Thus, the standard definition of moral dilemmas does imply a contradiction if the agglomeration principle holds and if ‘ought’ implies ‘can’.

The argument is not changed much if my definition of moral dilemmas is substituted for the standard definition. Just replace ‘ought’ with ‘there is a moral requirement’ or ‘O’ with ‘R’ throughout the above argument. The result shows that my definitions of moral dilemmas and even of moral requirement conflicts imply contradictions, if agglomeration holds for moral requirements, and if moral requirements imply ‘can’.

Some opponents of moral dilemmas admit that moral requirement conflicts are possible, so they have to deny either agglomeration for moral requirements or that moral requirements imply ‘can’. However, they can still substitute weaker principles about non- overridden moral requirements. Simply replace ‘ought’ with ‘there is a non- overridden moral requirement’ throughout the above argument. The resulting argument applies to moral requirement conflicts only if they are unresolvable and thus moral dilemmas.

Whichever formulation is considered, there are two main responses. Defenders of moral conflicts and dilemmas can deny the agglomeration principles that ‘ought to do each’ implies ‘ought to do both’ and that ‘there is a (non- overridden) moral requirement to do each’ implies ‘there is a (non- overridden) moral requirement to do both’. Another response is to deny that ‘ought’ and ‘there is a (non- overridden) moral requirement’ imply ‘can’ in any way that is strong enough for the argument. I will consider both of these responses, beginning with the latter.

4.2 ‘OUGHT’ IMPLIES ‘CAN’

The argument against moral dilemmas has usually been aimed at the standard definition in terms of ‘ought’, so the crucial claim in the argument has been that ‘ought’ implies ‘can’. However, if moral dilemmas are defined by moral requirements, the crucial claims are that ‘there is a moral requirement’ and ‘there is a non- overridden moral requirement’ imply ‘can’. Most of those who claim that ‘ought’ implies ‘can’ also accept these parallel claims about moral requirements, as well as similar claims about duties and obligations. However, some could claim that ‘ought’ implies ‘can’ but deny that moral requirements, duties, and obligations imply ‘can’, even if they are not overridden. If this approach is defeasible, then, even if the argument from ‘ought’ implies ‘can’ did refute the possibility of moral dilemmas on the standard definition, no similar argument could refute the possibility of moral dilemmas on my definition. Thus, in order to defend the possibility of moral dilemmas on my definition, all I need to show is that ‘there is a moral requirement’ and ‘there is a non- overridden moral requirement’ do not imply ‘can’.

Nonetheless, the principle that ‘ought’ implies ‘can’ is more common, and I do want to defend the possibility of moral dilemmas even on some interpretations of the standard definition. For these reasons, I will focus on the claim that ‘ought’ implies ‘can’ and argue that ‘ought’ does not imply ‘can’ in any way that is strong enough to refute moral dilemmas. I will later show that my main points apply even more clearly to moral requirements.

It is crucial to distinguish different possible relations between ‘ought’ and ‘can’. The relation is supposed to be an implication, but there are many kinds of implication. I will discuss four kinds of implication, although even finer distinctions could be drawn. The kind of implication that holds between ‘ought’ and ‘can’ determines the truth value of a judgement that an agent ought to do something when the agent cannot do it.

The most common interpretations of the claim that ‘ought’ implies ‘can’ are semantic. An implication is semantic if it holds by virtue of the meanings of the terms or the truth conditions of judgements with the terms. There are many semantic relations but the two main ones are entailment and presupposition. The difference lies in whether it is false that an agent ought to do what he cannot do. If ‘ought’ entails ‘can’, then, for any agent and any alternative,
agent cannot do it. This judgement can be true even if it is pointless for a given purpose to say so.

I will argue that the relation between ‘ought’ and ‘can’ is neither a semantic entailment nor a presupposition nor a moral implication, because it is sometimes true that an agent ought to do what he cannot do. I will then argue that ‘ought’ does sometimes conversationally imply ‘can’. This weak relation will explain the tendency to believe that ‘ought’ implies ‘can’ in some stronger way, since it is easy to confuse the various relations. However, if ‘ought’ only conversationally implies ‘can’, it can be true that an agent ought to adopt both alternatives in a moral dilemma even though the agent cannot adopt both. This will show that the argument from ‘ought’ implies ‘can’ does not refute the possibility of moral dilemmas.

4.2.1 Fallacious arguments that ‘ought’ implies ‘can’

I will begin by criticizing four arguments which often lead people to claim that ‘ought’ implies ‘can’. Not everyone who claims that ‘ought’ implies ‘can’ states these arguments explicitly, but these mistakes seem to be at the back of many opponents’ minds.

First, ‘ought’ is supposed to entail or presuppose ‘can’, because, when agents know that they cannot do what they ought to do, they often ask what they ought to do instead. For example, if a bride cannot get to her wedding, then she ought at least to let someone know and to excuse her absence. However, the fact that she ought to do such other things does not change the fact that she ought to go to her wedding. On the contrary, if it were not first true that she ought to go to her wedding, she would have nothing to excuse when she failed to go to her wedding. Excuses are distinguished from justifications in that to justify an act is to show that it is right, whereas to excuse an act is to admit that it is wrong but to deny responsibility. Excuses are, then, appropriate only for what ought not to have been done. However, if someone confuses excuses with justifications, he or she might deny that one ought
not to do what one has an excuse for doing. Some such confusion might explain why some people think that 'ought' implies 'can'.

Another common argument that 'ought' implies 'can' is that we do not blame agents for failing to do acts which they could not do, so it is not true that the acts ought to have been done. No such conclusion follows. The premise is about agents, but the conclusion is about acts. And there are many cases where something ought to be done even though the agent would not be blameworthy for failing to do it, because it is not the agent's fault that she fails to do what she ought to do. For example, suppose a doctor is scheduled to perform an operation tonight, but a terrorist will take her hostage as soon as she leaves her home. She will not be blameworthy for failing to do the operation, but the only reason to deny that she ought to do the operation is that 'ought' implies 'can', and that begs the question, since this is supposed to be an argument for 'ought' implies 'can'. Furthermore, even if the conclusion did follow, the premise is false. We do blame agents for failing to do what they could not do if it is their own fault that they could not do it. For example, we blame drunk drivers for not avoiding crashes which they could not avoid because they got themselves drunk. Similar mistakes occur in arguments concerning the question of when an agent is condemnable, punishable, etc. An opponent might respond that we blame, condemn and punish these drunk drivers for getting drunk, but not for not avoiding the accident.\(^8\) I admit that we blame them for getting drunk, but that is not all we blame them for. When we blame them, we say things like 'You should not have run that old man down' and not just 'You should not have got drunk.' And if two drivers are equally drunk, but one has an accident, we punish the one who has the accident more than the one who does not. And we punish the drunk driver at least as much as a sober driver who has a similar accident. The best explanation of these practices is that, even though there is some blame for getting drunk, there is additional blame for having an accident while you are drunk. Thus, we do blame people for failing to do what they could not do, so the present argument fails to show that 'ought' implies 'can'.

Third, it is sometimes argued that 'ought' must imply 'can' because saying that agents ought to do what they cannot do is pointless and therefore not true. This argument is not valid. The premise concerns the point or purpose of saying something, but the conclusion concerns the truth of what is said. What is said might be true even when saying so could not serve any purpose. Furthermore, the premise is false, since it is not always pointless to say that agents ought to do what they cannot do. Saying this might be pointless as advice, and it might seem that the purpose of saying what the agents ought to do is always to advise them to do it, at least in contexts where 'ought' is followed by a present infinitive and the agents are addressed.\(^9\) However, 'ought' can be used for different purposes in different contexts. For example, the purpose of saying that agents ought to have done what they did not do is not to advise them to do it, since they have already missed the chance. Nonetheless, such uses of 'ought' with a past tense infinitive might serve another purpose, such as to blame the agents. And it might be justifiable to blame agents for not doing what they could not do if it is their own fault that they could not do it. Even if not, such judgements can at least be used to express justified attitudes towards what was done. Thus, this argument also fails to show that 'ought' implies 'can'.

Finally, some opponents argue that 'ought' implies 'can' simply by giving an example where the fact that an agent cannot do something seems to be a reason to deny that the agent ought to do it. For example, the fact that Jones has no money is a reason to deny that Jones ought to give money to charities. The simplest response is that such examples beg the question. However, it must be admitted that 'cannot' does seem to be a reason to deny 'ought' in some cases. Nonetheless, it is a hasty generalization to conclude that 'ought' implies 'can'. No single case or type of case can show that 'ought' implies 'can', because '“ought” implies “can”' is a universal claim. Those who deny that 'ought' implies 'can' can admit that 'cannot' is sometimes a reason to deny 'ought'. They need to explain why this is a reason in some cases but not others, but they can explain this by citing substantive moral truths that some limited kinds of judgements with 'ought' are not true when the agent
cannot do what ought to be done. For example, it might be true that moral ideals lose their force when the agent cannot do what they recommend, even if this is not true of all moral requirements. Some such limited principles can hold even if 'ought' does not universally imply 'can'. Thus, arguments from individual examples also fail to show that 'ought' implies 'can' in the relevant way.

4.2.2 Against entailment

So far I have only criticized arguments for the claim that 'ought' implies 'can'. I will now argue directly against that claim by showing that it is sometimes true that an agent ought to do what he cannot do. If so, 'ought' neither entails nor presupposes nor morally implies 'can'. For simplicity, I will discuss entailment first and then extend my argument to presupposition and moral implication.

Many arguments could be given against the claim that 'ought' entails 'can'. I ought to stop myself from laughing at my friend's new haircut, since it will hurt him deeply, but I just can't stop myself. If I visit a foreign country but fail to learn the customs, I might not know how to avoid insulting my host, but I ought not to insult him. I ought to have finished mowing the grass before Monday, since I promised, but it is already Tuesday, so I cannot now have finished mowing the grass before Monday. Instead of multiplying such examples, I will discuss one in detail.

My example shows that, if 'ought' entailed 'can', an agent could escape having to do something simply by making himself unable to do it. Suppose Adams solemnly promises at noon to meet Brown at 6.00 p.m. but then goes to a film which starts at 5.00 p.m. Adams knows that, if he goes to the film, he will not be able to meet Brown on time. But he goes anyway, simply because he wants to see the film. The cinema is 65 minutes away from the meeting place, so after 4.55 it is too late for Adams to keep his promise. Consequently, if 'ought' entailed 'can', it would not be true at 5.00 that Adams ought to meet Brown at 6.00. Similarly, if Adams is still at the cinema at 6.00, he cannot then meet Brown at 6.00. Consequently, if 'ought' entailed 'can', it would not be true at 6.00 that Adams ought to meet Brown at 6.00.

However, these consequences are counterintuitive. If Adams calls Brown from the cinema at 6.00, it would be natural for Brown to say, 'Where are you? You ought to be here (by now), even though Brown knows Adams cannot be there now. Brown's statement seems true, because Adams did promise, the appointment was never cancelled, and the obligation is not overridden. Thus, there is no reason to deny Brown's statement except to save the dogma that 'ought' entails 'can', and that would beg the question. Furthermore, if Adams calls at 5.00 and tells Brown that he is at the cinema, Brown might respond, 'Why haven't you left yet? You ought to meet me in an hour, and it takes more than an hour to get here from the cinema.' Again, Brown's statement seems natural and true, and there is no reason to deny it except to save the claim that 'ought' entails 'can'. Therefore, we must give up the claim that 'ought' entails 'can'.

A common response to such temporal examples is to index 'ought' to times and then to claim that judgements that an agent ought to do something are true only at times when the agent can do it. My example would not refute 'ought' entails 'can' if the judgement that Adams ought to meet Brown at 6.00 were true until but not after the time (4.55) when Adams no longer can meet Brown at 6.00. I agree that such temporal indexing is useful elsewhere and does avoid some other counterexamples to 'ought' implies 'can'. Nonetheless, temporal indexing is not enough to save 'ought' entails 'can' from my arguments. I argued that it is still true at 5.00 and even at 6.00 that Adams ought to meet Brown at 6.00, and these are times when Adams cannot meet Brown at 6.00. This shows that 'ought' does not entail 'can' even if 'ought' is indexed to times.

Another response is to admit that Adams ought until 6.00 p.m. to meet Brown but still claim that 'ought' entails 'could have'. However, this claim is too weak to satisfy traditional defenders of 'ought' implies 'can'. 'Ought' entails 'could have' allows that, if Adams plans to meet Brown, but
his car is stolen, so he cannot meet Brown, he still ought to meet Brown, since Adams could have parked where the car would not have been stolen. But it is not Adams' fault that he cannot meet Brown, so most defenders of "ought" entails "can" would deny that after his car is stolen Adams ought to meet Brown. The principle might be qualified so that the agent must also know what is necessary and sufficient to do what ought to be done. Adams does not know that parking elsewhere is necessary for him to meet Brown. However, this still will not satisfy many traditional defenders of "ought" entails "can". In any case, this principle cannot rule out all moral dilemmas, since the agent often did not know what was necessary to avoid the moral dilemma or to be able to adopt both alternatives in it.

The most important point is that a variation of the previous example refutes "ought" entails "could have" and also provides a still stronger argument against "ought" entails "can", even with temporal indexing. Suppose Adams knows at noon that his car will not be available, so he will not be able to meet Brown at 6:00. Nonetheless, in order to lead Brown astray, Adams promises at noon to meet Brown at 6:00. In this new example, there is no time at all when Adams can meet Brown as promised. Thus, if "ought" did entail "can" or even "could have", Adams never ought to meet Brown.

This is counterintuitive, because it suggests that whether Adams promises to meet Brown makes no difference at all to whether he ought to meet Brown. However, his promise does make such a difference. If Adams makes no promise, he has nothing to excuse. But if he does make a promise, an excuse is owed or at least not inappropriate. Similar remarks apply to some apologies, compensation and other moral residue. This is not merely because he has an obligation to keep his promise but because he ought to keep it. Adams's obligation is not cancelled or overridden, so there is no reason to deny that he ought to fulfill his obligation except that he cannot fulfill it, but that begs the question. Also, Adams owes an excuse not merely for making the promise. He has no excuse for that. The excuse is owed for not keeping the promise. Indeed, if it were not first true that Adams ought to keep the promise, then there would be no reason why Adams ought not to make the promise.

Furthermore, if Adams unexpectedly becomes able to meet Brown on time, because a helicopter arrives, then Adams ought to meet Brown. But it would be at least odd for this to become true if Adams never ought to meet Brown because the helicopter arrived. Obligations can come into existence as circumstances change, but it would be odd for someone else to make it true that Adams ought to meet Brown simply by arriving in a helicopter and making Adams able to meet Brown, if it were never true before then that Adams ought to meet Brown. In order to escape such difficulties, I conclude that 'ought' does not entail 'can'.

One final response would be to grant that my counter-examples show that one sense of 'ought' does not entail 'can' but still to claim that another sense of 'ought' does entail 'can'. A similar move can be made to escape any argument against any entailment. Even if I argue for the obvious claim that 'father' does not entail 'married', an opponent can claim that one sense of 'father' does not entail 'married' but another sense of 'father' still entails 'married'. However, such moves are not plausible unless there is enough independent reason to distinguish the supposedly different senses. In the case of 'ought', it begs the question to claim that 'ought' must have two such senses, because it sometimes entails 'can' and sometimes does not. 'Ought' is used for different speech acts in situations where the agent cannot do what he ought to do, but this difference in speech acts does not prove any difference between senses of 'ought'. Terms do not change their meanings every time they are used for different speech acts. In the absence of any better reason to distinguish such senses of 'ought', it is simpler and better not to multiply the senses of 'ought' but to hold instead that 'ought' has a single sense which never really entails 'can', but only seems to entail 'can' in contexts where it conversationally implies 'can'. I will develop that view below, and this will leave no escape from the conclusion that 'ought' does not entail 'can'.

It is easy to extend these arguments to moral requirements. It is still true at 5:00 and even at 6:00 that Adams has an
obligation to meet Brown. Since obligations are a kind of moral requirement, it is still true at 5.00 and 6.00 that there is a moral requirement for Adams to meet Brown. If this were not true, it would be hard to see why Adams ought to meet Brown, why he owes an excuse for not keeping his promise, etc. And the moral obligation and requirement are not overridden. Thus, such examples also show that ‘there is a moral requirement’ and ‘there is a non- overridden moral requirement’ do not entail ‘can’.15

4.2.3 Against presupposition and moral implication

Even though ‘ought’ does not entail ‘can’, opponents might retreat to the weaker claims that ‘ought’ presupposes ‘can’ or morally implies ‘can’.16 However, my arguments refute these weaker claims as well. If ‘ought’ either presupposed or morally implied ‘can’, it could never be true that an agent ought to do what he cannot do. But the above arguments show that it is sometimes true that an agent ought to do something that he cannot do.

Furthermore, there are special problems with the claim that ‘ought’ presupposes ‘can’. If ‘ought’ presupposed ‘can’, not only could it not be true, but it also could not be false that an agent ought to do what cannot be done. But it can be false. If there is no reason at all for Smith to jump over the moon, then it is false that Smith ought to do so, since it would not be true even if Smith could jump that high. An opponent might respond by denying that Smith ought not to jump over the moon. However, this denial does not imply that it is not false that Smith ought to jump over the moon, since it might be false both that he ought and that he ought not to jump over the moon. Some such confusion of ‘ought not’ with ‘false that ought’ probably explains the mistake of claiming that ‘ought’ presupposes ‘can’.

Similar points apply to moral requirements. If there is no relevant fact about jumping over the moon that could provide a moral reason to jump over the moon, then it is false that there is a moral requirement to jump over the moon even though the agent cannot do so. And then it is also false that there is a non- overridden moral requirement. But if these judgements are false in this situation, they cannot presuppose ‘can’. Thus, ‘there is a moral requirement’ and ‘there is a non- overridden moral requirement’, like ‘ought’, neither entail nor morally imply nor presuppose ‘can’.

4.2.4 For conversational implication

Although the relation between ‘ought’ and ‘can’ is neither entailment nor presupposition nor moral implication, there still seems to be some relation, so I need to explain what it is. I will now argue more positively that the relation between ‘ought’ and ‘can’ is a conversational implication.

The notion of a conversational implication was developed by H.P. Grice. Grice first introduces what he calls ‘the cooperative 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’.17 The conditions of following the cooperative principle are specified further by conversational maxims. The relevant maxim here is that of relation, which says simply ‘Be relevant’.18 Grice defines conversational implication in terms of the cooperative principle and conversational maxims:

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 of, 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) that 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.19
In short, saying $p$ conversationally implies $q$ when (roughly) saying $p$ for a certain purpose cannot be explained except by supposing that the speaker thinks that $q$ and thinks that the hearer will think that the speaker thinks that $q$, etc. For example, if someone asks where a petrol station is and gets the response, ‘Around the corner’, then, assuming its purpose is to help the questioner find petrol, the response cannot be explained except by supposing that the respondent thinks that the station around the corner might be open and thinks that the questioner can work out that he thinks this, etc.

Grice provides several tests of whether such a relation holds. First, ‘the presence of a conversational implicature must be capable of being worked out.’ It can be worked out if the hearer can give an argument from the fact that the speaker said that $p$ to the fact that the speaker thinks that $q$, etc. Such arguments must use the cooperative principle and its maxims, the conventional meaning of the words used to say that $p$, and certain supposedly shared background knowledge. Second, ‘a generalized conversational implicature can be cancelled in a particular case.’ A conversational implication can be cancelled if a speaker does not contradict himself when he says that $p$ and implies that he does not believe that $q$. Grice provides other tests, but they need not detain us here.

Before we can apply these tests to a particular type of utterance, we must determine its accepted purpose or purposes. Sometimes a single type of utterance is used for different purposes in different contexts, and the conversational implications of such utterances might vary along with their purposes. For example, an utterance of ‘My husband is either in the kitchen or in the bedroom’ for the purpose of helping the listener find the speaker’s husband conversationally implies that the speaker does not know which room her husband is in. In contrast, an utterance of the same disjunction for the purpose of playing a guessing game does not imply such ignorance.

In order to test whether ‘ought’ conversationally implies ‘can’, we must determine the purposes of utterances using ‘ought’. This task is complicated, since ‘ought’ can be used for many purposes. ‘Ought’ can be used to advise present action or to blame an agent for past acts or to plan for the future. This list of purposes is neither exhaustive nor exclusive nor precise, but I need to discuss only these three purposes. I will argue that ‘ought’ implies ‘can’ relative to some of these purposes but not others.

First, consider advising. Suppose Adams goes to the film knowing that, if he goes, he won’t be able to keep his appointment with Brown at 6.00 p.m. At 5.55 he repents, but it is too late to meet Brown on time. Adams then asks Chang for advice. Adam asks, ‘What ought I to do?’ Chang replies, ‘You ought to meet Brown at 6.00 p.m. just as you promised.’ This reply is odd because Adams cannot follow Chang’s advice, so Chang’s utterance cannot serve the purpose of advising. The purpose of advising is not merely to do an illocutionary or speech act of advising. Instead, the purpose of advising is the intended effect or perlocutionary force of an act of advising. Such intended effects can vary, but in some standard contexts, the intended effect cannot occur unless the advisee follows the advice. Hence, assuming Chang has such a purpose and is following the cooperative principle, we cannot explain Chang’s advice except by supposing that Chang thinks somehow that Adams can meet Brown at 6.00 p.m. and that Chang thinks that Adams can figure out that she thinks this, etc. Thus, according to Grice’s first test, Chang’s use of ‘ought’ conversationally implies ‘can’.

An opponent might object that, if Adams responds to Chang by saying, ‘I can’t do that’, Chang will withdraw her previous judgement. However, she will not deny it. She will not say, ‘Then it is not true that you ought to meet Brown.’ Nor will Adams deny Chang’s judgement. This suggests that Chang withdraws her judgement not because it is false but only because it cannot serve the purpose of advising.

Furthermore, the implication passes Grice’s test of cancellability. Suppose Chang says, ‘You still ought to meet Brown, but, since you can’t, you at least ought to call him’. If ‘ought’ entailed ‘can’, this would be self-contradictory, but it is not. Chang is clearly invoking a secondary obligation without denying the
primary one, so the implication can be explicitly cancelled. Since this case has no relevant peculiarities, I conclude that ‘ought’ generally conversationally implies ‘can’ when ‘ought’ is used for the purpose of advising.

Next, consider blaming. Suppose Adams goes to the film but plans to leave early and meet Brown as he promised. Unfortunately, Adams’s car is stolen. Adams calls Brown at 6.00 p.m. and says, ‘I can’t meet you on time.’ Before Adams can say that his car was stolen, Brown blames him by saying ‘You really ought to be here. I missed a great opportunity in order to meet you, and it’s your fault.’ Brown’s utterance with ‘ought’ does not imply that Adams can be there or keep his promise. Brown does not think that Adams can do either, since Adams has just told him otherwise. Hence, we cannot explain Brown’s blaming Adams except by supposing that Brown thinks that it is Adams’s own fault that he cannot be there. Otherwise, Adams would not be blameworthy, and some standard purposes or intended effects of blaming will not occur unless the agent is blameworthy. Thus, according to Grice’s first test, ‘ought’ conversationally implies ‘can or culpably cannot’ when ‘ought’ is used to blame an agent.

Suppose Adams responds to Brown’s blame by saying ‘I planned to meet you, but my car was stolen.’ Brown might withdraw his judgement that Adams ought to be there. However, this withdrawal is not due to falsity but to the inability of the judgement to serve the purpose of blaming.

Furthermore, this implication passes Grice’s test of cancellability. Brown does not contradict himself if he says ‘You still ought to be here, but it’s not your fault that you can’t, so I don’t blame you.’ Since this case has no relevant peculiarities, I conclude that ‘ought’ generally conversationally implies ‘can or culpably cannot’ when ‘ought’ is used to blame an agent.

Finally, if ‘ought’ only conversationally implies ‘can’, some purpose might provide a context in which the implication is absent in general. This is precisely the case with planning. Suppose Adams tells Davis that he is going to promise to meet Brown even though he will not be able to meet him. Davis then argues, ‘You ought not to promise to meet Brown, since, if you (now) promise to meet him, then (it will be the case that) you ought to meet him, but you will not be able to meet him.’ Davis’s second use of ‘ought’ does not conversationally imply even ‘can or culpably cannot’. Davis does not think that it will be the case that Adams can or culpably cannot meet Brown. Such thoughts need not be supposed in order to explain why Davis says what he says for the purpose of planning, which here is to minimize future failures to do what ought to be done. Also, if Adams responds that it will not be his fault that he cannot meet Brown, then Davis will not withdraw, much less deny, what he said. Such uses of ‘ought’ are admittedly imbedded within both a conditional and the future tense, and such contexts are not expected to preserve conversational implications. Nonetheless, the point is that ‘ought’ can be used in contexts where it does not conversationally imply even ‘can or culpably cannot’.

In sum, ‘ought’ has different conversational implications when it is used for different purposes. Some of the main purposes and implications can be tabulated as follows:

<table>
<thead>
<tr>
<th>purposes</th>
<th>implications</th>
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<tbody>
<tr>
<td>1 advising</td>
<td>‘can’</td>
</tr>
<tr>
<td>2 blaming</td>
<td>‘can or culpably cannot’</td>
</tr>
<tr>
<td>3 planning</td>
<td>neither of the above</td>
</tr>
</tbody>
</table>

This variety of conversational implications does not imply that ‘ought’ has various senses, but the cases where ‘ought’ does conversationally imply ‘can’ do explain why ‘ought’ sometimes seems to entail or presuppose ‘can’ when it really does not.

The same points apply to moral requirements. If I tell someone that he has an obligation or a duty to do something, and I am advising him, then my utterance conversationally implies that he can do it, because otherwise it would be pointless to say so. However, if I utter the same judgement when I am blaming him or planning for the future, then my utterance need not conversationally imply that he can do it. These conversational implications still hold when I say that the obligations and duties are not overridden. Since duties and
obligations are kinds of moral requirements, 'there is a moral requirement' and 'there is a non-overridden moral requirement' also conversationally imply 'can' in some contexts but not others.

4.2.5 Application to moral dilemmas

What does this show about moral dilemmas? The original argument against moral dilemmas on the standard definition used the principle that 'ought' implies 'can' to argue that, since the agent in a moral dilemma cannot adopt both alternatives, it cannot be true that the agent ought to adopt both. This would follow if 'ought' entailed or presupposed or morally implied 'can'. However, I have shown that none of these relations holds. I have argued instead that 'ought' conversationally implies 'can'. This implies that it is often pointless to say that an agent in a moral dilemma ought to adopt both alternatives, and it might also be unfair to say this in order to blame the agent (unless it was her own fault that she got into the dilemma or she made her choice with a bad motive or intention). However, it can still be true that the agent ought to adopt both alternatives. Thus, it is not valid to argue from the premise that the agent cannot adopt both alternatives to the conclusion that it is not true that the agent ought to adopt both alternatives. Without this step, the argument from 'ought' implies 'can' fails to prove that moral dilemmas on the standard definition are not possible.

The argument against moral dilemmas on my definition suffers the same defect. Since 'there is a moral requirement' and 'there is a non-overridden moral requirement' neither entail nor presuppose nor morally imply 'can', the fact that the agent cannot adopt both alternatives does not show that there is not a (non-overridden) moral requirement to adopt both alternatives. 'There is a (non-overridden) moral requirement' does still conversationally imply 'can', so it is often pointless to tell the agent that there is a (non-overridden) moral requirement to adopt both alternatives, but this judgement can still be true. Thus, no argument along these lines can refute the possibility of moral dilemmas on either definition.

4.3 The Agglomeration Principle

Since 'ought' does not semantically or morally imply 'can', the argument from 'ought' implies 'can' would not refute the possibility of moral dilemmas, even if the agglomeration principle were valid. Nonetheless, it is still important to determine whether agglomeration holds. One reason is that there are other arguments against the possibility of moral dilemmas that depend on the agglomeration principle. We will see one in the next chapter. Another reason is that we need to know which moral judgements are true in a moral dilemma, and the agglomeration principle determines whether the agent ought to adopt both alternatives in a moral dilemma. Thus, in order to understand and defend moral dilemmas fully, we need to determine whether the agglomeration principle is valid.

Williams was one of the first to reject the agglomeration principle, and he gave several arguments against it. His main arguments were based on analogies between moral terms and non-moral terms. He claims, first, that agglomeration fails for desires or wants: 'Marrying Susan and marrying Joan may be things each of which Tom wants to do, but he certainly does not want to do both.' He then adds that agglomeration fails for certain terms of non-moral evaluation: 'It may be desirable, or advisable, or sensible, or prudent to do a, and again desirable, or advisable etc. to do b, but not desirable etc. to do both a and b.'

Williams seems to give these analogies as evidence that agglomeration also fails for moral uses of 'ought'.

There are two main problems with this argument. First, it is not clear that agglomeration fails for all of the non-moral terms that Williams lists. In the case of wants or desires, a defender of agglomeration could argue that the most natural reason to deny that Tom desires to marry both Susan and Joan is that Tom has stronger desires not to have two wives (for social, legal, or economic reasons). But this shows only that he desires not to marry both. It does not show that he does not desire at all to marry both. Someone can have some desire for something even when he desires something else more. For example, someone can desire to eat ice cream even if he more strongly desires to lose weight. Similarly, Tom can have some desire to
marry both Susan and Joan, even though he more strongly desires not to have two wives. But if Tom has even a weak desire to marry both Susan and Joan, then Williams's example fails to refute agglomeration for desires or wants.

It is clearer that agglomeration fails for some of Williams's other non-moral evaluative terms. However, some of his analogies are misleading. 'Sensible' is more analogous to 'morally permitted' than to 'morally ought' or 'morally required', and nobody claims that agglomeration holds for 'morally permitted'. 'Desirable', 'advisable' and 'prudent' also seem open to interpretations parallel to permission. Thus, until more complete analyses are given, such analogies cannot show that agglomeration fails for the relevant judgements in moral dilemmas.

Even if agglomeration fails when these terms are analysed so as to be more analogous to 'ought', the analogies are still not exact. 'Ought' might differ from desires and evaluations in some respects which make 'ought' obey agglomeration even though the other terms do not. The analogies are forceful because these other terms refer to the kinds of fact that count as reasons why someone ought to do something, so what people want and what is advisable, etc., are often relevant to what someone ought to do. Williams adds that anyone who holds that these terms 'are evaluative because they entail "ought"' statements will be under some pressure to reconsider the agglomerative properties of "ought"'. However, even if this did show that 'ought' does not obey agglomeration, there still might be something about moral contexts which makes 'morally ought' obey agglomeration. Thus, no such argument from analogy can prove that the moral judgements in moral dilemmas fail to obey an agglomeration principle. Williams's arguments might give some evidence against agglomeration for 'morally ought', and this might be all that Williams wants to claim, but the only way to be more definitive is to look directly at moral cases.

I will argue that whether agglomeration holds for 'morally ought' depends on how 'ought' is interpreted. The three main interpretations of 'ought' imply that an agent ought to do what there is a moral reason to do or a non-overridden moral reason to do or an overriding moral reason to do. Correspondingly, the agglomeration principle might claim that

(AMR) If there is a moral reason to do A, and there is a moral reason to do B, then there is a moral reason to do both A and B.
(ANOMR) If there is a non-overridden moral reason to do A, and there is a non-overridden moral reason to do B, then there is a non-overridden moral reason to do both A and B.
(AOMR) If there is an overriding moral reason to do A, and there is an overriding moral reason to do B, then there is an overriding moral reason to do both A and B.

These claims must be tested separately, because one might be true even if the others are not. There are many arguments against (AMR). Some counter-examples arise if we allow the agent who ought to do A to be different from the agent who ought to do B. In such cases, it is not even clear what 'ought to do both' could mean. Who ought to do both? However, this problem can be avoided simply by restricting the principle to a single agent. This restriction does not affect the argument against single agent moral dilemmas, although it does show that no such argument can rule out interpersonal moral dilemmas. Other common counterexamples depend on the claim that 'ought' implies 'can'. 'Can' does not obey agglomeration, since often an agent can adopt each of two alternatives but cannot adopt both. If he then ought to do each, and 'ought' implies 'can', agglomeration fails. However, I have just shown that 'ought' does not imply 'can'. Even if it did, such examples would beg the question against opponents of moral dilemmas.

Other counterexamples are harder to escape. The force of these examples can be brought out by my account of moral reasons (although they are independent). As I said, a moral
reason to adopt (or not to adopt) an alternative is or is provided by a fact that the alternative has certain properties or consequences, such as that it fulfills a promise (or is a lie) or that it prevents (or causes) harm. Agglomeration then fails because the consequences of doing each of two acts separately can be different from the consequences of doing both acts together. Even if A has a good consequence (prevents a harm), and B also has a good consequence (prevents the same or another harm), it still does not follow that A and B together have any good consequence. For example, if I talk to Farida in my office at 3:00 p.m., this will prevent her from failing the test tomorrow; and if I talk to Steve in my office at 3:00 p.m., this will prevent him from failing the test tomorrow; but if I talk to both of them together in my office at 3:00, this will confuse them both and will not prevent either from failing the test (or prevent any other harm). If the only time when I can talk to either of them is 3:00, then I have a moral reason to talk to Farida in my office at 3:00 p.m., and a moral reason to talk to Steve in my office at 3:00 p.m. but no moral reason at all to talk to both of them in my office at 3:00 p.m., assuming that I have no other moral reason, such as a promise or a professional duty, to meet them both at 3:00.45

Such examples stand alone, but I would like to add some speculations about why they work. Their force becomes clearer if we specify exactly which facts are or provide moral reasons. Part of my moral reason to meet Farida at 3:00 is that meeting her at 3:00 is necessary to prevent her failing the test. If Farida and I could also meet at 4:00, and if this would also prevent the harm, then I would have no moral reason to meet her at 3:00, since this would not be necessary, but I would still have a moral reason to meet her at either 3:00 or 4:00, if no other time were possible. Meeting her at 3:00 also might be necessary to prevent some other harm, such as breaking a promise to meet her at 3:00, and then I would have a moral reason to meet her at 3:00. Nonetheless, if the only relevant harm is her failing the test, then I have a moral reason to meet her at 3:00 only if meeting her at 3:00 is necessary to prevent that harm.

But necessity is not enough. I would not have any moral reason to meet Farida if meeting her would not prevent or at least reduce the danger of her failing or some other harm. Meeting her need not be sufficient in itself, but there is no reason to meet her unless this is part of some larger course of action that is sufficient in the circumstances to prevent or reduce the chance of some harm. And if meeting her at 3:00 will be useless unless I meet her again at 8:00, but I cannot meet her at 8:00, then I have no reason to meet her at 3:00. So I must be able to do or bring about the other parts of what is sufficient to reduce the chance of harm. For simplicity, I will say something is not part of anything sufficient in the circumstances unless the agent can adopt the other parts of what would be sufficient. There is then a moral reason to adopt an alternative (to meet Farida at 3:00) only if adopting it is both necessary and part of something that is sufficient in the circumstances to prevent or reduce the danger of some harm.

This explains why I have no moral reason to meet both Farida and Steve together. Meeting them both might be necessary in order to prevent both failing, since there is no other way to help them both. However, meeting both Farida and Steve together is not part of anything that is sufficient in the circumstances to prevent or even reduce the danger of both or either failing (or of my breaking any promise, professional duty, etc.). Thus, there is no moral reason to meet them both together. I have no more reason to meet both together than I would have to drive to a shop that I know is closed, simply because that is the only place to buy what I want. This explains why agglomeration fails in such examples.

Some opponents might object that this conflicts with my arguments that ‘ought’ does not imply ‘can’. If there is no reason to meet Farida unless this is part of something sufficient to help her, there might seem to be no reason to help her unless something is sufficient to help her, and then I can help her. However, this confuses what would be sufficient with what an agent can do. In my counterexamples to the principle that ‘ought’ implies ‘can’, there was something that would be sufficient by itself and in the circumstances for Adams to meet Brown and to keep his promise. It would be sufficient if Adams
went to the meeting place on time. The problem is that Adams cannot do this. In my counterexample to agglomeration, I can meet Farida and Steve together, but this is not part of anything sufficient in the circumstances to help either. It is part of something (the conjunction of meeting both and helping both) which would be sufficient, but I cannot do the other part (helping both), so meeting Farida and Steve together is not sufficient in the circumstances to help either. Thus, the agent in this case can do something, but it is not sufficient in the circumstances; whereas my counterexamples to the principle that ‘ought’ implies ‘can’ were cases where something would be sufficient by itself and in the circumstances, but the agent cannot do it. Thus, my counterexamples to agglomeration work without reviving the principle that ‘ought’ implies ‘can’.

Another response might be that talking to Farida is not sufficient in the circumstances to prevent her failing if I talk to her together with Steve, so what I have a moral reason to do is not just to talk to Farida but to talk to Farida without Steve (or even alone). However, it is still true that talking to Farida is part of any course of action that will help her, and that talking to Farida is part of some course of action that will help her, so talking to Farida is both necessary and part of something sufficient in the circumstances to help her. That is what gives me a reason to talk to her. I also have a moral reason to talk to her without Steve, but this does not conflict with or take away my reason to talk to her and to do it at 3.00. Furthermore, even if I had no reason to talk to Farida but only to talk to her without Steve, this would not save agglomeration. If I have a moral reason to talk to Farida without Steve at 3.00, I also have a moral reason to talk to Steve without Farida at 3.00, but there is no moral reason to talk both to Farida without Steve at 3.00 and to Steve without Farida at 3.00, since this is contradictory, so it cannot prevent any harm. Thus, this example would still refute agglomeration for moral reasons.

Similar examples arise from moral reasons apart from consequences. Suppose I promise to talk to Farida alone at 3.00 p.m., but I forget, and I also promise to talk to Steve alone at 3.00 p.m. I have a moral reason to talk to Farida alone at 3.00, because this is necessary and sufficient to fulfil a promise, and I have a similar moral reason to talk to Steve alone at 3.00, but I have no moral reason to talk at 3.00 to both Farida alone and Steve alone (even if this were possible) since this would not fulfil either promise.

Additional counterexamples arise from the closure principle which I will defend in the next chapter. This closure principle claims that I have a moral reason not to do what would prevent me from doing what I have a moral reason to do. Suppose an agent makes conflicting promises, so that keeping one would prevent him from keeping the other. The agent then has a moral reason not to keep the first promise (R - A), because keeping the first promise would prevent him from keeping the second promise. The agent also has a moral reason not to keep the second promise (R - B), because keeping the second promise would prevent him from keeping the first promise. However, the agent does not have any moral reason to keep neither promise (R - (A,B)), or to break both (R - (A & B)), since this alternative would accomplish nothing. Thus, agglomeration for moral reasons fails again.

The second agglomeration principle (ANOMR) is also invalid. This principle claims that, if there are non-overridden moral reasons for each of two alternatives, there are non-overridden moral reasons for both together. However, the moral reasons in all of my previous examples might be non-overridden, but there is still no reason at all to adopt both alternatives together. Furthermore, even if the moral reason for each alternative is not overridden, and even if there is some reason to adopt both alternatives, this reason for the conjunction still might be overridden. This can happen if the conjunction of the alternatives has harmful consequences or violates a moral rule, even though neither alternative alone has these consequences or violates this moral rule. For example, Sophie has a moral reason not to pick her first child and a moral reason not to pick her second child, and neither of these reasons is overridden. She also might have some moral reason to pick neither child, since this will prevent the pain that each child will feel if either is picked. However, this reason is
them conflict, so they cannot both be overriding, contrary to our hypothesis. And if the reasons for each alternative are not both overriding, the antecedent of (AOMR) is not true, so the example cannot refute (AOMR). This argument is not conclusive, but I conclude that agglomeration for overriding moral reasons (AOMR) is valid. Even if this is wrong, it will not affect my defense of moral dilemmas.

In sum, the agglomeration principle fails for moral reasons in (AMR) and for non-overridden moral reasons in (ANOMR), but agglomeration is still valid for overriding moral reasons in (AOMR). Parallel claims also apply to moral requirements, since the above examples can use moral requirements.

What about ‘ought’? If ‘ought’ is interpreted in terms of moral reasons or non-overridden moral reasons, agglomeration fails for ‘ought’. But if ‘ought’ is interpreted in terms of overriding moral reasons, agglomeration for ‘ought’ is valid. This explains why agglomeration for ‘ought’ seems valid in many contexts but fails in contexts of moral dilemmas, where the essential judgements concern non-overridden moral requirements.

This shows that no agglomeration principle can refute the possibility of moral dilemmas. When moral dilemmas are defined by non-overridden moral requirements, the only applicable agglomeration principles are for moral reasons or requirements and non-overridden moral reasons or requirements. Since these principles fail, no agglomeration principle can show that an agent in a moral dilemma has any moral requirement or even reason to adopt both alternatives together. And if moral dilemmas are defined in terms of ‘ought’, agglomeration also fails for any interpretation of ‘ought’ that is applicable to moral dilemmas. This leaves no reason to believe that an agent in a moral dilemma ought on any interpretation to adopt both alternatives together. Consequently, the argument from ‘‘ought’ implies ‘can’’ could not refute the possibility of moral dilemmas even if ‘ought’ or non-overridden moral requirements did imply ‘can’.

override the guard will kill both children if she refuses to pick either child. Thus, she has non-overridden moral reasons for each alternative (for not picking each) but only an overridden moral reason for both alternatives together (for picking neither). A similar example occurs if a man has non-overridden moral reasons to marry each of two women, but moral reasons against bigamy override any moral reason to marry both (even if this is legally possible). Such examples show that the agglomeration principle fails when ‘ought’ refers to non-overridden moral reasons.

Nonetheless, the third agglomeration principle (AOMR) seems valid. The previous principles failed only in examples where the moral reasons for each alternative conflict. However, the reasons in the antecedent of (AOMR) cannot conflict, because each must be overriding, and conflicting moral reasons cannot each be overriding. This protects (AOMR) against any counterexamples like those to (AMR) and (ANOMR). And when there are overriding moral reasons to adopt each alternative, these reasons do not conflict, so the conjunction of these moral reasons does seem to be an overriding moral reason to adopt both alternatives together.

There is also a general argument that no example could refute (AOMR). The only kind of example that could refute (AOMR) would be one where there is a moral reason to adopt a first alternative because it prevents some harm (or keeps a promise, etc.), and similarly for a second alternative, and these reasons are overriding. There then seem to be only two ways there could fail to be an overriding moral reason to adopt both alternatives together. The first is if adopting both together would not prevent either harm (or keep either promise, etc.). But then adopting the first alternative would prevent the agent from preventing the second harm or fulfilling the second reason, and vice versa, so the two reasons would conflict. The only other way there might fail to be an overriding moral reason to adopt both alternatives is if adopting both alternatives caused a larger harm (or broke a more important promise, etc.). But then the agent morally could not adopt both alternatives. Either way, the alternatives and the reasons for