

Ought Implies Can: A Refinement

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Recently, Frances Howard-Snyder has come to the defense of one formulation of the maxim that 'ought' implies 'can' (henceforth, 'the maxim').¹ She offers positive arguments in its favor and defends it against counterexample. In this paper, I shall argue that the formulation Howard-Snyder favors is false. But there is a fix.

In the sequel, let S , t and a be universally bound variables ranging over subjects, times, and actions, respectively. It is tempting to formulate the maxim quite simply:

NAIVE MAXIM: Necessarily, if S ought to do a at t , then S can at t do a at t .

Howard-Snyder recognizes that NAIVE MAXIM is subject to counterexamples involving self-imposed inability.² It's then suggested that a true formulation of the maxim is:

TIME MAXIM. Necessarily, if S ought to do a at t , then there is a time t^* such that S can at t^* do a at t .

¹Howard-Snyder (2006).

²Ibid.: 235. "Alice promises to pay the money on Sunday and then spends it all on Saturday. Beatrice promises to meet Zoe at 6:00, and then drives to a beach in the opposite direction. At 5:45, Beatrice cannot reach the meeting place by 6:00. Claire locks Zak in a cage as a temporary gag but then throws the key into the ocean. These constitute counter examples to [Naive Maxim]. But what is common to all of them is that the agents behaved wrongly at an earlier time when they were able to do otherwise."

But TIME MAXIM, too, is subject to counterexample. Here is one:

TERRY. Terry is intemperate, even an alcoholic. She is constitutionally unable to refuse a drink (or four, or five) when offered. After arriving at a party where liquor is served, Terry promises her husband that she will refuse any drinks offered to her at the party. But she does partake, and with predictable results.

Let ' a ' be the action 'refusing a drink at the party.' TERRY is a counterexample to TIME MAXIM iff Terry ought to perform a and there is no time such that she can perform a at that time. Both conditions obtain.

In the actual sequence, there is no time t^* at which Terry is able to perform a at t , since Terry is unable at any time to perform a at any time. We can see this with an argument by elimination of possibilities (past, present, future). First, it's plausible to think that one can perform action tokens of the a -type only if one is at a party. Looking into Terry's past (before she arrives at the party) will do no good; we will not find a time in her past at which she was able to perform a (suppose she has never been to a party before). Second, once Terry is at the party, she is as good as gone (that is, unable to perform a), so there is no 'present' time at which she can perform a . Finally, looking to future party scenarios Terry may find herself in hardly seems relevant to the evaluation of the one before us. Terry is thus unable to perform a at all times.

Terry is blameworthy for more than merely promising to do something she cannot; she is blameworthy for accepting a drink. She promised to refuse drinks, after all; I do not believe we're inclined to excuse her of this duty on the basis of her alcoholism. Here's why: there's still a relevant sense in which *things didn't have to be this way*. Had Terry attended an AA meeting six months prior, she *would have been able to perform a* . And that is why we remain free to blame her for imbibing her first (and fourth, and fifth) drink. More importantly, this is why she still ought to refuse a drink

at the party. Her actual inability to so do doesn't figure into the picture, so long as the relevant counterfactual condition is true. Terry is under obligation to perform an action even though she cannot perform it at any time in the actual sequence; TIME MAXIM is false.

Luckily, reflecting on why Terry ought to perform *a* gives us the resources to reformulate the maxim. If we "trace" back far enough in our story, we will eventually find an action that Terry could have performed that (had she performed it) would have rendered her able to refuse a drink. The refined maxim this suggests is a disjunction:

TRACING MAXIM: Necessarily, if *S* ought to do *a* at *t*, then either (*S* can at *t* do *a* at *t*) or (*S* was, at some time *t** able to do *b* at *t**, and were *S* to have done *b* at *t**, *S* would have been able at *t* to do *a* at *t*).

Our TRACING MAXIM does not fall prey to the counter-examples involving self-inflicted inability. For in such cases, the second disjunct is satisfied, preserving an obligation. It is also obviously immune to cases like TERRY. Both of these points count in favor of the reformulated maxim I have proposed. TIME MAXIM is false, but a reformulation with a tracing condition is not.³

References

- [1] Howard-Snyder, Frances (2006). "'Cannot' Implies 'Not Ought,'" *Philosophical Studies* 130: 233-246.
- [2] Speak, Daniel (2005). "PAPistry: Another Defense," *Midwest Studies in Philosophy* 29: 262-268.

³Thanks to Speak (2005) for bringing to my attention the importance of tracing when considering how best to formulate the maxim and the so-called Principle of Alternate Possibilities.