

IX A note on the 'is-ought' barrier

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In an interesting criticism¹ of my paper,² Kenneth Hanly takes me to task for proposing to do away with 'ought' statements. He suggests that the difficulties associated with the is-ought barrier re-appear in the use of 'is' statements.

He objects to my giving as a reason for not wanting to punish an insane man that he could not help doing what he did, on the grounds that there might be cases where we would want to punish him anyway. In such cases, he contends, retaining the use of 'ought' statements makes it possible to say that we ought not to punish him though we want to, whereas elimination of the 'ought' language rules this out.

But nothing is gained and something is lost in saying we ought not to punish him, since we are faced with the problem of 'showing' that we ought not to (this is the main theme of my paper). If our belief that we ought not to punish him is sufficient to prevent us from punishing him, even if we want to for whatever reasons (repulsion towards his horrible crime, etc.), then we will not punish him even if we eliminate 'ought' statements, and we will not be faced with the problem of justifying 'ought' statements. If it is insufficient to prevent us from punishing him, then retaining 'ought' statements will gain us nothing while confronting us with the burden of 'ought' statements all over again.

Hanly thinks that our justification for not wanting to punish an insane man is based on our accepting a rule of our society not to, and this is another way of saying we 'ought' not to. But we can just as well say that we want to act in accordance with the desires or approval of our society, without facing the barrier of the 'ought' language. If society does desire or approve of our not wanting to punish an insane man and we want to act in accordance with such desires or approval, then it does follow that we do not want to punish an insane man.

¹ Paper VIII. ² Paper VII.