

Blameworthiness, Willings, and Practical Decisions

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Abstract: What kinds of things can we be morally responsible for? Andrew Khoury offers an answer that includes (i) an argument for the impossibility of blameworthiness for overt action, and (ii) the assertion that “willings are the proper object of responsibility in the context of action”. After presenting an argument for the inconsistency of Khoury’s answer to our focal question, I defend the following partial answer that resembles, but differs importantly from, Khoury’s answer: one can be blameworthy for a practical decision – that is, an essentially intentional momentary mental action of forming an intention to do something that resolves prior felt unsettledness about what to do.

Keywords: moral responsibility; blameworthiness; resultant moral luck; action; willing; practical decision

What kinds of things can we be morally responsible for? Andrew Khoury (2018: 1368) offers an answer that includes (i) an argument for the impossibility of (non-derivative¹) blameworthiness for overt action (that is, action essentially involving peripheral bodily motion), and (ii) the assertion that “willings are the proper object of responsibility in the context of action”. Unfortunately, Khoury’s answer to our focal question is inconsistent: if his argument for the impossibility of blameworthiness for overt action is sound, then so is a similar argument for the impossibility of blameworthiness for what he calls ‘willings’. After presenting an argument for the indicated conditional claim, I defend the following partial answer to our focal question that resembles, but differs importantly from, Khoury’s answer: one can be (non-derivatively) blameworthy

¹ Non-derivative blameworthiness for X is blameworthiness for X that does not derive from blameworthiness for something other than X. Derivative blameworthiness for X is blameworthiness for X that derives from blameworthiness for something other than X. Khoury (2018: 1363) rejects “the possibility that a person could be blameworthy for [X] even though she is blameworthy [for X] on the basis of something else.” This commits Khoury to the thesis that all blameworthiness is non-derivative blameworthiness (cf. Khoury 2018: 1375). Henceforth, ‘blameworthiness’ abbreviates ‘non-derivative blameworthiness’.

for a practical decision (cf. Pereboom 2001) – that is, an essentially intentional momentary mental action of forming an intention to do something that resolves prior felt unsettledness about what to do.²

To understand Khoury’s answer to our focal question, we must understand what ‘willing’ means in this context. In the following passages, Khoury partially clarifies what he means by ‘willing’:

...[W]illings are mental events, expressive of agency, that occur when we act. They are the necessary mental component of action that accounts for the voluntary nature of such events... Willings are what is left of an action after we strip away all of its contingent results. (1364)

The willing is... the “actish” event that occurs when a properly envatted agent reasonably believes that she is acting... [T]he existence of willings... should be no more controversial than the existence of actions. (1364n19)

[T]he mental component of action, what I have called the willing, is metaphysically separable from the bodily movement and its further consequences, in the sense that it could occur in the absence of the bodily movement or its consequences... On physicalism this event will entail some physical events, presumably in the brain... Whenever we act there is an associated mental event, what I have called a willing... (1365)

The expression of agential control that is necessary for action is what I have been calling a willing... [I]t is only through willings that we are able to interact with each other as agents. (1366-1367)

We can further clarify what ‘willing’ means in this context by considering the following list of action-related items, each of which is such that its “existence is no more controversial than the existence of actions”: intentions; active intention-acquisitions (= practical decisions); passive intention-acquisitions; attempts to (perform an instance of action-type) A; beginning portions of attempts to A.³

Willings aren’t intentions, for willings are events but intentions (like desires and beliefs) are states. Willings aren’t *active* intention-acquisitions, for we can act without actively acquiring an intention (that is, without making a practical decision). Willings aren’t *passive* intention-acquisitions, for passive intention-acquisitions aren’t expressions of *agential* control. Finally, willings

² For helpful discussion of practical decision, see chapter 2 of Mele 2017.

³ This paragraph and the next one are indebted to Adams and Mele (1992) as well as Clarke and Reed (2015).

aren't attempts to act, for many attempts to act involve peripheral bodily motion. Hence, by 'willing', Khoury must mean *the beginning portion of an attempt to act*. Beginning portions of attempts to act – for short, 'attempt initiations' – are brain events that (i) result from acquisitions of proximal intentions (that is, intentions to perform an instance of a certain action-type straightaway); (ii) express or manifest agential control; and (iii) happen whenever we act. Moreover, a typical attempt initiation will be accompanied by a reasonable belief that the pertinent agent is acting, for the initiation of an attempt to A will typically produce an experience as of A-ing, which experience constitutes evidence that its subject is A-ing.

Having further clarified what Khoury means by 'willing', we can now turn to his argument for the impossibility of blameworthiness for overt action, which he helpfully summarizes in the following passage:⁴

For any bit of behavior that any agent engages in, there will be a hypothetical mental twin who has been recently envatted. And, insofar as we deny resultant moral luck, we should also deny that there is a difference in [blameworthiness] between the normal agent and the envatted mental twin. If so, then the possible objects of [blameworthiness] are limited to elements that remain fixed across such cases: elements of the agent's mental life. (1361)

Here's a more general and formal statement of Khoury's (2018: 1358-1363) argument for the impossibility of blameworthiness for overt action:

- (1) Necessarily, if one is (non-derivatively) blameworthy for an overt action A, then one is more blameworthy than one would have been had one merely tried unsuccessfully to A.
- (2) Necessarily, if one is blameworthy for an overt action A, then one is not more blameworthy than one would have been had one merely tried unsuccessfully to A.

Therefore,

- (3) Necessarily, if one is blameworthy for an overt action A, then one both is *and* isn't more blameworthy than one would have been had one merely tried unsuccessfully to A. [1,2]
- (4) Necessarily, it's false that one both is *and* isn't more blameworthy than one would have been had one merely tried unsuccessfully to A.

⁴ Notably, each of the three cases that Khoury (2018: 1358-1360) presents and discusses prior to providing the summary statement of his argument focuses exclusively on blameworthiness.

Therefore,

- (5) Necessarily, it's false that one is blameworthy for an overt action A. [3,4]

What should we make of this argument?

I agree with Khoury that the (1)-(5) argument is sound.⁵ But if the (1)-(5) argument is sound, then so is the following similar argument:

- (6) Necessarily, if one is (non-derivatively) blameworthy for initiating an attempt (or, for starting to try) to A, then one is more blameworthy than one would have been had one merely possessed an ineffective proximal intention to A (that is, an intention to A straightaway that never actually initiates an attempt to A).⁶
- (7) Necessarily, if one is blameworthy for initiating an attempt to A, then one is not more blameworthy than one would have been had one merely possessed an ineffective proximal intention to A.

Therefore,

- (8) Necessarily, if one is blameworthy for initiating an attempt to A, then one both is *and* isn't more blameworthy than one would have been had one merely possessed an ineffective proximal intention to A. [6,7]
- (9) Necessarily, it's false that one both is *and* isn't more blameworthy than one would have been had one merely possessed an ineffective proximal intention to A.

Therefore,

- (10) Necessarily, it's false that one is blameworthy for initiating an attempt to perform A. [8,9]

The soundness of the (1)-(5) argument entails the soundness of the (6)-(10) argument provided both that (1) entails (6) and that (2) entails (7). I'll now argue for each of these entailment claims. First: If (1) is true, then (6) is as well.

⁵ Many other theorists would join Khoury in deeming the (1)-(5) argument sound, including Davison (1999), Zimmerman (2002, 2006), and Graham (2017).

⁶ See Graham (2017: 171-172) and Mele (2017: 35ff.) for cases involving agents with ineffective proximal intentions.

Here's the general principle in virtue of which (1) is true:

(GP) If one is (non-derivatively) blameworthy for the occurrence of an event E, then one is more blameworthy than one would have been had E not occurred.

Observe that (GP) also entails (6). Hence, if (1) is true, then (6) is as well.

Second: If (2) is true, then (7) is as well. (2) is extremely plausible in light of reflection on a pair of cases each of which involves an agent who attempts to commit murder (cf. Khoury 2018: 1358-1359). In the first case, the murder attempt succeeds. In the second case, the murder attempt fails, but only because (say) an unfortunate bird flies into the path of a bullet. Intuitively, the would-be murderer is no less blameworthy than is the actual murderer. This intuition about the pertinent pair of cases justifies (2). Turning now to (7), consider a pair of cases each of which involves an agent who acquires a proximal intention to commit murder (that is, an intention to commit murder straightaway). In the first case, the agent's acquisition of the relevant proximal intention immediately causes the beginning portion of a murder attempt.⁷ In the second case, the agent's acquisition of the proximal intention doesn't cause the beginning portion of a murder attempt, but only because (say) the agent's brain has been surreptitiously altered by a skilled neurosurgeon. Intuitively, the agent with the ineffective intention (for short, the 'ineffective intender') is no less blameworthy than is the agent with the effective intention (for short, the 'effective intender').⁸ Moreover, the claim that the ineffective intender is as blameworthy as is the effective intender is itself no less plausible than is the earlier comparative claim that supports (2). Accordingly, if (2) is justified by reflection on the pair of cases involving the would-be and actual murderers, then (7) is justified by reflection on the pair of cases involving the ineffective and effective intenders. If (2) is true, then (7) is as well.

I conclude, then, that the (6)-(10) argument is sound if the (1)-(5) argument is sound. In short, a (non-derivatively) blameworthy attempt initiation would be just as much an instance of resultant moral bad luck as would be a blameworthy overt action; and so, since resultant moral bad luck is impossible (cf. Khoury 2018: 1369-1375), there can't be a blameworthy attempt initiation. Khoury's answer to the question what we can be blameworthy for is therefore

⁷ Cf. Mele (1992: 167): "[T]he mental and physical architecture of any being capable of intentional action is such that when such a being acquires a proximal intention to A, an immediate effect is the triggering of appropriate actional mechanisms, unless something prevents this."

⁸ Cf. Graham (2017: 169): "All the blame that is appropriately borne toward someone in response to her performing some action is exhausted by the blame appropriate in response to her having the intention she has to perform that action in the situation" (see also Zimmerman 2002, 2006).

inconsistent: if his argument for the impossibility of blameworthiness for overt action is sound, then it's false that "willingness are the proper object of responsibility in the context of action" (1368).

In the balance of this note, I'll highlight and defend a partial answer to our focal question that resembles, but differs importantly from, Khoury's answer. It is this: one can be (non-derivatively) blameworthy for a practical decision (cf. Pereboom 2001) – that is, an essentially intentional momentary mental action of forming an intention to do something that resolves prior felt unsettledness about what to do. Unlike Khoury's claim that we can be blameworthy for attempt initiations, the thesis that we can be blameworthy for practical decisions is consistent with the soundness of the (1)-(5) and (6)-(10) arguments.

Consider the following decision-focused analogue of the (1)-(5) and (6)-(10) arguments:

- (11) Necessarily, if one is (non-derivatively) blameworthy for actively forming a particular intention (that is, for making a particular practical decision), then one is more blameworthy than one would have been had one not actively formed that intention.
- (12) Necessarily, if one is blameworthy for actively forming a particular intention, then one is not more blameworthy than one would have been had one not actively formed that intention.⁹

Therefore,

- (13) Necessarily, if one is blameworthy for actively forming a particular intention, then one both is *and* isn't more blameworthy than one would have been had one not actively formed that intention. [11,12]

⁹ Writes Michael Zimmerman (2006: 605): "...[T]he fortuitous intervention of nature in the form of a passing bird, while reducing the scope of [an actually successful] assassin's culpability, would not diminish its degree. But... nature could intervene earlier in the sequence of events from [the assassin's decision to the flight of the bullet]; indeed, it could intervene even *prior* to... the assassin's decision to shoot. For example, it could happen that, just as he is about to make this decision, the assassin is seized by a sudden sneeze that prevents him from making it. If the fortuitous intervention of the bird does not diminish his culpability, I cannot see how the fortuitous intervention of the sneeze could do so." These remarks would seem to commit Zimmerman to (12). In any case, the thesis labeled '(16)' in the text (see below) enables the following explanation of how the sneeze could diminish the assassin's culpability: due to the sneeze, the assassin remains unsettled about whether to shoot the potential victim, and as yet might not actively settle on doing so; accordingly, the assassin isn't yet as blameworthy as he would be had he already actively settled on shooting the potential victim.

- (14) Necessarily, it's false that one both is *and* isn't more blameworthy than one would have been had one not actively formed a particular intention.

Therefore,

- (15) Necessarily, it's false that one is blameworthy for actively forming a particular intention. [13,14]

What should we make of this argument?

While clearly similar to the successful (1)-(5) and (6)-(10) arguments above, the (11)-(15) argument fails due (12)'s implausibility. To begin to see this, note that (12) lacks the intuitive plausibility of (2) and (7), the corresponding steps in (respectively) the (1)-(5) and (6)-(10) arguments: a practical decision (= an essentially intentional active intention formation that resolves prior felt unsettledness about what to do) is a better candidate for thing that can increase one's degree of blameworthiness than is either an overt action or an attempt initiation.¹⁰ Moreover, (12) should strike one as implausible in light of reflection on the following thesis:

- (16) One's actively settling upon executing a particular action-plan (say, to kill a sworn enemy) could make one at least a *bit* more blameworthy than one would be were one still unsettled about whether to execute the relevant action-plan.

(16) obviously entails the denial of (12). So, to the extent that one finds (16) plausible, one should find (12) implausible. But (16) is extremely plausible (cf. Davison 1999: 248-9). Hence, we should deem (12) implausible. I conclude that we can see our way past the (11)-(15) argument by first contrasting (12) with (2) and (7), and then reflecting on (16) and its bearing on (12).

Finally, reflection on (16) also yields an error theory for the following claim that Khoury (2018: 1368) makes on behalf of the assertion that "willings are the proper object of responsibility in the context of action" (1368):

¹⁰ According to Pamela Hieronymi (2006: 56), "[i]t is now quite standard... to think of intending as settling the question of what one will do. Having settled that question... leaves one open to certain questions and criticisms... Thus an intention... seems at least in part commitment-constituted. An intention is a commitment to doing something." Anyone who accepts this account of intentions should find appealing (the thesis expressed by) the sentence to which this note is appended as well as the thesis labeled '(16)' in the text.

...[T]he fact that the strength of one's desires or motivations has crossed the volitional threshold to produce a willing in a particular context has direct evaluative significance.

While the (6)-(10) argument impugns Khoury's claim here, his claim is quite similar to – and therefore easily conflated with – the extremely plausible (16). Khoury's claim is quite similar to (16) because attempt initiations are quite similar to practical decisions: attempt initiations, like practical decisions, are essentially intentional momentary actions that happen in the brain (cf. Clarke and Reed 2015: 7-12).

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References

- Adams, Frederick, and Mele, Alfred R., 1992, "The Intention/Volition Debate", in *Canadian Journal of Philosophy*, 22: 323-338.
- Clarke, Randolph, and Reed, Thomas, 2015, "Free Will and Agential Powers", in *Oxford Studies in Agency and Responsibility*, 3: 6-33.
- Davison, Scott A., 1999, "Moral Luck and the Flicker of Freedom", in *American Philosophical Quarterly*, 36: 241-251.
- Graham, Peter A., 2017, "The Epistemic Condition on Moral Blameworthiness: A Theoretical Epiphenomenon", in Philip Robichaud, Jan Willem Wieland, eds., *Responsibility: The Epistemic Condition*, Oxford University Press, Oxford: 163-179.
- Hieronymi, Pamela, 2006, "Controlling Attitudes", in *Pacific Philosophical Quarterly*, 87: 45-74.
- Khoury, Andrew C., 2018, "The Objects of Moral Responsibility", in *Philosophical Studies*, 175: 1357-1381.
- Mele, Alfred R., 1992, *Springs of Action: Understanding Intentional Behavior*, Oxford University Press, Oxford.
- Mele, Alfred R., 2017, *Aspects of Agency: Decisions, Abilities, Explanations, and Free Will*, Oxford University Press, Oxford.
- Pereboom, Derk, 2001, *Living without Free Will*, Cambridge University Press, Cambridge.
- Zimmerman, Michael J., 2002, "Taking Luck Seriously", in *The Journal of Philosophy*, 99: 554-576.
- Zimmerman, Michael J., 2006, "Moral Luck: A Partial Map", in *Canadian Journal of Philosophy*, 36: 585-608.