10 Practical necessity

Someone deliberating in an everyday situation may conclude that a certain action is one that he must, or has to, do. The Kantian moral agent is someone who is controlled by conceptions of what he must do, and so, in his necessarily exceptional way, is the Sophoclean hero. Those conceptions are closer to one another than is often supposed, and they share a modal notion with everyday deliberation, the notion of practical necessity. That notion deserves more attention than it has received.¹

It will be best, in fact, to start from ought. Whatever other oughts there may be,² we can recognise the use of the expression in the conclusion of deliberation: ‘This is what I ought to do’ expresses the agent’s recognition of the course of action appropriate, all things considered, to the reasons, motives, and constraints that he sees as bearing on the situation. The sense of that conclusion is what gives the sense to the question it answers, ‘What ought I to do?’

Of that conclusive ought, it is clear that it is practical, in the sense that not only is it concerned with action (as opposed, for instance, to being concerned merely with desirable states of affairs), but the action in question has to be one possible for the agent: here, at any rate, ‘ought’ does imply ‘can’. Such an ought, moreover, is exclusive, in the sense that if I cannot do both A and B then it cannot be the case both that I ought to do A and that I ought to do B.³

It will be very obvious that this ought has nothing specially to do with moral obligation. The question: ‘What ought I to do?’ can be asked and answered where no question of moral obligation comes into

¹ Peter Winch has helpfully discussed a range of issues in this area. See in particular ‘The Universalizability of Moral Judgements’, Monist, 49 (1965), reprinted in his Ethics and Action (London, 1972). See also note 6 below.
² For at least one other, see chapter 9, above.
³ Its being exclusive does not follow immediately from its being practical, in the sense of implying possibility. See chapter 9, p. 119, n. 4.
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the situation at all; and when moral obligation does come into the
question, what I am under an obligation to do may not be what, all
things considered, I ought to do — if only (though this is not the only
case) because I can also be under a moral obligation to do some other
and conflicting thing.

It is worth mentioning that there are important second- and
third-person uses of what is, in effect, this *ought*, in contexts of advice
or of discussion about what it is reasonable for an agent to do. So
used, this *ought* also reveals itself to be *relative*, in a broad sense, to the
projects, motives, and so on of the agent in question. If A tells B that
he ought to do a certain thing, but A is under a misapprehension about
what B basically wants or is aiming at, then A’s statement, if it is
intended in this sense, must be withdrawn.

*Ought* is related to *must* as *best* is related to *only*. This seems to be
a general feature of these terms, even in contexts which are quite
removed from either practical deliberation or morality (such as those
in which inferences are expressed). In this connection, Prichard was
mistaken when he claimed[^4] that the *ought* which was ‘hypothetical’
on an agent’s intentions expressed a necessary means to the agent’s
reaching his objective. What is charactistically expressed by telling
someone that he ought to do X if he wants Y is that X is the best
or favoured means to Y; if it is the only means to Y, then he *must*
do it if he wants Y.

I shall not try to say anything here about the supposed distinction
between categorical and hypothetical imperatives, a topic which has
generated an exceptional degree of confusion. All that is needed here
is the obvious point that if A wants X, and if it is true that if he wants
X he must do Y, it does not follow that he must do Y; that will
follow only if, further, X is the thing that he must pursue. So, in
the first person: if I conclude that I must do Y, then it is because
I have come to see not just that it is the only means to some end I
have, but that it is the only thing I can do.

However, this raises a difficulty. It is very rarely the case that there
is only one thing that I *can* do, and that all the alternative courses of
action are — in a phrase which invitingly begs all the questions — *literally*
impossible. Usually, the alternatives are vastly more costly, or are
excluded by some moral constraint. Various considerations that come

wish to convey’ is that if the agent does not do the act in question, his purpose will
not be realised; indeed, ‘this is what we really mean by our statement’.
into deliberation uniquely single out the preferred course of action; the others being ruled out, one is left, and that is what I must do. The difficulty is that this seems a correct description of any deliberation which uniquely selects a course of action — and that is any deliberation which issues in a unique conclusion, that is to say, any deliberation which is successful. So it is obscure why any conclusive practical decision should not be of this form, and so every deliberative ought be a must. But it is not true that every ought is a must. Why not?

That question might have had only a rather boring answer: for instance, that must is selected when the preferred course of action is very markedly favoured over others, or the weight of reasons overwhelmingly comes down on one side. There are cases in which something like the boring answer is correct. Those are the cases in which a set of objectives or constraints is merely taken for granted, and relative to them, a particular course of action is very clearly singled out; the language of necessity may, further, be particularly appropriate if there is some consideration which ordinarily would have discouraged that action. But, in general, the boring answer is wrong. Necessity is not the same as decisiveness. Nor, any more than in any other field, is it the same as certainty. It may only be after a long and anxious consideration of alternatives that an agent concludes that a certain course is what he has to take, and he can have that belief while remaining uncertain about it, and still very clearly seeing the powerful merits of alternative courses.

The most important point, however, is that it is enough for the boring answer that the set of objectives or constraints which determines the outcome should merely be accepted or taken for granted by the agent as something which, so far as this deliberation is concerned, he does not intend to change. But in the serious cases of practical necessity, in which must makes its real point, that is not so. In the serious cases, the notion of necessity is applied to those constraints and objectives themselves.

The language of rhetoric and deceit illustrates the point. Those who are bargaining, blackmailing or threatening, often say that some inadequate response from the other party 'leaves them with no alternative' to taking unpleasant action. These are simply words, but something is to be learned from what the words are meant to suggest. These people would certainly not make the same point if they merely said that this action was, by a long way, the one that they most favoured. Some notion of impossibility of the alternatives, or of the
agent's incapacity, is at work. What he is pretending is what we are trying to locate, and that is something other than the mere decisive weight of one set of reasons.

Any notion of necessity must carry with it a corresponding notion of impossibility, and statements in terms of the one can no doubt be recast in terms of the other, but it can make a difference which of them presents itself first and more naturally. In the case of deliberation, there is a significant distinction between two ways in which necessity may enter the structure of my thought. It may be the case that I conclude that I have to do X, for instance because it is the one item to which I attach overwhelming importance, or because, unless I do it, everything will be ruined. Then, as a consequence of this, Y and Z, alternatives to X, are no longer alternatives — they are things I cannot do. Alternatively, it may be the impossibility that bears the priority. Y and Z, the only alternatives to X, are things that I cannot conceivably do, and are excluded; then consequently, X is what I must, or have to, do.

One point which is implicit in this way of expressing these structures of thought is that there is nothing special about moral necessity, in any of the narrower senses of that expression which relates specially to such things as obligation; though there may be a broader sense — an ultimately broad sense, relating to character and action — in which all really serious examples of such necessities are moral necessities. Among the constraints, requirements, and impossibilities which an agent recognises are those that obtain for distinctively moral reasons. In particular, the class of things that he cannot do, come (more or less) what may, includes those things he cannot do to other people, courses which are excluded from his range of alternatives, in virtue of what he sees as those people's rights.

In face of 'I must', the other alternatives are no longer alternatives: they become things one cannot do, as, in the other structure, an alternative was something one could not anyway do, and that consideration led to 'I must'. But how can an alternative be, or become, something I cannot do? Here someone will reach for the weapon of distinguishing senses, and will speak of there being two or more senses of 'cannot', that which signifies whatever rejection is embodied in the agent's deliberation, and that which expresses what one 'literally' cannot do. But why should we resort to such a distinction of senses? Why should this kind of cannot be anything other than cannot? It has, for instance, the central feature that if the agent is right in thinking
or concluding that he cannot do a certain thing, then — subject to an
important qualification which I shall come back to — he will not do
it.

It may be said that this is because the situation involves practical
acceptance, not because it involves necessity. Thus if an agent accepts
that, in the practical sense, he ought to do X, he will — in general, and
leaving aside problems of akrasia — do X. But this is because people
generally (at least) do what they see most reason to do, and not because
of the mere implications of ought. Thus an adviser may say that A
ought to do X and, at least if the adviser speaks in the mode of relative
practical advice, he surely says the same thing as A would say if A
said ‘I ought to do X’, and something that would be contrary to A’s
saying ‘I ought not to do X.’ But clearly ‘A ought to do X’, even
in this relative practical sense, has no predictive implications about what
A will do, and if A does something else, the adviser can stick by his
original judgement in the form of saying ‘A ought to have done X.’

But this precisely brings out a contrast with must. There are indeed
some significant ambiguities in this area, and some things that an
English speaker may mean by ‘you cannot’ have nothing to do with
prediction at all: thus it may mean ‘you are not permitted to’. If the
agent does what, in this sense, the observer thinks that the agent
‘cannot’ do, the observer can retain his original opinion. But the
situation is different with the necessity of relative practical advice. The
most distinctive English formula for that is perhaps ‘You will have
to’ or, indeed, ‘You have no alternative.’ These formulae, unlike must,
have a past tense, but it is an impressive fact that their use in the past
tense indeed implies that the agent did do the act in question. Nothing
stands to the practical must as ought to have stands to ought. The language
of other persons, advisers and observers, itself has features that should
encourage us to take seriously the idea that the language of practical
necessity is not related by a mere pun to the ‘literal’ uses of cannot;
the cannot of practical necessity itself introduces a certain kind of
incapacity.

What I recognise, when I conclude in deliberation that I cannot do
a certain thing, is a certain incapacity of mine. I may be able to think
of that course of action, but I cannot entertain it as a serious option.
Or I can consider it as an option, but not in the end choose it or do
it. These incapacities can be recognised also by the observer. The
observer can, moreover, recognise a dimension of this sort of incapacity
which the agent himself necessarily cannot register in his deliberation:
that the agent could not think of this course of action at all, that it
could not occur to him. The agent can, so to speak, edge up to that
condition in his deliberation, in dismissing something as ‘unthinkable’—
but thinking that something is unthinkable is not so direct a witness
to its being unthinkable as is being incapable of thinking of it.

I said that there was a qualification to be made to the claim that,
if an agent has this kind of incapacity to do X, then he will not do
X. What should rather be said is that he will not do it intentionally.
The agent who sincerely says that he cannot do a certain thing, or that
he must do something else which excludes that thing, cannot mean
without qualification, and no more can an observer, that the world
will not contain his doing that thing, for it is certainly compatible
with the beliefs of both agent and observer that the agent might do the act
unintentionally, for instance in ignorance.

It may be this point, if anything, that is meant by contrasting this
incapacity with what an agent ‘literally’ cannot do. What an agent
simply cannot do, he cannot do even unintentionally, and that
presumably extends to everything that he physically cannot do, so long
as the physical, as in our present modes of speech, remains contrasted
with the psychological. The incapacities we are concerned with here
might broadly be labelled ‘incapacities of character’, though this needs
considerable extension and refinement to cover all the cases introduced
by the model of deliberation. These incapacities do not extend to the
unintentional, and in many of these cases it is possible that the agent
should do the act unintentionally, and his so doing will not falsify the
claim that he was incapable of it. Of course, if the act seems only
superficially to be unintentional, and we believe that it is not an
accident relative to the description of the action under which we
thought him incapable of it that he did it, then what we believe is that
he is really capable of it, though he may not believe that himself.

It might be suggested that a more radical asymmetry can be found
between these kinds of incapacities and standard ‘physical’ incapacities,
with respect to the notion of trying; on the ground that if \( A \) cannot
physically do \( X \), then it follows that if \( A \) tried he would fail, whereas
this is evidently not true of the cases under consideration, or at least
of all of them. But it is simply not correct that this follows from ‘\( A \)
cannot physically do \( X \)’, since in many cases there is not anything that
counts as trying; while if the world were different enough for
something to count as \( A \)’s trying to do \( X \), then perhaps it would also
be a world in which he could do \( X \). The most that follows from ‘\( A \)
cannot do $X$' is that either it is true that if he were to try to do $X$ he would fail, or it is impossible that he should try to do $X$, and that disjunction follows equally in the case of the incapacities which are under discussion here.

We are subject to the model that what one can do sets the limits to deliberation, and that character is revealed by what one chooses within those limits, among the things that one can do. But character (of a person in the first instance; but related points apply to a group, or to a tradition) is equally revealed in the location of those limits, and in the very fact that one can determine, sometimes through deliberation itself, that one cannot do certain things, and must do others. Incapacities can not only set limits to character and provide conditions of it, but can also partly constitute its substance.

To arrive at the conclusion that one must do a certain thing is, typically, to make a discovery — a discovery which is, always minimally and sometimes substantially, a discovery about oneself. The context, nevertheless, is one of practical reasoning, and that fact, together with the consideration that the incapacities in question are, in a broad sense, incapacities of character, will help to explain the important fact that this kind of incapacity cannot turn away blame. I mentioned before the dishonest use of 'I have no alternative.' Part of its deceitfulness may lie in this, that it carries an implication that the speaker cannot be to blame for what he will now do, since there is only one thing for him to do. But the fact that an agent has come to that point, if he has, is certainly not enough to turn away blame. The incapacities we are considering here are ones that help to constitute character, and if one acknowledges responsibility for anything, one must acknowledge responsibility for decisions and action which are expressions of character — to be an expression of character is perhaps the most substantial way in which an action can be one's own.

Conclusions of practical necessity seriously arrived at in serious matters are indeed the paradigm of what one takes responsibility for. That is connected with the fact that they constitute, to a greater or lesser degree, discoveries about oneself. The thought that leads to them, however, is not for the most part thought about oneself, but thought about the world and one's circumstances. That, though it still needs to be understood in philosophy, is not a paradox: it must be true, not only of practical reasoning but more generally, that one finds out about oneself by thinking about the world that exists independently of oneself. The recognition of practical necessity must involve an
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understanding at once of one's own powers and incapacities, and of what the world permits, and the recognition of a limit which is neither simply external to the self, nor yet a product of the will, is what can lend a special authority or dignity to such decisions—something that can be heard in Luther's famous saying, for instance, but also, from a world far removed from what Luther, Kant, or we, might call 'duty', in the words of Ajax 690 before his suicide: ‘now I am going where my way must go’.  

5 Sophocles Ajax 690, translated by John Moore. The Greek exactly catches the nature of the practical necessity, which is in this case utterly personal, by expressing it impersonally—literally, 'for now I am going where it must be gone'.

6 The importance of distinguishing between must and ought has been emphasised by Stanley Cavell: see now his Claim of Reason (Oxford, 1980). See also Roger Wertheimer, The Significance of Sense (Cornell, 1972). Wertheimer further claims that must is univocal over its various applications, but this is part of a general theory to the effect that the modals (including ought) are univocal, which I do not accept, and which has consequences for must quite different from the suggestions made here.