a few difficulties. First, it seems that proponents of OIC would have to concede a great deal. They would have to not only give up the claim to a logical or semantic relation between 'ought' and 'can' but also change the commonly used senses of these terms. Second, and more importantly, introducing these qualifications seems to undermine the necessity and universality that OIC is supposed to have. That is, it would seem that the moral obligations that bind different agents in similar circumstances are contingent upon the physical and mental attributes of the agents in question. After all, another medic, who is braver (or reckless), may be able to treat the wounded soldier. Similarly, another passenger, who is not squeamish at the gory sight of human flesh and blood, may be able to assist

27 J. Brown (1977), 209.

28 J. Brown (1977), 214.

29 It's worth mentioning Frankfurt and the Principle of Alternate Possibilities (PAP): an agent is morally blameworthy for what she has done only if she could have done otherwise. See Frankfurt (1969) and (1988). Frankfurt discusses examples in which an agent chooses to pursue a morally despicable course of action and proceeds to do so while a malevolent, though passive, force waits to insure that the agent would have chosen and acted on that decision had she not made the decision on her own. Frankfurt argues that such examples show that PAP is false, but they don't show that OIC is false. Widerker (1991) argues that these examples are counterexamples to OIC as well. See also Yaffe (1999) and (2005).

30 I'm grateful to an anonymous referee of this journal for suggesting this version of OIC.

the injured driver. And a mother who is not hearing-impaired may be able to attend to the other child. If this is correct, then it seems to go against not only an interpretation of OIC as a principle of moral reasoning but also an interpretation of OIC as a normative principle. For taking the idiosyncrasies of individuals into account seems to complicate matters when it comes to forming prescriptive principles that are supposed to apply to all moral agents. Brown puts this point nicely: "the rather narrow limitations of what a particular individual or mankind in general can do, do not constitute the measure of the morally excellent or of the morally tolerable."³¹

For the same reason, trying to defend a second-order, meta-theoretical version of OIC seems problematic as well. Unlike the first-order, normative version of OIC, which says that agents should not be blamed for not doing *X* if they cannot do *X*, the meta-theoretical version of OIC requires that a moral theory should not propose any duties that moral agents are incapable of performing.³² This version of OIC stems from the claim that moral theories that lack OIC make excessive demands on agents. Again, however, the problem seems to be trying to generalize OIC where there are subtle nuances. More explicitly, that a moral theory makes high demands need not count against it. On the one hand, if only a few agents happen to be unable to fulfill the obligations prescribed by the theory, due to their unique physical and mental abilities, then it doesn't seem reasonable to reject such a theory on this ground alone. On the other hand, even if there is a larger number of agents who are unable to fulfill the obligations prescribed by the theory, it still might not count against the theory, for it could be the case that the average person, with typical physical and mental abilities, is expected to be able to fulfill those obligations. For example, suppose that in a certain community, the majority of moral agents never took swimming lessons, and so they can't swim. It seems reasonable to suggest that a moral theory that requires agents to save people from drowning holds in this community as well, despite the fact that most of its members can't swim. It seems unreasonable to suggest that a moral theory that requires saving drowning people must be rejected in this community to accommodate those who can't swim. If anything, those who can't swim would be hard pressed to take swimming lessons. And so, as in Case III, it wouldn't be pointless to prescribe that moral agents in this community are obligated to save people from drowning. At the very least, this duty might make them avoid situations in which someone might be drowning in their presence.³³

6. Conclusion

To sum up, in this paper I tried to present counterexamples to OIC of a sort different from the one offered by opponents of OIC so far. Unlike other counterexamples to OIC, it seems that Cases I-IV are not instances in which an agent becomes incapable of performing her duty (either

31 J. Brown (1977), 219.

32 Statman (1989).

33 According to Henderson, "The 'ought' that one insists on applying [when one has failed to ensure that one can do what is in question] is [...] the 'ought' of conscience, carrying remorse when not fulfilled. The force of this 'ought' is to express that it befits or behooves me to do something or other, even when I have got myself into a position in which I cannot do that thing. To be obliged is to be responsible in a certain way, and any sort of responsibility is an expression of human 'worth'" (1966), 108.

voluntarily or involuntarily). Moreover, Cases I-IV seem to be instances in which the question whether the obligation persists or expires is irrelevant. Since Cases I-IV involve inability that are permanent with respect to the agents involved, i.e., they are constantly present regardless of the obligations, the question whether the obligation persists or expires after the inability sets in doesn't come up.³⁴

To defend some version of the principle, proponents of OIC might adopt a weaker, normative interpretation. But that seems to be problematic as well for the following reasons. First, appealing to moral considerations, such as blameworthiness, to support OIC doesn't seem to address the problems that Cases I-IV raise for OIC. That is, it seems reasonable to say that the agents in these cases are blameworthy even though they cannot carry out their duties. Second, trying to qualify the senses of 'ought' and 'can' to defend a plausible normative version of OIC seems to run the risk of undermining the necessity and universality that OIC is supposed to have. And that is also why a second-order, meta-theoretical version of OIC is problematic.

What does OIC amount to, then? If the considerations put forward in this paper are correct, then it seems that it amounts to simply individual cases in which certain agents fail to do what they ought to. Is this an upsetting result? Not necessarily; for as Brown writes: "man measures himself against high standards and does not tailor his standards to make himself look good against them despite his diminutive stature."³⁵

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34 If the considerations put forward in this paper are correct, then it might seem that inferring 'can' from 'ought' is a fallacy somewhat similar to the alleged fallacy of deriving 'ought' from 'is'. There is a debate, however, concerning the interpretation of the section where Hume discusses the "is-ought" gap (*A Treatise of Human Nature*, Bk. III, Pt. I, Sec. I). Some commentators read Hume as arguing that deriving an ought-judgment from a set of premises described only in terms of 'is' is fallacious, whereas others read Hume as arguing that moral properties are not discernible by demonstrative reasoning. See also Collingridge (1977) who argues that if OIC is true, then it violates Hume's rule. The fallacy of deriving 'ought' from 'is' is distinct from the supposed naturalistic fallacy. See G. E. Moore, *Principia Ethica* (Ch. II, sect. 27-29, pp. 44-6). According to Moore, the naturalistic fallacy is the fallacy of supposing that goodness can be defined in naturalistic terms, such as desire for pleasure and aversion from pain. For Moore, goodness is a "simple notion," which is not amenable to further analysis. Cf. Frankena (1969).

35 J. Brown (1977), 219. I wish to thank an anonymous referee of this journal for very helpful comments on an earlier draft.

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