THE REQUIREMENT OF ALTERNATIVE POSSIBILITIES FOR MORAL RESPONSIBILITY: A CRITICAL ANALYSIS OF FISCHER AND RAVIZZA

by

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The Requirement of Alternative Possibilities for Moral Responsibility:

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Abstract

John Martin Fischer and Mark Ravizza put forth a theory of moral responsibility in which they propose two conditions under which one is justified in ascribing moral responsibility to a person - one for actions and one for omissions. Their account is asymmetrical. They say that it is not a requirement that a person be able to do other than what she in fact did in order to be responsible for an action; it is a requirement that she be able to do other than what she did in order to be responsible for an omission.

In my thesis I analyze and assess Fischer and Ravizza's two conditions. In analyzing their condition for actions, I criticize Fischer and Ravizza's claim that an agent is morally responsible for an action if that action issues from a "weakly reasons-responsive" mechanism. An agent's action issues from such a mechanism if there is *some possible reason* for which she would do otherwise. As it stands, this condition, though highly suggestive, is not acceptable. It is too weak to be a sufficient condition for moral responsibility. I argue, however, that by placing constraints on the reasons pertinent to weak reasons-responsiveness one can formulate a condition that is sufficient.

In analyzing their condition for responsibility for omissions, I question Fischer and Ravizza's asymmetry thesis by comparing their analysis to one that does not require alternative possibilities. The proponent of the rival analysis puts forth a model in which one ascribes responsibility for omissions on the basis of what occurs in the actual sequence of events without considering alternative sequences. I argue that Fischer and Ravizza's model is the superior one for two reasons. First, consonant with the compatibilist position, Fischer and Ravizza's model preserves the association of responsibility with control. Secondly, their model has greater explanatory power. It provides explanations which are consistent with our intuitions about moral responsibility for intentional omissions and has the potential to be expanded to provide explanations for non-intentional omissions.

I conclude that Fischer and Ravizza's theory presents a viable compatibilist picture of the conditions under which one is justified in ascribing moral responsibility to a person.

Table of Contents

Chapter 1
Introduction

John Martin Fischer and Mark Ravizza propose a "sketch" of a theory of moral responsibility in which they outline the conditions under which one is justified in ascribing moral responsibility to a person. They propose two conditions - one for actions and one for omissions, which associate a person's moral responsibility for an event with her control over the occurrence of that event. Their account is asymmetrical. They say there is no requirement of alternative possibilities in order for one to be morally responsible for one's actions whereas there is such a requirement for one to be responsible for one's omissions.

In this paper I analyze and assess their two conditions for moral responsibility and, consequently, their asymmetry thesis. However, before I consider Fischer and Ravizza's theory I want briefly to consider a related question. Why do we care about moral responsibility? We care because we believe that one of the criteria that distinguishes persons from other creatures is the fact that persons can be held responsible for their actions and failures to act. When a person acts, we feel justified in engaging in certain activities which affect her - activities such as praise, blame, reward and punishment. We believe that to the extent that a person has control of an action she is responsible for the action and is rationally accessible to our judgment as a result of performing the action.

Because we believe that the ability to take responsibility for one's actions is an important characteristic of persons, we want to know under what conditions persons can be held responsible for their actions. Our belief that a person can be held responsible is closely connected to our belief that she has free will. For example, if an evil genius implanted a device in a person's brain which gave him control of the person's decisions and actions, we would not hold that person responsible for the actions which the evil genius caused her to perform. We would say that when she was under the control of the evil genius she was incapable of acting freely. And, therefore, we would not consider her to be an appropriate candidate for praise or blame. In their theory Fischer and Ravizza attempt to set out the conditions under which a person is a *rational candidate* for praise or blame on account of her behavior. The theory does not address the question of who, among those who are rational candidates for praise and blame, ought to be praised or blamed. The idea is that one can separate the question of what an agent is responsible *for* from the question of whether she should be praised or blamed. In fact, on Fischer and Ravizza's view, one can be responsible for a morally neutral act.

Fischer and Ravizza's theory of moral responsibility arises out of the debate between compatibilists and incompatibilists over whether causal determinism is compatible with free will. Theorists involved in the debate believed that an agent was an appropriate candidate for praise or blame only if she had control of her course of action in the sense that there was more than one course of action open to her. She could do otherwise. If she did not have that sort of control, it might be that someone or something else was controlling her behavior or that there was no locus of control at all. In the context of the debate, one's actions were free only if one could do otherwise. And, according to incompatibilists, if one was causally determined to do what one did, one could not do otherwise. If incompatibilists were correct, the moral responsibility of persons for their actions would be threatened. However, in "Alternate Possibilities and Moral Responsibility" Harry G. Frankfurt denies the claim that one cannot be morally responsible if one lacks freedom to do otherwise. He formulates the principle at stake in the debate - the Principle of Alternative Possibilities - as follows:

PAP A person is morally responsible for what she has done only if she could have done otherwise.

Frankfurt, I think, argues convincingly that **PAP** is false. In showing that it is false, he shifts the focus of the debate between compatibilists and incompatibilists. He succeeds in dissociating responsibility for actions from the sort of control inherent in having alternative possibilities.[1] However, it is important to note that what Frankfurt does not do is dissociate moral responsibility from the need for one to have some sort of control of one's actions.

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[1] While the compatibilist might want to claim that Frankfurt has opened the way for one to claim that moral responsibility is compatible with causal determinism, I note that this claim is controversial. In fact, in "Responsibility and Control" Fischer argues that an *incompatibilist* about causal determinism and responsibility can agree with Frankfurt that responsibility need not require the sort of control inherent in alternative possibilities. Fischer points out that the debate between compatibilists and incompatibilist simply shifts to the question of what occurs in the actual sequence of events. Thus, even if one concedes that Frankfurt has shown that necessitation in the alternative sequence does not threaten moral responsibility, the incompatibilist can claim that causal determinism in the actual sequence constitutes compulsion. The debate between compatibilists and incompatibilists then turns on the question of whether causal determinism in the actual sequence constitutes compulsion. And, if the incompatibilist is correct, an agent who is causally determined in the actual sequence cannot be morally responsible.

In a more recent paper, "Responsibility and Inevitability," Fischer and Ravizza point out that Fischer argued in "Responsibility and Control" that moral responsibility should be dissociated from control. They say that the sort of control that Fischer discusses in "Responsibility and Control" is regulative control. In this more recent paper they distinguish two sorts of control. They argue that moral responsibility can be associated with at least one sort of control. John Martin Fischer and Mark Ravizza, "Responsibility and Inevitability," *Ethics*, January, 1991, N. 16, p. 271.

1.1 Some Examples

Fischer and Ravizza accept Frankfurt's claim that **PAP** is false. They say that the existence of counterexamples to **PAP** such as the one that Frankfurt presents in "Alternate Possibilities and Moral Responsibility" - called *Frankfurt-type* counterexamples - shows that an agent can be held morally responsible even though she could not have done otherwise. In this section I review the pertinent examples which Fischer and Ravizza present in order to call attention to our apparently conflicting intuitions about the moral responsibility of persons for their actions and omissions. Based on the conflicting intuitions that the examples elicit, Fischer and Ravizza claim that a theory of moral responsibility must explain asymmetry. That is, the theory must explain why there is no requirement of alternative possibilities for one to be responsible for one's actions whereas there is such a requirement for one to be responsible for one's omissions.

Consider first a straightforward Frankfurt-type example called *Assassin*. An evil genius, Jack, implants a device in Sam's brain which will intervene in Sam's decisions and actions if Sam is not about to do what Jack wants him to do. Suppose that Jack wants Sam to shoot the mayor and will activate the device if Sam is not about to shoot the mayor. But, Sam wants to shoot the mayor and does so for his own contemptible reasons. Jack does not intervene in Sam's decision and action. But if Sam had decided not to shoot the mayor, Jack would have activated the device in Sam's brain and caused Sam to shoot the mayor. Although Sam could not have done otherwise because of the device in his brain, it appears that Sam is responsible for the shooting because he acted for his own reasons. *Assassin* is a case in which an agent is responsible for a bad action although he could not have done otherwise. In a parallel case, *Heroine*, Mary saves a drowning child after she deliberates and decides for her own reasons to do so. However, Mary is also an implant victim. If she had decided not to save the child, Jack would have caused her to save the child by activating the device. *Heroine* is a case in which an agent is responsible for a good action although she could not have done otherwise. In summary, Fischer and Ravizza say that the existence of Frankfurt-type examples shows that **PAP** is false for both good and bad actions and points to the need for a more refined way of distinguishing cases of moral responsibility for actions.

Now consider Fischer and Ravizza's claim that there *is* a requirement of alternative possibilities for one to be morally responsible for one's omissions.[2] In "Ability and

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[2] Fischer and Ravizza note that some philosophers claim that it is a conceptual truth that if one omits to do an act, then one can do it. On the assumption that the concept of an omission includes the fact that one can

Responsibility" Peter van Inwagen formulates the requirement, the Principle of Possible Action, as follows:

PPA A person is morally responsible for failing to perform a given action only if she could have performed that action.

Sloth is an example designed to illustrate the truth of **PPA**. In *Sloth* John, a strong swimmer, walks along a beach, sees a child drowning 100 metres from shore and fails to save the child because he does not want to expend the small amount of energy that it would take to save her. At first glance, intuition tells us that John is morally responsible for not saving the child. However, the child drowned one second after John decided not to jump into the water. He could not have saved the child. Fischer and Ravizza conclude that John is not responsible for failing to save the child because she would have drowned even if John had tried to save her. John may be responsible for *deciding not to try* to save the child and for *not trying* to save her, but he is not responsible for not saving her, that is, for failing to perform a good action that he could not have performed. In a parallel example *Flat Tire*, Bonnie fails to rob the driver of a car with a flat tire for her own reasons. However, Bonnie could not have robbed the driver because she would have been attacked by a gang of thugs who were protecting the driver of the car. According to Fischer and Ravizza Bonnie might be morally responsible for *deciding* not to rob the driver, for *not deciding* to rob the driver, and for not trying to rob the driver. But, she is not morally responsible for not robbing the driver, that is, for failing to perform a bad action which she could not have performed. These two examples suggest that there is a requirement of alternative possibilities for one to be responsible for failures to perform good and bad actions.[3]

Although I do not analyze Fischer and Ravizza's account of responsibility for consequences, I review one of their examples because it serves as background for van Inwagen's arguments discussed in the next section. In his discussion of moral responsibility for consequences van Inwagen distinguishes between event-particulars and event-universals. Fischer and Ravizza characterize the distinction as one between consequence-particulars and consequence-universals. For clarity and consistency, I shall

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do the related action, the asymmetry thesis follows directly from one's acceptance that **PAP** is false. Fischer and Ravizza reject this strong assumption about the notion of an omission. They suggest that those philosophers who insist on the conceptual point should replace "omission" with "failure to act."

[3] Susan Wolf proposes an asymmetry thesis that is different from Fischer and Ravizza's. Wolf argues that one cannot be responsible for a bad action which one could not have avoided performing whereas one can be responsible for a good action that one could not have avoided performing. Fischer and Ravizza present examples about good and bad actions in order to show that Wolf's asymmetry thesis is false. Susan Wolf, "Asymmetrical Freedom," *Moral Responsibility*, ed. John Martin Fischer, (New York: Cornell University Press, 1986), pp. 225-40.

adopt van Inwagen's terminology for consequences. According to van Inwagen, the actual causal pathway to an event-particular is an essential feature of it. If a different causal pathway were to occur, a different event-particular would occur. However, different causal pathways can lead to the same event-universal. For example, in *Assassin* we can distinguish the event-particulars, "Sam shoots the mayor at time t as a result of practical reasoning" and "Sam shoots the mayor at t as a result of Jack's activation of the device." The occurrence of either event-particular could bring about the same event-universal, "that the mayor is killed." Van Inwagen formulates two principles for moral responsibility for consequences, one about event-particulars and one about event-universals.

In attempting to formulate their own principle for consequences, Fischer and Ravizza consider van Inwagen's principle about event-universals, the Principle of Possible Prevention 2:

PPP2 A person is morally responsible for a certain state of affairs (event-universal) only if (that state of affairs obtains and) he could have prevented it from obtaining.

Fischer and Ravizza argue that **PPP2** is false. They present an example *Missile1* designed to illustrate the falsity of the principle. In the example Elizabeth, who has had a device implanted in her brain by Jack the evil genius, owns a missile launcher and missiles. If she does not launch a missile towards Washington, D. C., Jack will activate the device and cause her to launch one. But Elizabeth, acting for her own evil reasons, launches a missile towards Washington, D. C. bringing about the event-universal "that Washington is bombed." Fischer and Ravizza claim that, because Elizabeth acts for her own reasons, she is responsible for the event-universal "that Washington is bombed" even though she could not have prevented the event-universal from obtaining.

In the next section I discuss van Inwagen's attempt to retain the requirement of alternative possibilities for moral responsibility by formulating three principles. I have already mentioned two of these principles, **PPA** which is about responsibility for omissions and **PPP2** which is about responsibility for consequences construed as universals. The third principle, **PPP1**, is about responsibility for consequences construed as particulars.

1.2 Van Inwagen's Challenge: Three New Principles

In "Ability and Responsibility" van Inwagen presents three principles which are closely related to the Principle of Alternative Possibilities and which he claims play a role in our attributions of moral responsibility. He argues that the three principles preserve the requirement of alternative possibilities for moral responsibility and that they are immune to

Frankfurt-type counterexamples. I want to discuss these three principles as part of the introduction to Fischer and Ravizza's asymmetry thesis because I think it is important to indicate where Fischer and Ravizza stand in relation to other theorists in the debate over the requirement of alternative possibilities for moral responsibility. Recall that Frankfurt argues that there is *no* requirement of alternative possibilities in order for one to be responsible for one's actions. In this section I discuss van Inwagen's three principles in which he claims that there *is* a requirement of alternative possibilities in order for one to be responsible for one's failures to act, for event-particulars and for event-universals. In their theory Fischer and Ravizza take up Frankfurt's claim about actions and van Inwagen's claim about failures to act and incorporate them in the asymmetry thesis. In formulating the asymmetry thesis Fischer and Ravizza accept one of van Inwagen's three principles requiring alternative possibilities, the one about failures to act, but reject the other two.

Fischer and Ravizza accept the Principle of Possible Action - the claim that a person is morally responsible for failing to perform a given action only if she could have performed that action - as a necessary condition for responsibility for an omission. In *Sloth* they argue that in order to be responsible for failing to save the child, it must be that John could have saved the child. Because John could not have saved the child no matter what he had done, he is not responsible for not saving the child. I shall not assess van Inwagen's or Fischer and Ravizza's claim that **PPA** is true here. I assess Fischer and Ravizza's analysis of responsibility for omissions in Chapter 3. In this section I discuss the distinctions that van Inwagen makes between actions and consequences and between event-particulars and event-universals. I then review van Inwagen's argument for one of the principles in which he retains the requirement of alternative possibilities for moral responsibility, his principle about event-particulars. Finally, I consider Fischer's argument to reject that principle.

Van Inwagen notes that **PAP** and **PPA** are about acts and failures to act. He maintains, however, that we normally hold persons responsible for the consequences of their actions or omissions, not explicitly for the actions or omissions. Moreover, he points out that the ontological status of consequences of actions and omissions - whether consequences are particulars or universals - is a matter of controversy among philosophers. In order to sidestep that controversy, he formulates two principles of alternative possibilities for consequences - one about particulars and one about universals. He claims that both of these principles are immune to Frankfurt-type counterexamples. On the one hand, whether we hold persons responsible for particular events or particular states of affairs, the following principle about event-particulars, the Principle of Possible Prevention 1, is true:

PPP1 A person is morally responsible for a certain event-particular only if he could have prevented it.

On the other hand, whether we hold persons responsible for events or states of affairs which are universals, the following principle about event-universals, the Principle of Possible Prevention 2, is true:

PPP2 A person is morally responsible for a certain state of affairs (event-universal) only if (that state of affairs obtains and) he could have prevented it from obtaining.[4]

Fischer points out that there is disagreement not only about the ontological status of consequences but also about whether we do hold agents responsible for *consequences* of actions or omissions rather than the actions or omissions themselves. Fischer maintains that one may consider events to be actions, omissions or consequences. In a controversial move he says that one can construe van Inwagen's two principles to be about actions or omissions rather than consequences. Fischer wants to leave all the ontological questions open.

Before I examine van Inwagen's arguments for the claim that **PPP1** is immune to Frankfurt-type counterexamples, I want to consider two points relating to his discussion of events. First, what is the distinction between an event-particular and an event-universal? According to van Inwagen, an event-particular is an item that one can witness, remember and report. It is a datable, nonrepeatable occurrence. An event-universal is an item that is repeatable; it is not tied to any given arrangement of particulars. Van Inwagen considers event-universals to be universals in the way that propositions are. Just as a proposition can be true as a result of the different particulars in the surroundings being arranged in different ways, an event-universal can obtain as the result of different particulars being arranged in different ways. For example, in *Missile 1* the proposition expressed by the sentence "Washington is bombed" is true because the particulars are such that Elizabeth launches the missile for her own reasons. The proposition would also be true if the evil genius caused her to launch the missile. And, it would be true if another person, Carla, launched the missile. Similarly, the event-universal "that Washington is bombed" would obtain if the particulars were arranged in any of the three ways that make the proposition true. Van Inwagen suggests that we think of an event-universal as obtaining if the proposition associated with it is true. And, he says that two event-universals are equivalent if their associated propositions are true in the same possible worlds. The idea is that a certain

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[4] Van Inwagen states and argues for **PPA**, **PPP1** and **PPP2** in "Ability and Responsibility." Peter van Inwagen, "Ability and Responsibility," *Moral Responsibility*. ed. John Martin Fischer (New York: Cornell University Press, 1986), pp. 153-73.

event-universal may be reached by different causal pathways, but that how the event-universal obtains - the causal pathway by which it is reached - is not relevant to the fact that the event-universal does obtain.

Van Inwagen illustrates the difference between event-particulars and event-universals with the event described by the phrase "what Bill saw happen in the garden." On the one hand, he uses the phrase to describe the following event-universal, "What Bill saw happen in the garden happens all too frequently." That is, the event that Bill saw is an event-universal because it could occur in different circumstances at different times and places. The event-universal could be reached via different causal pathways, but the causal pathway by which it was reached is not relevant to the fact that the event-universal obtains. On the other hand, van Inwagen uses the phrase to describe the following event-particular, "What Bill saw happen in the garden last night will live in infamy." That is, the event that Bill saw is an event-particular because one can observe, remember and report the event which happened in specific circumstances at a specific time and place. Moreover, the causal pathway by which the event-particular was reached is an essential feature of it.

The second point to consider relating to van Inwagen's discussion of events is the fact that one can distinguish between event-particulars which are items that one can witness, remember and report and event-particulars which are actions, that is, voluntary movements of human bodies. According to van Inwagen, events are items which one can witness, remember and report such as "the fall of the Alamo" or "the death of Caesar." Van Inwagen says that he does not believe that event-particulars which are voluntary movements of human bodies are what we hold persons responsible for. Nevertheless, it is open for Fischer and Ravizza to argue that all particular actions are event-particulars. In their theory Fischer and Ravizza adopt the Davidsonian analysis that events are identical to actions and actions are identical to particular bodily movements. They stress, however, that their theory is not committed to the Davidsonian analysis.

I want to discuss van Inwagen's principle about event-particulars, **PPP1**, here because Fischer and Ravizza's discussion of moral responsibility for consequences which are event-particulars is closely related to their discussion of moral responsibility for actions. And, Fischer and Ravizza deny that moral responsibility for actions requires alternative possibilities.[5] I shall not discuss van Inwagen's principle about event-universals, **PPP2**,

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[5] Fischer and Ravizza say that an agent is responsible for a consequence of what he does insofar as he has control of it. They establish whether the agent has control by examining the sequence leading to the

and Fischer and Ravizza's argument against that principle. That discussion would involve an analysis of Fischer and Ravizza's theory of moral responsibility for consequences. An analysis of that theory is beyond the scope of this thesis.

Now consider van Inwagen's argument for the claim that the Principle of Possible Prevention 1 is immune to Frankfurt-type counterexamples. He points out that in order to establish whether **PPP1** is true, one must have a criterion for the individuation of event-particulars. One needs a criterion for individuation because one wants to know of some event whether that same event would have occurred if things had been different in certain specified ways. In order to evaluate **PPP1** one asks whether an agent S could have prevented the event *e* by doing X. And, one must be able to determine whether *e* would have occurred anyway - even if S had done X. Van Inwagen proposes the following criterion of individuation of event-particulars:

EI If x and y are events, then x is identical to y if, and only if, x and y have the same causes.

The idea underlying this criterion is that the cause of an event is essential to it. Van Inwagen admits that he does not have a knockdown argument for **EI** but suggests that, since one individuates other types of particulars such as human beings and physical objects by their causal origins, one can accept **EI** as plausible criterion for the individuation of event-particulars. Furthermore, he acknowledges that the criterion is vague because the notion of *same causes* is vague. He admits that the notion of *same event* is only as clear as the notion of *same causes*.

Consider how van Inwagen would analyze and assess the Frankfurt-type counterexample *Assassin* in relation to **PPP1**.

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consequence. That sequence comprises two components. The first component is a mechanism leading to action (bodily movement.) The second component is a process leading from the action to the event in the external world. Roughly, the agent is responsible for the consequence if both components of the sequence are responsive to what the agent does. That is, the agent has some sort of control of both components.

In the case of an event-particular Fischer and Ravizza claim that the question of whether the sequence leading to the consequence is responsive reduces to the question of whether the first component of the sequence is responsive. *Thus, for event-particulars, if the agent has control of his action he has control of the entire sequence leading to the event-particular.* Fischer and Ravizza claim that because they stipulate that event-particulars are individuated in a fine-grained fashion it follows that if the agent has control of his action, he also has control of the second component of the sequence leading to the consequence. They say, "This is because with particulars, the second component will always be sensitive to action insofar as a different action along the causal pathway would lead to a different consequence-particular [event-particular.]" Fischer and Ravizza, p. 275.

P1 Sam shoots the mayor for his own despicable reasons thereby bringing about the event-particular, "Sam shoots the mayor at t."
P2 There is a factor F - Jack's activating the device in Sam's brain - which plays no causal role in Sam's shooting the mayor at t.
P3 F would have caused Sam to shoot the mayor at t if Sam had decided on his own not to shoot the mayor.
P4 Sam could not have prevented F from causing him to shoot the mayor at t except by deciding to shoot the mayor for his own reasons.
C Therefore, Sam is responsible for shooting the mayor at t even though he could not have prevented the event-particular, "Sam shoots the mayor at t."
On this analysis *Assassin* is a counterexample to **PPP1**. However, according to van Inwagen, this analysis trades on a confusion over the event-particular, "Sam shoots the mayor at t." In the analysis, when one refers to the event-particular "Sam shoots the mayor at t" one is actually referring to two different event-particulars, "Sam shoots the mayor at t as a result of practical reasoning" and "Sam shoots the mayor at t as a result of Jack's activation of the device." By **EI** these are different event-particulars because they have different causes. I think that if one accepts **EI**, then van Inwagen's claim that "Sam shoots the mayor at t" is two different event-particulars is correct. Surely the events, "Sam shoots the mayor at t as a result of practical reasoning" and "Sam shoots the mayor at t as a result of Jack's activation of the device," are caused by different types of causes. Moreover, once one recognizes that the description "Sam shoots the mayor at t" refers to two different event-particulars, one can see that Sam *is* responsible for the event-particular, "Sam shoots the mayor at t as a result of practical reasoning" because he could have prevented that event-particular. For *that* event-particular there is an alternative possibility open to Sam. Namely, Sam could have decided for his own reasons not to shoot the mayor and the event-particular, "Sam shoots the mayor at t as a result of practical reasoning," would not have occurred. However, if Sam had decided not to shoot the mayor, he *could not have prevented* the other event-particular, "Sam shoots the mayor at t as a result of Jack's activation of the device," from occurring. And by **PPP1**, Sam *is not* responsible for that event-particular. The upshot, according to van Inwagen, is that Frankfurt-type counterexamples such as *Assassin* are ineffective against **PPP1** because they trade on one's failure to distinguish between event-particulars.

Fischer presents two objections to Van Inwagen's analysis of **PPP1**. His first objection is that van Inwagen's principle **EI**, called the essentialist principle of event individuation because the causal genesis of an event is essential to it, is controversial. He claims, for

example, that on the essentialist principle the Japanese attack on Pearl Harbor would have been a different event-particular if the Japanese commander uttered, "Commence the attack!" instead of "Attack Pearl Harbor now!" Van Inwagen would reply that he has acknowledged that his argument for **EI** rests on our acceptance of similar principles for individuating human beings and physical objects. Recall that van Inwagen claims that our acceptance of those principles justifies our acceptance of **EI**. Furthermore, van Inwagen would object to Fischer's counterexample to **EI**. Van Inwagen could say that the different phrases which the Japanese commander utters are not different causes. He could claim that the two phrases are different tokens of the same type of cause. In other words, the two different utterances are the *same cause*. Recall that van Inwagen acknowledges that by **EI** one's notion of *same event* is only as clear as one's notion of *same cause*. Van Inwagen could argue that one could put forth a viable theory of *same causes* construed as *types* of causes. This reply is consistent with van Inwagen's individuation of event-particulars in his argument for **PPP1** in which says that the events, "Sam shoots the mayor at t as a result of practical reasoning" and "Sam shoots the mayor at t as a result of Jack's activation of the device," are different event-particulars because they have different causes. In that argument van Inwagen *does not* individuate events too finely, that is, in the way that Fischer here suggests he could.

Nevertheless, Fischer could reply that van Inwagen's claim that we can individuate events in the same way as we individuate human beings and physical objects rests on intuition. And, Fischer could claim that different tokens of the same type of cause *do* constitute different causes. Fischer could maintain that the two tokens, "Commence the attack!" and "Attack Pearl Harbor now," in his counterexample are different. Hence the causal antecedents of the relevant event-particulars are different. Van Inwagen's argument for the essentialist principle for individuating events is based on his intuition that same events have the same causes. Fischer's argument against the essentialist principle is based on a conflicting intuition about what one means by "same causes." The upshot is that neither van Inwagen's argument for nor Fischer's argument against the essentialist principle for individuating events is conclusive.

In his second objection Fischer argues, however, that even if one accepts the essentialist principle of event individuation one can show that van Inwagen's strategy, called "the associationist strategy" because it associates moral responsibility with control, fails. What is the associationist strategy? I noted in section **1.1** that traditionally theorists have associated moral responsibility with acting freely and acting freely with being in control.

And, I noted that until Frankfurt presented his convincing counterexample to the Principle of Alternative Possibilities, theorists assumed that the kind of control that an agent must have in order to be morally responsible was the ability to do otherwise. If an agent could not control her course of action in the sense that there was more than one course of action open to her, it might be that someone or something else was controlling her behavior or that there was no locus of control at all. Thus, the intuitive idea of the associationist strategy is that in order to be held responsible for an action one must have a *genuine* choice about what happens. One must be able to do other than what one actually does. The worry is that if one does not have this sort of control, one *must do* (is compelled to do) what one does.

Van Inwagen does not say that he adopts the associationist strategy. Fischer, however, assumes that van Inwagen adopts this strategy because van Inwagen maintains that there is a requirement of alternative possibilities in order for an agent to be responsible for an event-particular. In his argument against **PPP1** Fischer attempts to show that the alternative possibility that van Inwagen accepts does not preserve the association of responsibility with control and, as a result, is not a genuine alternative possibility. According to van Inwagen, **PPP1**, unlike the Principle of Alternative Possibilities, is immune to Frankfurt-type counterexamples such as *Assassin* because the counterexamples trade on a confusion over event-particulars. Van Inwagen claims that his principle allows one to distinguish between event-particulars. Fischer agrees that van Inwagen establishes that a different event-particular occurs in the alternative sequence in a Frankfurt-type counterexample, but points out that van Inwagen has not shown that the agent was capable of exercising deliberate control in the alternative sequence. Fischer argues that in order for van Inwagen's strategy of associating responsibility with control to be successful, the agent must have the appropriate kind of control in the alternative sequence. *There must be an alternative sequence open to the agent in which the agent performs a different act or brings about a different event-particular by performing some act as a result of his intention to do so.* For example, in *Assassin* in order for Sam to have the appropriate kind of control, there must be an alternative sequence open to Sam in which he chooses and acts as a result of his own intention to do so, not as a result of Jack's device. Fischer argues that van Inwagen confuses having the ability *deliberately* to do otherwise with the possibility of something different occurring. Fischer could say that van Inwagen's principle is immune to Frankfurt-type counterexamples, but so what? If **PPP1** does not succeed in maintaining the association of responsibility with control which the proponent of the associationist strategy believes is necessary for moral responsibility, then van Inwagen's project has failed. In summary, according to Fischer, van Inwagen assumes that a Frankfurt-type

example would be a counterexample to **PPP1** only if the *same event-particular* as the actual event-particular occurred in the alternative sequence. Furthermore, Fischer points out that the alternative possibility that van Inwagen accepts is not a genuine alternative possibility because the agent does not have control in the alternative sequence. In showing that the Principle of Possible Prevention 1 is immune to Frankfurt-type counterexamples, van Inwagen has not shown that it preserves the association of responsibility with control.

In fact, Fischer proposes the following principle which he says the associationist should put forth as a principle of alternative possibilities that *does* preserve the association of responsibility with control:

PAP* S is responsible for *e* only if there exists some property F such that *e* has F and there is an alternative possibility open to S in which S brings about *e'* which does not have F(*e'* is a different event-particular than *e*) as a result of his intention to do so.

PAP* ensures that there is a genuine alternative possibility open to the agent. In order to see that **PAP*** does preserve the association of responsibility with control, consider *Assassin* again. Suppose F is the property "not being caused to shoot the mayor by Jack's device." If *e* is the event-particular "Sam shoots the mayor at t for his own reasons," and *e'* is the event-particular, "Sam shoots the mayor at t as a result of Jack's device," then *e* has F and *e'* lacks F. However, a Frankfurt-type example is a counterexample to **PAP***. Why? Because in a Frankfurt-type example there is no alternative sequence open to Sam in which he shoots the mayor as a result of his intention to do so. Consequently, by **PAP*** Sam *would not be responsible for e* because there would be no alternative possibility open to him in which he could bring about a different event-particular as a result of his intention to do so. For, if Sam decided not to shoot the mayor, *e'* would occur. Fischer's point is that, although *e'* is a different event than *e*, it is not an event that occurs as a result of Sam's intention to make it occur. And, of course, the Frankfurt-type example is a counterexample to **PAP*** because *we believe that Sam is responsible for e.*

Fischer's second objection to van Inwagen's principle is convincing. While Fischer is correct in conceding that **PPP1** is immune to Frankfurt-type counterexamples, he is also correct in pointing out that van Inwagen has failed to preserve the association of responsibility with control. One who believes, as van Inwagen does, that alternative possibilities are a necessary condition for the moral responsibility of an agent for an event-particular must show that the alternative possibility is a genuine one in the sense that the agent has control of the event. Fischer's argument showing that van Inwagen does not

preserve the association of responsibility with control in **PPP1** makes it clear why **PPP1** fails as a principle which plays a role in our attributions of moral responsibility.

In their theory Fischer and Ravizza want to preserve the association of responsibility with control. For omissions they preserve that association by adopting van Inwagen's principle, **PPA**, thereby retaining the requirement of alternative possibilities. However, as I noted in the previous section Fischer and Ravizza claim, in agreement with Frankfurt, that there is no requirement of alternative possibilities for one to be responsible for one's actions. For actions they preserve the association of responsibility with control by requiring that an agent have actual causal control of her action. An agent has actual causal control if her action arises from the normal process of deliberation and decision based on reasons. Her action is not the result of a device implanted in her brain, an epileptic seizure, an irresistible desire or some other event that is not in her control. For actions, the fact that a person has actual causal control of the relevant bodily movement that is identical to the action is sufficient for responsibility.

In the next chapter I show how Fischer and Ravizza develop their asymmetrical account by formulating the two conditions for moral responsibility - one for actions and one for omissions. I then analyze and assess their condition for responsibility for actions.

Chapter 2
Responsibility for Actions

In chapter 1 I indicated that Fischer and Ravizza's asymmetrical account of moral responsibility rests on two claims. First, one can conceive of both an action and an omission as a relation between an agent and a possible bodily movement. Secondly, although their analysis of actions and omissions is asymmetrical with respect to the requirement of alternative possibilities, it is symmetrical, they claim, at a deep level. The deep principle of symmetry is that responsibility both for actions and for omissions requires that the agent be *in control* of a bodily movement. In this chapter I review how Fischer and Ravizza, relying on the intuitions that the examples described in chapter 1 elicit, formulate two conditions for moral responsibility - one for actions and one for omissions. I then analyze and assess the condition for responsibility for actions.

2.1 The Formulation of the Two Conditions for Moral Responsibility - One for Actions and One for Omissions

I noted above that Fischer and Ravizza's asymmetry thesis comprises two claims. Consider the first claim that an action and a failure to act involve different types of relations, the "bringing about" and the "not bringing about" relation respectively between the agent and the same possible bodily movement. For example, suppose a pilot and copilot who are flying to Vancouver have dual controls for their airplane. When the pilot turns the plane to the west she *brings about* the event of turning the plane to the west because she brings about the physical movement of her arms which is identical to the action of turning the plane's wheel. Recall that, on the Davidsonian analysis which Fischer and Ravizza adopt, particular bodily movements are identical to particular actions and actions are identical to events.[1] Moreover, Fischer and Ravizza say that we may refer to the event using different descriptions such as "the pilot turns the plane to the west," "the pilot flies the plane in a westerly direction," "the pilot turns the plane to land in Vancouver."[2] If the pilot decided not to perform the action, she would *not bring about* the possible bodily movement. Not

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[1] Fischer and Ravizza claim that the Davidsonian analysis is not essential to their project.

[2] Note that Fischer and Ravizza's analysis of an action and an omission as a *relation* between the agent and the event is not the only way that one could do the analysis. Michael Zimmerman, whose analysis I discuss in Chapter 3, analyzes events as abstract entities. He notes, however, that if the event *e* is Smith's raising his hand, then the question of what *not-e* would be is problematic. He says, "What, then, is not-*e*? Presumably: Smith's hand not rising. But what is *this*? Is it: its not being the case that Smith's hand rises? If so, then it is not, strictly, an event. Or is it: Smith's being such that his had does not rise? If so, then it is an event (partly because it entails that Smith exists). But I shall not pursue this here and shall, for simplicity's sake, assume that 'negative events' are genuine events." Michael Zimmerman, *An Essay on Moral Responsibility*, (Totowa, New Jersey: Rowman & Littlefield, 1988) p. 23 and N 17 p. 35.

bringing about that event is an omission. Note that the plane's turning to the west could occur anyway because the copilot could use his controls to bring about an event. However, on this analysis of events, the copilot's turning the plane to the west would be a different event than the pilot's turning the plane to the west because an action is a relation between a particular agent and her bodily movement.

Fischer and Ravizza's second claim is that responsibility both for actions and for omissions requires that the agent be *in control* of a bodily movement. They say that actions and omissions require different types of control, actual causal control and regulative control respectively. What is actual causal control? In the previous example intuition tells us that the pilot is responsible for turning the plane to the west because her action arises from the normal process of deliberation and decision based on reasons. An agent S has *actual causal control* over an action *a* at time *t* if, and only if, S causally brings about *a* without merely causally bringing about *a* at *t*. For example, *a* does not occur as a result of S's having an epileptic seizure or S's having an irresistible desire or as a result of some other event that is not in S's control. Fischer and Ravizza say,

> "...it is a sufficient condition for moral responsibility for an action that the agent has actual causal control of it."[3]

Since an action is identical to some particular bodily movement, if S has actual causal control over some bodily movement that is identical to *a*, then S is morally responsible for doing *a*.

What is regulative control? Suppose the copilot is flying the plane and the pilot could use her controls to override the copilot's, but she does not. The copilot turns the plane to the north. The copilot has actual causal control of the plane's turning to the north and the pilot has regulative control over the direction in which the airplane goes. When we say the pilot has regulative control, we mean that she can ensure that the event - the plane's turning to the north - occurs and she can prevent it from occurring. The fact that she has regulative control over the occurrence of the event entails that there is an alternative possibility open to her. She can do otherwise. S has *regulative control* over *a* at *t* if, and only if, S can ensure that *a* occurs at *t* and S can prevent *a* from occurring at t. Fischer and Ravizza say that a necessary condition for S's responsibility for not doing *a* is that S have regulative control over *a*. They say,

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[3] John Martin Fischer and Mark Ravizza, "Responsibility and Inevitability," *Ethics*, January, 1991, p. 267.

"...moral responsibility for an omission requires the freedom to do the act in question whereas moral responsibility for an action does not require the freedom to fail to do the action."[4]

Note that since S's having regulative control means that at *t* S can ensure that *a* occurs or S can prevent *a* from occurring, Fischer and Ravizza's condition can be restated as **PPA**.

PPA S is morally responsible for failing to perform a given action only if she could have performed that action.

Consider the example again. Suppose the pilot knew that in turning the plane to the north the copilot was heading into a violent thunderstorm but the pilot decided not to interfere with the copilot's decision and action. According to Fischer and Ravizza, the pilot would be responsible for failing to turn the plane in another direction only if she had regulative control over the occurrence of the event - only if she could have turned the plane in another direction. Now consider a variation on this example. Suppose that, unknown to the pilot, her controls for overriding the copilot's were inoperative. However, as in the previous case, the pilot decided not to interfere with the copilot's decision and action. According to Fischer and Ravizza, the pilot would *not* be responsible for failing to turn the plane in another direction because that alternative was not open to her. The pilot did not have regulative control. She could not have turned the plane in another direction. She could not have done otherwise.

Notice that an agent, such as the pilot whose controls were not inoperative, may have regulative control over an event without having actual causal control of it. Moreover, Frankfurt-type cases illustrate that one may have actual causal control but not regulative control. In *Assassin*, Sam has actual causal control when he shoots the mayor for his own reasons, but he does not have regulative control. He can ensure that the event occurs but he cannot prevent it. He cannot do otherwise. Jack has regulative control because he can both ensure the occurrence of the event and prevent it from occurring. But, when Jack does not intervene and thereby allows Sam to act for his own reasons, Jack does not have actual causal control of the event, "Sam shoots the mayor at t for his own reasons." Nevertheless, Jack could have done otherwise. In summary, according to Fischer and Ravizza, in order to be responsible for an action it is sufficient that one have actual causal control of the relevant event. One's having actual causal control *does not* entail that one could have done otherwise. In order to be responsible for an omission one must have regulative control of the relevant event. One's having regulative control *does* entail that one could have done otherwise.

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[4] Ibid., p. 271.

The question arises as to how Fischer and Ravizza explicate actual causal control. Recall that in the example about the pilot and copilot the pilot has actual causal control of her action of turning the plane to the west because her action arises from the normal process of deliberation and decision based on reasons. Fischer says,

> "...when there is the normal, unimpaired operation of the human deliberative mechanism, we suppose that the agent *is* responsive to reasons."[5]

Fischer and Ravizza propose "reasons-responsiveness" as an analysis of actual causal control. The idea is that a person has actual causal control of her action and can be held morally responsible for it if the action issues from a *weakly reasons-responsive mechanism*. They distinguish between strong and weak reasons-responsiveness. On the one hand, a mechanism **K** is strongly reasons-responsive if the person acts on **K** in the following way. If there were sufficient reason to do otherwise and **K** were to operate, the person would recognize the sufficient reason to do otherwise and would do otherwise for that reason. Thus, if a person acts on a strongly reasons-responsive mechanism, she always responds to sufficient reasons to do otherwise. Fischer notes that strong reasons-responsiveness is a sufficient condition for responsible agency, but not a necessary one. On the other hand, a person's action issues from a weakly reasons-responsive mechanism if the mechanism operates in such a way that there is *some possible reason* for which she would do otherwise.[6] (I discuss the distinction between strong and weak reasons-responsiveness more fully in the next section.) Therefore, S has actual causal control of *a* and is morally responsible for doing *a*, if S's bodily movement which is identical to *a* issues from (is caused by) a mechanism that is *weakly reasons-responsive*. For example, in *Assassin* Sam is morally responsible for his action because he acts on a weakly reasons-responsive mechanism. His action results from practical reasoning. Moreover, there is some possible reason for which he would not shoot the mayor. For instance, if Sam believed that the mayor's bodyguards had been alerted to his plan and were ready to seize and torture him before dismembering him, Sam would not shoot the mayor.

In summary, the two conditions which associate moral responsibility for actions and omissions with control are:

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[5] John Martin Fischer, "Responsiveness and Moral Responsibility," *Responsibility, Character and the Emotions*, ed. Ferdinand Schoeman (New York: Cambridge University Press, 1987), p. 84.

[6] Strong reasons-responsiveness implies weak reasons-responsiveness but the converse is not true. The point is that if an agent acts on a weakly reasons-responsive mechanism, there are possible sufficient reasons to act otherwise to which the mechanism does not respond.

MR1: Actions The fact that an agent has actual causal control of an action is a sufficient condition for the moral responsibility of the agent for the action. Fischer and Ravizza, relying on the Davidsonian analysis that particular bodily movements are identical to actions and actions are identical to events, claim that an agent is morally responsible for an event if the event issues from a weakly reasons-responsive mechanism.

MR2: Omissions The fact that an agent has regulative control over the relevant event (the bodily movement that is identical to the action) is a necessary condition for the moral responsibility of the agent for his failure to perform the action. An agent has regulative control over an event if he can either ensure the occurrence of the event or prevent it. That is, an agent is morally responsible for failing to perform a given action only if she could have performed that action.[7]

Consider **MR1**. Recall *Assassin* in which Sam deliberated, decided to shoot the mayor and shot the mayor for his own despicable reasons. Although Sam did not have regulative control over the event, "Sam shoots the mayor at t," because he could not have prevented the event, he had actual causal control of it. In the actual sequence leading to the event Sam acted for his own reasons or, as Fischer would say, Sam acted on a mechanism that was reasons-responsive. If the events in the alternative sequence had occurred instead, Sam would have shot the mayor because Jack would have activated the device in Sam's brain and caused him to shoot the mayor. In the alternative sequence Sam could not have done otherwise because the alternative-sequence mechanism was not responsive to reasons. The upshot is that although Sam could not have done otherwise because of the device in his brain, he is responsible for the murder because his action was the result of ordinary practical reasoning. In Frankfurt-type cases such as this one the actual-sequence mechanism *is* reasons-responsive but the alternative-sequence mechanism is not. So, the agent can be morally responsible for an action even though *he could not have avoided performing it.* We can now conclude, based on **MR1**, that Sam was morally responsible for shooting the mayor because he had actual causal control of the event.

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[7] Fischer and Ravizza apply their analysis of responsibility for actions and omissions to generate the following account of moral responsibility for consequences:
MR3: Consequences An agent is morally responsible for a consequence of what he does (or fails to do) if he has actual causal control of the consequence, that is, if the consequence issues from a responsive sequence. The sequence leading to a consequence includes two components, the mechanism leading to action (bodily movement) and the process leading from the action to the event in the external world. In order for the entire sequence to be responsive, both components must be responsive. The mechanism leading to the action must be weakly reasons-responsive by **MR1** and the process leading from the action to the event must be sensitive to action. Fischer and Ravizza, pp. 272-276.
Because of considerations of complexity and length, I analyze and assess **MR1** and **MR2**, but not **MR3**.

I note that after making the distinction between strong and weak reasons-responsiveness, Fischer and Ravizza claim that weak reasons-responsiveness is sufficient for moral responsibility. Two related questions arise regarding the distinction between strong and weak reasons-responsiveness. First, how do Fischer and Ravizza explicate the distinction? Secondly, why do they make the distinction at all if weak reasons-responsiveness is sufficient for moral responsibility? In the next section I consider these two questions. I analyze Fischer's explication of the distinction and I discuss what I think his reasons are for making the distinction.

2.2 Weak versus Strong Reasons-responsiveness

As I noted in the previous section Fischer distinguishes between strong and weak reasons-responsiveness. If the agent acts on a strongly reasons-responsive mechanism in the actual sequence, then if there were sufficient reason to do otherwise, he would do otherwise. In "Responsiveness and Moral Responsibility" Fischer elaborates on what it means for an agent to act on a strongly reasons-responsive mechanism suggesting that the following three conditions must be satisfied:

1 The agent must take the reasons to be sufficient.

2 The agent must choose in accordance with the sufficient reasons.

3 The agent must act in accordance with his choice.[8]

According to Fischer, the agent who acts on a strongly reasons-responsive mechanism recognizes the reasons there are, deliberates and decides based on those reasons and acts on the basis of his decision. Strong reasons-responsiveness is a sufficient condition for responsible agency, but not a necessary one.

One acts on a weakly reasons-responsive mechanism if one's action issues from a mechanism in which there is a looser fit between the reasons there are and the reasons for which one acts. In characterizing the distinction between strong and weak reasons-responsiveness Fischer and Ravizza say,

> "Insofar as the actual mechanism which leads to my action would not respond to the reason I would have, if I were to have a good reason to do otherwise, it is not strongly

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[8] The existence of these three conditions allows for three possible types of alternative-sequence failures. The failure to satisfy condition **1** is the failure to be *receptive* to the reasons, such as in the case of delusional psychotics. Failure to satisfy **2** is the failure to *react*, such as in the case of certain compulsive or phobic neurotics. And, failure to satisfy **3** is failure to put one's choice into action, a kind of impotence. Fischer, pp. 86-87.

reasons-responsive. But this is entirely compatible with the existence of some reason to which the actual mechanism would respond."[9]

For example, Fischer illustrates how an agent who succumbs to weakness of will acts on a weakly reasons-responsive mechanism. A basketball fan who wants to go to the game on a particular night, deliberates and decides to go to the game because he has sufficient reasons to go. However, if he has a sufficient reason not to go to the game - suppose, for example, he needs to finish his manuscript in order to meet the deadline on the following day - and he acts on a strongly reasons-responsive mechanism, he will not go to the game. If he has sufficient reason to do otherwise and the actual-sequence mechanism is strongly reasons-responsive, he will do otherwise. The agent who acts on a strongly reasons-responsive mechanism is sensitive to the reasons there are. According to Fischer, the agent's actions *track value* because he recognizes and acts on reasons which fit closely with the reasons there are. However, imagine that the basketball fan has a manuscript to finish by tomorrow but decides to go to the game anyway. He falls prey to weakness of will. His action of going to the game indicates that his actual-sequence mechanism is not strongly reasons-responsive. It is not sensitive to the reasons there are. The mechanism is weakly reasons-responsive, however, because the fan would decide not to go to the game for *some possible* reasons, such as the possible reason that tickets for the game cost $1000.[10]

In **MR1** Fischer and Ravizza capture the important intuition that in order for an agent to be morally responsible for an action, it is sufficient for the agent to act for his own reasons in the actual sequence leading to the action. It is not necessary for an agent to have freedom to do otherwise. The fact that the actual sequence has the dispositional feature of responsiveness in the sense that the agent acts on a weakly reasons-responsive mechanism is sufficient for moral responsibility. Moreover, what happens in other possible worlds provides an explication of the dispositional features of the actual world[11] and is, therefore, relevant to ascriptions of moral responsibility. But, the sequence in another possible

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[9] Fischer and Ravizza, p. 269.

[10] Falling prey to weakness of will is the most common way to fail to act on a strongly reasons-responsive mechanism. However, another way to fail to act on a strongly reasons-responsive mechanism would be to fail to recognize the reasons there are for performing an action because of culpable ignorance. For example, a driver might turn right at an intersection when the light is red because she does not know the reason for not turning right - the fact that there is a regulation prohibiting such turns. Since drivers are expected to know the rules of the road, her failure to be receptive to that reason is a failure to act on a strongly reasons-responsive mechanism. The mechanism is weakly reasons-responsive, however, because the driver would not turn right for some possible reason. If a pedestrian were crossing in front of her she would not turn right.

[11] That is, what happens in other possible worlds provides an account of what could happen in the actual world under certain circumstances.

world, while serving to illustrate the responsiveness of the actual sequence, is not a genuine alternative to the actual sequence in the sense indicated in **PAP**. On Fischer and Ravizza's view an agent can be morally responsible for an action if he has actual causal control of the action, but not regulative control. In other words, an agent can be responsible for an action even though he could not have avoided performing it.

Now that I have discussed Fischer's explication of the distinction between strong and weak reasons-responsiveness, I want to consider the question of why Fischer and Ravizza make the distinction. In order to answer that question one must first understand what Fischer means by strong reasons-responsiveness. The notion is obscure. I shall try to explicate the notion by examining the comparison Fischer makes between strong reasons-responsiveness and Robert Nozick's notion of actions *tracking value*. I believe this comparison sheds some light on why Fischer makes the distinction even though weak reasons-responsiveness is sufficient for moral responsibility. Fischer calls our attention to the analogy Nozick makes between an externalist model of knowledge and what Fischer calls an actual-sequence model of moral responsibility. Fischer says that he does not assume that externalist theories of knowledge are correct. He makes this comparison merely to help explain the notion of reasons-responsiveness. In the externalist approach to knowledge the theorist, rather than requiring a refined justification for a belief in order for that belief to constitute knowledge, requires that certain *causal connections* obtain between the agent's belief and the fact known. An agent's belief constitutes knowledge when there is a certain type of connection between the belief and a fact in the world. The idea is that an agent's believing that *p* constitutes knowing that *p when her belief tracks truth.* Under various conditions in which *p* is true, she would believe that *p*. In other words, her belief is a reliable indicator of *p's* truth. Thus, in order to determine whether the agent's belief constitutes knowledge, one examines her beliefs in those possible worlds which are similar to the actual world and in which *p* is true in some and false in others.[12] The agent knows

[12] In order to bring out the comparison between the externalist model of knowledge and the actual-sequence model of moral responsibility, Fischer presents the following epistemological analogue to a Frankfurt-type example for moral responsibility. In the example an agent believes that a certain building is a concert hall because he has attended concerts there. However, if the building were not a concert hall it would have housed a nuclear reactor. The government would have kept the existence of the reactor a secret by saying that the building was a concert hall. Moreover, no one would be able to approach the building to buy a ticket for a concert because persons, who were not cleared for entry and appropriately medicated, would become drowsy and nauseous upon approaching the building and would give up the attempt. And, everyone would have believed the government's cover story that the building was a concert hall. The example shows that the agent knows that *p* in the actual world even though he lacks the ability to determine whether *p would* be true or false in the possible world in which the so-called concert hall is a nuclear reactor. In the epistemological example, the agent knows that *p* even though he lacks the ability to discriminate the conditions that would obtain if *p* were true from those that would obtain if *p* were false in some remote possible world, just as in a Frankfurt-type example the agent is morally responsible for an action even

that p in the actual world if her belief tracks truth in those worlds most similar to the actual world even if she lacks the ability to discriminate whether p is true or false in some remote possible worlds.

Nozick claims that just as an agent's belief has a certain type of connection to the fact known, an agent's action has a certain type of connection to the world. In deciding what action to take in a certain situation, one wants one's action to be the *best* action of all the available actions. One wants one's action to *track those evaluative facts* which indicate what the best action would be. In other words, just as one wants one's believing that *p* to be responsive to truth, one wants one's doing *a* to be responsive to rightness or goodness. Nozick says,

> "We want doing an act to be responsive to the most important evaluative property of action (perhaps a weighted sum or profile of several evaluative properties), whatever that is, as this enters some appropriate principle of choice."[13]

Nozick deliberately characterizes the "most important evaluative property of action" as the "best" action in order to leave it an open question what the most important evaluative feature of action is. He points out that the traditional claim that the most important evaluative properties of actions are moral ones is difficult to defend. Moreover, he notes that some philosophers such as Nietzsche have challenged that traditional claim. Since Nozick's purpose is to explicate *how* one's actions would track bestness[14] and *whether* one's actions could track bestness if causal determinism were true, it is legitimate for him to leave the question about the most important evaluative feature of action open.

I suggest that Fischer views an agent who acts on a strongly reasons-responsive mechanism as one who is responsive to and acts in accordance with the evaluative facts which indicate what the best action would be of all the available actions. In support of my contention that Fischer views strong reasons-responsiveness in this way I note that Fischer says,

> "Strong reasons-responsiveness may be both sufficient and necessary for a certain kind of moral praiseworthiness - it is a great virtue to connect one's actions with the contours

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though he lacks the ability to do otherwise. Fischer attributes this epistemological analogue to a Frankfurt-type example to Nozick. Fischer, p. 92.

[13] Robert Nozick, *Philosophical Explanations*, (Cambridge, Ma: The Belknap Press of Harvard University Press, 1981), p. 318.

[14] Nozick says he uses the word "bestness" because "It will be inconvenient always to refer to 'the most important evaluative feature [of action].' For brevity, then, we shall speak of 'bestness' or (following Kant) of 'rightness'." Ibid., pp. 318-319.

of value in a strongly reasons-responsive way. Of course, not all agents who are morally responsible are morally commendable (or even maximally prudent)."[15]

Recall that an agent who acts on a strongly reasons-responsive mechanism recognizes a sufficient reason to do otherwise if there is one and acts on that reason. I suggest that Fischer believes that the sufficient reasons pertinent to strong reasons-responsiveness are ones having to do with the evaluative facts that indicate what the best action would be. That is, if one acts on a strongly reasons-responsive mechanism one recognizes the reasons that enable one to choose the action that tracks bestness and one chooses that action.

The question then arises as to whether, from Fischer's point of view, the best reasons to do otherwise are moral or prudential ones. In describing agents who act on strongly reasons-responsive mechanisms, Fischer intimates that both moral and prudential reasons can be sufficient to do otherwise. The point is that in order to say to which evaluative facts the agent should respond in order to perform the best action in a particular situation one must have a normative theory which explicates the most important evaluative feature of action. But Fischer, like Nozick, wants to leave the question about what the most important evaluative feature of action is an open one. As Nozick intimates, the task of setting out and defending a normative theory is daunting. Furthermore, since strong reasons-responsiveness is sufficient but not necessary for moral responsibility, it is legitimate for Fischer to leave the question an open one. I note that if Fischer were to require strong reasons-responsiveness for responsible agency, his condition would be too strong. We do not believe that an agent must act in accordance with the most important evaluative properties of action in order to be responsible. As Fischer points out, the connection between reasons and action necessary for moral responsibility is looser than the connection between truth and belief that is necessary for knowledge. An agent who is not responsive to good reasons can still be responsive to some reasons and that kind of responsiveness, weak reasons-responsiveness, is all that is required for moral responsibility.

I have argued that on Fischer's view, an agent who acts on strongly reasons-responsive mechanisms is one who is responsive to and acts in accordance with the evaluative facts which indicate what the best action would be in a particular situation. I shall now show that the condition of strong reasons-responsiveness is superfluous in Fischer and Ravizza's theory. Consider *Assassin* again. Suppose that in deliberating about whether to shoot the mayor, Sam considers reasons for doing otherwise. He thinks about the fact that it is immoral to murder another person and considers the possibility that he will be caught and

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[15] Fischer, p. 88.

punished. He recognizes that if he shoots the mayor, he is unlikely to get away with it. The police will probably catch him, and he will probably be found guilty and sent to prison. If Sam were to decide not to shoot the mayor for those reasons, he would be acting on a mechanism that was strongly reasons-responsive. That is, Sam would recognize the sufficient reasons to do otherwise and would do otherwise. Unfortunately, Sam decides to shoot the mayor anyway, even though there are both moral and prudential reasons for him to do otherwise. Sam is morally responsible for his action because he acts on a weakly reasons-responsive mechanism. He acts for his own reasons and there is some possible reason for which he would not shoot the mayor. For example, if Sam believed that the mayor's bodyguards had been alerted to his plan and were ready to seize and torture him before dismembering him, Sam would not shoot the mayor.

If strong reasons-responsiveness were a necessary condition for moral responsibility, Sam would not be responsible for his action in the actual sequence in which he ignores the moral and prudential reasons for not shooting the mayor and shoots the mayor anyway for his own reasons. Clearly, strong reasons-responsiveness is too strong a requirement for responsible agency. Although Fischer contends that strong reasons-responsiveness cannot be a necessary condition for responsibility for morally neutral acts[16] such as the fan deciding to go to the basketball game or morally blameworthy acts such as Sam's shooting the mayor, he says that strong reasons-responsiveness may be both a sufficient *and a necessary* condition for a *certain kind* of moral praiseworthiness. I suggested that Fischer views an agent who acts on a strongly reasons-responsive mechanism as acting in accordance with the evaluative facts which indicate what the best action would be. He says,

> "An agent whose act is produced by a strongly reasons-responsive mechanism is commendable; his behavior fits tightly the contours of value."[17]

However, Fischer and Ravizza's project is to set out the conditions under which an agent is a *rational candidate* for praise or blame on account of his behavior. In this theory, which is about responsible agency, the condition of strong reasons-responsiveness is superfluous. Weak reasons-responsiveness as an analysis of actual causal control is a sufficient condition for moral responsibility. Fischer says,

> "An agent is morally responsible for an action insofar as he is rationally accessible to certain kinds of attitudes and activities as a result of performing the action....With this

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[16] I note that not all theorists agree that there are morally neutral acts.

[17] Fischer, p. 89.

> approach [i. e. Fischer's approach] an agent can be a rational candidate for praise or blame, even though he is neither praiseworthy nor blameworthy. For instance, an agent can be morally responsible for a morally 'neutral' act. A theory of moral responsibility sets the conditions under which we believe that an individual is a *rational candidate* for praise or blame on account of his behavior. This theory needs to be supplemented by a further moral theory that specifies which agents, among those who are morally responsible, *ought* to be praised or blamed (and to what extent) for their actions. Whereas both kinds of theory are obviously important, I focus here on the first sort of theory - one that explains rational accessibility to the pertinent attitudes and activities."[18]

If Fischer and Ravizza were to set out the supplementary theory mentioned in the quotation above - the theory which specifies which agents ought to be praised or blamed, they could use the condition of strong reasons-responsiveness as one of the criteria for determining which morally responsible agents ought to be praised and to what extent. Nevertheless, in setting out that supplementary theory the theorist must allow for the possibility that an agent who ought to do some act - ought to act on a strongly reasons-responsive mechanism - ought not to be praised for doing that act. I note, however, that Fischer does not claim that strong reasons-responsiveness is a necessary and sufficient condition for *all* praiseworthy actions. Rather, he says that strong reasons-responsiveness may be both sufficient and necessary for a *certain kind* of moral praiseworthiness. In summary, I suggest that Fischer makes the distinction between strong and weak reasons-responsiveness because the condition of strong reasons-responsiveness would play an important role in the supplementary theory that Fischer mentions, a role that it does not play in the theory for moral responsibility for actions.

I note that still another question arises with respect to the distinction between strong and weak reasons-responsiveness. Why does Fischer change from intimating that weak reasons-responsiveness is a necessary condition for moral responsibility in "Responsiveness and Moral Responsibility" to saying that it is a sufficient condition in "Responsibility and Inevitability?" The foregoing analysis clarifies why strong reasons-responsiveness is sufficient but not necessary for moral responsibility. However, it seems that Fischer would want to say that weak reasons-responsiveness is a necessary condition for responsible agency. In fact in "Responsiveness and Moral Responsibility" he does say it is a necessary condition. He says, "I believe that an agent's actual-sequence mechanism *must* be weakly reasons-responsive, if he is to be held morally responsible."[19] Nevertheless, in a more recent paper, "Responsibility and Inevitability," Fischer and Ravizza say that weak reasons-responsiveness is a *sufficient* condition for moral

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[18] Ibid., p. 81.
[19] Ibid., p. 89.

responsibility. They say, "...we believe that it is at least a promising idea that the weak reasons-responsiveness of the mechanism issuing in action is a sufficient condition for moral responsibility for the action."[20] Why does Fischer change from considering weak reasons-responsiveness to be a necessary condition in "Responsiveness and Moral Responsibility" to considering it to be a sufficient condition in "Responsibility and Inevitability?" I suspect that Fischer shifts from claiming that weak reasons-responsiveness is a necessary condition for responsible agency to claiming that it is a sufficient condition because of problems with the condition. In the next section I discuss two problems with the condition of reasons-responsiveness.

2.3 Problems with the Condition of Reasons-responsiveness

In the previous section I attempted to explain why Fischer and Ravizza make the distinction between strong and weak reasons-responsiveness. I argued, however, that the distinction is superfluous in the theory of moral responsibility which sets out the conditions under which one is a rational candidate for responsible agency. In this section I consider two related problems with the condition of reasons-responsiveness. First, I note that Fischer fails to discuss the relationship between preferences and reasons. I argue that even if Fischer presupposes a background theory of moral realism, he must discuss the relationship between an agent's preferences and reasons. While I claim that Fischer and Ravizza must discuss this relationship in explicating reasons-responsiveness, I point out that the discussion will not illuminate the distinction they make between strong and weak reasons-responsiveness. Secondly, I consider an objection to the condition of weak reasons-responsiveness raised by Ferdinand Schoeman.

First, consider the claim that reasons-responsiveness is relative to the preferences of the agent who acts on the reasons-responsive mechanism. Although Fischer must be presupposing that there is a relationship between a person's reasons - desires and beliefs - and her preferences, he fails to mention that relationship in his discussion of reasons-responsiveness.[21] Recall that a mechanism **K** is strongly reasons-responsive if **K** issues

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[20] Fischer and Ravizza, p. 270.

[21] I use "preference" broadly to mean desire, motive or value. Moreover, I note that the *preference relation* is a primary feature in the theory of rational choice. Gauthier says, "The theory of rational choice takes as primary a conception even more clearly subjective and behavioural than interest, the relation of *individual preference*. Preference relates states of affairs: one speaks of preferring an apple to a pear...The theory of rational choice is of course primarily concerned with preferences between states of affairs conceived as alternative possibilities realizable in action. These states of affairs are therefore not direct objects of choice, but rather are possible outcomes of the actions among which one chooses." David Gauthier, *Morals by Agreement*, (Toronto: Clarendon Press, 1986), p. 22.

in an action and if there were sufficient reason to do otherwise and **K** were to operate, the agent would recognize the sufficient reason to do otherwise, would choose to do otherwise and would do otherwise. Fischer assumes that an agent who acts on a strongly reasons-responsive mechanism will recognize a sufficient reason to do otherwise and will act on the basis of that reason. But I claim that whether a particular reason is sufficient for an agent to do otherwise is relative to the agent's preferences and how she ranks them. The way that Fischer analyzes a particular example highlights his failure to discuss the relationship between reasons and preferences and indicates the need for him to do so. In the example, a charitable agent decides to spend her afternoon working for the United Way. In doing so, she acts on a reasons-responsive mechanism. Fischer suggests that if, as in the case of the basketball fan, the agent has a manuscript to finish but decides to work for the United Way instead, she acts on a weakly reasons-responsive mechanism. The agent exhibits weakness of will just as the basketball fan did. The example raises the question of what counts as a sufficient reason for the agent to do otherwise. In the example of the fan, we accept the work-related reason as sufficient for the fan to do otherwise because we accept the presupposition that the fan's work-related goals are more important - ranked higher among his preferences - than his goals relating to leisure activities. But in the example of the charitable agent, we can question whether the work-related reason is sufficient for the agent to do otherwise. If the agent ranks her preference to do charitable work higher than her preference to do job-related work, then the work-related reason is not a sufficient reason for her to do otherwise and she does not exhibit weakness of will in choosing to do charitable work. I note, however, that the moral realist could claim that the reasons for an agent to do otherwise are ranked according to an objective standard which is independent of the agent's ranking of her preferences.

Consider another example. A mugger accosts a professor who is on his way home from teaching an evening class and says menacingly, "Hand over your money now!" Because the professor has a preference not to hand over his money, he resists the mugger. However, if the mugger were to pull out a gun and threaten the professor's life, the professor would have sufficient reason to do otherwise and would do other than resist. He would hand over his money and save his own life because he ranks his preference to live higher than his preference to keep his money. The professor would be responsible for his action although he might not be blameworthy. Fischer would say that if the professor were to hand over his money to save his life, his action would issue from a strongly reasons-responsive mechanism. Saving his life is a sufficient reason to do other than keep his money. He would recognize the sufficient reason and would hand over the money.

However, the reason is sufficient only because the professor ranks his preference to live higher than his preference to keep his money. The point is that whether a reason is sufficient for the agent to do otherwise is relative to the agent's preferences and how he ranks them.

The question arises as to why Fischer fails to discuss preferences when he explicates reasons-responsiveness in terms of sufficient reasons to do otherwise. In both of the preceding examples the explanation of whether the agent acts on a strongly reasons-responsive mechanism depends on how the theorist views the relationship between preferences and reasons. For example, suppose the charitable agent ranks her preference to do charitable work higher than her preference to do job-related work. Consequently, she volunteers to help in the United Way campaign on Saturday afternoon. However, when Saturday arrives she decides that she wants to impress the new manager at her workplace, so she spends Saturday afternoon working on the report for the new manager instead of working for the United Way. She falls prey to weakness of will. She has a sufficient reason to do other than work on the report. She values doing charitable work more than doing job-related work. But she succumbs to her momentary desire to impress the manager.[22] The mechanism on which she acts is weakly reasons-responsive, however, because there is *some possible reason* for which she would do otherwise. If the new manager were to help with the United Way on Saturday, she would also help. The mechanism is not strongly reasons-responsive because there are possible sufficient reasons to act otherwise to which the mechanism does not respond.

While I believe that Fischer and Ravizza owe us an explanation of how they view the relationship between an agent's ranking of preferences and her reasons for action, I want to point out that the explanation would not explain the distinction they make between strong and weak reasons-responsiveness. Fischer and Ravizza explicate *both* strong and weak reasons-responsiveness in terms of sufficient reasons to do otherwise. They say,

> "Put in terms of possible worlds, the nonactual possible worlds that are germane to strong reasons-responsiveness are those in which the agent has a sufficient reasons to do otherwise (and in which the actual kind of mechanism operates) that are most similar to the actual world....In contrast, under weak reasons-responsiveness, there must exist *some* possible world in which there is a sufficient reason to do otherwise, the agent's actual mechanism operates, and the agent does otherwise. This possible world need not

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[22] I note that on some subjective theories of value such as Gauthier's one does not make this distinction between valuing and preferring. On Gauthier's view, if *a* and *b* are states of affairs and S values *a* over *b*, then S has a higher preference for *a* relative to *b*.

be the one (or ones) in which the agent has a sufficient reason to do otherwise (and the actual mechanism operates), which is (or are) *most similar* to the actual world."[23]

Since Fischer and Ravizza explicate not only strong but also weak reasons-responsiveness in terms of sufficient reasons to do otherwise, even if they were to make reference to the preferences of the agent in explicating reasons-responsiveness they would not clarify the distinction. One could accept the suggestion that whether a reason is sufficient to do otherwise is relative to an agent's preferences and still remain in the dark regarding the distinction between strong and weak reasons-responsiveness.

In some cases one can make an assumption about the agent's ranking of preferences. For example, in the case of the professor who is accosted by the mugger, we automatically assume that the professor ranks his preference to live higher than his preference to keep his money. And, as a result, we agree that he acts on a strongly reasons-responsive mechanism when he hands over the money. But, in other cases such as that of the charitable agent, one cannot know whether the agent acts on a strongly reasons-responsive mechanism unless one knows how the agent ranks her preferences. Nevertheless, it appears that, in the example about the charitable agent, Fischer assumes that the work-related reason *ought* to be sufficient for the agent to do otherwise.

It is odd that Fischer makes no mention of agents' preferences in explicating reasons-responsiveness. However, I suggest that Fischer presupposes a background theory of moral realism. And, I think that if one views Fischer's explication of reasons-responsiveness in the context of moral realism, one can understand why he fails to discuss agents' preferences. I note, however, that theorists are not in agreement on a single formulation of metaphysical realism of which moral realism is a special case. Still, David O. Brink suggests that most proponents of realism can agree on the general claim that there are facts of a certain kind which are metaphysically or conceptually independent of the beliefs or propositions which are an agent's evidence for them. Brink formulates this claim for moral realism as follows:

"(1) There are moral facts or truths, and (2) these facts or truths are independent of the evidence for them."[24]

Recall that Fischer maintains that an agent who acts on strongly reasons-responsive mechanisms performs actions that track value. Based on his acceptance of Nozick's

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[23] Fischer, pp. 88-89.

[24] David O. Brink, *Moral Realism and the Foundations of Ethics*, (New York: Cambridge University Press, 1989), p. 17.

explication of tracking value, Fischer assumes that in each particular situation there are evaluative facts which indicate what the best action would be. Moreover, for the moral realist the ranking of those evaluative facts is independent of the agent's ranking of her preferences.[25] The point is that for the moral realist there is a best action for the agent to perform in a given situation regardless of how she ranks her preferences. Since there is an independent ranking of evaluative facts, the sufficient reason for an agent to do otherwise is independent of the agent's ranking of her preferences. Consequently, for the moral realist the agent's preferences have no relevance in determining whether the agent acts on a strongly reasons-responsive mechanism. If she acts in accordance with the independently ranked evaluative facts which indicate what the best action would be in the situation, she acts on a strongly reasons-responsive mechanism. Thus, if one views Fischer's explication of strong reasons-responsiveness in the context of moral realism, one can more easily understand his claim that the agent who acts on a strongly reasons-responsive mechanism is deserving of a certain kind of moral praise. The realist would say that the agent acts in response to the most important evaluative feature of action regardless of her own preferences. Alternatively, the moral realist might describe the agent who acts on strongly reasons-responsive mechanisms as one who has among her own highest-ranked preferences or values the preference to act in such a way as to track value. The problem is that Fischer does not tell us whether to view strong reasons-responsiveness against a background of moral realism. And, without that background, or without a theory of reasons, it appears that one cannot make sense of the distinction between strong and weak reasons-responsiveness. In summary then, in explicating reasons-responsiveness, Fischer must be explicit about his view of the relationship between an agent's ranking of preferences and her reasons for action. He must tell us whether he assumes a background theory of moral realism.

Ferdinand Schoeman presents a counterexample that illustrates the second problem with the condition of reasons-responsiveness. Schoeman's counterexample challenges the efficacy of the condition of weak reasons-responsiveness by showing that the condition of weak reasons-responsiveness places too weak a rationality constraint on the agent's reasons for action. Schoeman's example points to the fact that we will not want to consider some

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[25] In *Freedom Within Reason* Susan Wolf makes a similar point in arguing for the objectivity of value. She says, "...it makes sense to talk of 'normative competence' and to ask whether a given individual possesses it. This in turn implies the existence of nonarbitrary standards of correctness, standards that are independent of an individual's will and even of an individual's psychology as a whole, by which one can judge some actions...." Susan Wolf, *Freedom Within Reason*, (New York: Oxford University Press, 1990) p. 124.

agents who act on weakly reasons-responsive mechanisms to be morally responsible for their actions. In the example, a person kills a number of fellow passengers on the Staten Island Ferry with a sabre and would have killed them in all possible circumstances except one. If the killer believed that it was Friday and, therefore, a religious holiday, he would not have committed the murders. If one accepts the condition of weak reasons-responsiveness as it stands, the killer is responsible for his action because the mechanism on which he acts is weakly reasons-responsive. There is at least one possible reason for which the killer would have done otherwise, the possible reason that he believed it was Friday and a religious holiday. However, with this counterexample Schoeman wants to make the point that the killer is irrational in the sense of insane and, therefore, incapable of responsible agency.[26]

In this section I have considered two problems with the condition of reasons-responsiveness. The first problem is that Fischer fails to discuss the relationship between an agent's preferences and the reasons-responsiveness of the mechanism on which the agent acts. Even if Fischer presupposes a metaethical position of moral realism he owes us an explanation of how he views the relationship between an agent's preferences and reasons. The second problem is that the condition of weak reasons-responsiveness does not distinguish between an agent who is responsive to relevant reasons and one who is responsive to bizarre reasons - factors that others would not consider to be reasons at all. These problems suggest that, in formulating the condition of responsible agency, one must account for the relationship between the agent's preferences, his reasons and the rationality of his actions. In particular, if the condition of reasons-responsiveness is to account for moral responsibility, it must be capable of distinguishing between an agent who acts rationally and one who does not. On the one hand, Fischer says, "In my approach, actual irrationality is compatible with moral responsibility (as it should be.)"[27] The import of his claim is unclear. He cannot mean that irrationality in the sense of insanity is compatible with moral responsibility. I suspect that Fischer means that we recognize that persons are not perfectly rational, but only imperfectly rational. Thus, Fischer's claim that irrationality is compatible with moral responsibility reduces to the claim that imperfect rationality is compatible with moral responsibility. Or, in other words, we should not place too strong a

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[26] Martin Hahn has pointed out to me that the counterexample is under-described because it is not clear from the example whether the killer is indeed insane. I think Hahn is correct. In most cases we cannot tell from the description of any one action that a person performs whether that person is irrational in the sense of insane. We need to understand how the action fits into the context of the person's life. However, we can make it a plausible assumption that the killer in Schoeman's example is insane by describing the killer as a person with a history of irrational behavior and institutionalization.

[27] Fischer, p. 89.

rationality constraint on the condition of reasons-responsiveness. On the other hand, Schoeman's counterexample suggests that, as it stands, the condition of weak reasons-responsiveness places too weak a rationality constraint on a person's reasons for action. The condition of weak reasons-responsiveness allows an irrational - in the sense of insane - person to be morally responsible for his actions.

Fischer acknowledges the problem with the condition of weak reasons-responsiveness that Schoeman raises and suggests two possible solutions. The first possible solution is that one could claim that there is a different mechanism operating in the alternative scenario, in which the agent is responsive to the bizarre reason, than in the actual sequence. The second possible solution is that one could attempt to restrict the reasons which are pertinent to weak reasons-responsiveness. However, Fischer fails to adopt a solution. In the next section I take up Fischer's suggestion of two possible solutions. First, I consider restricting the mechanisms pertinent to responsibility. Secondly, I consider restricting the reasons pertinent to weak reasons-responsiveness.

2.4 Two Possible Modifications to the Condition of Weak Reasons-responsiveness

In the previous section I claimed that there are two problems with the condition of reasons-responsiveness. First, Fischer fails to discuss the relationship between preferences and reasons. Secondly, Schoeman's counterexample indicates that the condition of weak reasons-responsiveness is not a sufficient condition for responsible agency because the rationality constraint it places on the agent's reasons for action is too weak. In this section I try to solve these problems by revising the condition of weak reasons-responsiveness in the two possible ways that Fischer suggests. First, I attempt to restrict the mechanisms pertinent to moral responsibility by distinguishing between mechanisms which exhibit at least a minimum degree of rational response to reasons and mechanisms which are defective because they do not. However, this attempted revision fails. Even if one excludes defective mechanisms, the condition of weak reasons-responsiveness places too weak a rationality constraint on the agent's reasons for action. Albeit that the solution fails, this attempt to solve the problem elucidates the source of the problem with the condition of weak reasons-responsiveness. In a second attempt to revise the condition, I restrict the reasons pertinent to weak reasons-responsiveness by examining the relationship between an agent's preferences, reasons and actions.

Consider first an attempt to restrict the mechanisms pertinent to responsibility by distinguishing mechanisms that are weakly reasons-responsive from those that are defective. Fischer and Ravizza characterize their project as an attempt to set out the conditions under which a person is a *rational candidate* for responsible agency. In addition, in "Responsiveness and Moral Responsibility" Fischer claims that a person acting on a strongly reasons-responsive mechanism performs actions that "...fit the contours of reason closely."[28] Thus, it is consistent with Fischer and Ravizza's account of moral responsibility to link the degree of reasons-responsiveness of a mechanism from which an action issues to the rationality of an agent's response to reasons. The point is that rational action just *is* acting for reasons on some appropriate construal of what counts as a reason. However, as I noted in section **2.3**, Fischer fails to point out that there is a relationship between a person's reasons and her preferences. I argue that we can judge the rationality of a person's actions only if we examine her reasons - beliefs and desires - in light of her preferences, goals and plans.

Consider the relationship among a person's preferences, reasons and actions. In deliberating over what action to take in order to satisfy a preference or achieve a goal,[29] a person considers reasons relevant to deciding what action to perform. Her reasons are those beliefs about factors in the environment and those desires relevant to satisfying the preference or achieving the goal. In forming her beliefs, she partitions the information in the environment into factors which are favorable, unfavorable and neutral in satisfying the preference or achieving the goal. The beliefs she forms about those factors along with her desires are the reasons which she considers in deliberating about what action to take. In order to determine whether an agent's action is rational, that is, issues from a mechanism that gives a rational response to reasons, one must determine what relationship reasons must have to an action in order for the action to be rational.

In *SOUR GRAPES Studies in the Subversion of Rationality*, Jon Elster outlines three levels of theories of rational action that constitute the relationship between reasons and

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[28] Ibid., p. 87.

[29] Jon Elster claims that there are two types of actions, those that may be described as *doing something* - satisfying a preference and those that may be described as *bringing about something* - achieving a goal. In the case of doing something one can explain the action merely by citing the relevant preference. In the case of bringing about something one can explain the action only by describing the plan that the person formulates in order to arrive at the desired future state of affairs. Elster makes the distinction because he claims that the consistency criteria are quite different for actions guided by preferences and actions guided by plans. Jon Elster, *SOUR GRAPES Studies in the Subversion of Rationality*, (New York: Cambridge University Press, 1983) pp. 5-12.

action in three different ways. The three theories are the thin theory of rationality, the broad theory of rationality and the full normative theory of the true and the good. On the thin theory one leaves the beliefs and desires that are the reasons for an action unexamined except for consistency. On the thin theory, an agent's action is rational if her reasons are related to her action in three ways. First, her reasons must be reasons *for* the action. Secondly, her reasons must *cause* the action for which they are reasons. And finally, the reasons must cause the action *in the right way*.[30] The thin theory is a purely formal conception of rationality. It is a theory of instrumental rationality.

If one wants to scrutinize the substance of an agent's beliefs and desires for more than consistency, one can adopt a broad theory of rationality. The broad theory outlines a conception of rational action that lies between the thin theory and a full normative theory of the true and the good which would include all the good properties that we might want our beliefs and desires to have. In the broad theory Elster suggests that we evaluate the rationality of beliefs and desires by considering the way in which they are shaped - their causal history. *Beliefs and desires that have the wrong sort of causal history are irrational.* Elster says that one determines the rationality of a belief by evaluating the relationship between the belief and the available evidence. And, one determines the rationality of a desire by ascertaining whether it is autonomous. Elster says that he has no satisfactory definition of autonomous desires. He explicates autonomy by an admittedly obscure analogy saying that autonomy is for desires what judgment is for beliefs. He suggests that autonomous desires are those that are deliberately chosen, acquired or modified either by an act of will or by a process of character planning. He notes, however, that this definition is problematic.[31] In any case, consideration of Elster's three theories of rational action

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[30] I note briefly Elster's explanation of the three requirements for rational action on the thin theory.
1 The agent's reasons are reasons *for* the action. This requirement can be interpreted in two ways. One could say that the agent's reasons are reasons for the action when, given his beliefs, either the action is *the best way* to fulfill his desire or, more weakly, the action is *a way* to fulfill his desire.
2 The reasons *cause* the action for which they are reasons. One must account for the fact that one might do by accident what one also has reasons for doing.
3 The reasons cause the action *in the right way*. Elster notes that the reasons for an action can cause the action in the wrong way. He explains what he means in an example which illustrates a nonstandard causal chain. In the example a man tries to kill the mayor by shooting him. The bullet misses, but the shot causes a herd of wild pigs to stampede and kill the mayor by trampling him. On Elster's view, we would not say that the man killed the mayor intentionally because the causal chain is of the wrong kind. Ibid., pp. 2-4.

[31] Elster says the definition is too weak because a desire that stems from intentional character planning is no more autonomous than the intention from which it stems. The definition is too strong because it excludes unplanned first-order desires from being autonomous. Ibid., pp. 21-22. Nevertheless, Elster's comments about the three levels of theories of rationality might be helpful in explaining the contrast between them. He says, "I suggest that between the thin theory of the rational and the full theory of the

highlights the fact that one's explication of the relationship among a person's preferences, reasons and actions will depend on the theory of rationality that one adopts. More precisely, with respect to Fischer and Ravizza's explication of weak reasons-responsiveness, whether a mechanism issues in a rational action rather than an irrational (in the sense of insane) one depends upon the theory of rational action that one adopts.

As I suggested in section **2.2**, Fischer wants to leave it an open question what the most important evaluative feature of action is. As a result, I have claimed that Fischer and Ravizza separate the task of setting out the theory of responsible agency from that of setting out what Elster characterizes as a full normative theory of the true and the good; one that would tell us all the good properties that reasons - beliefs and desires - could have. Nevertheless, in suggesting that weak reasons-responsiveness is a sufficient condition for responsible agency, Fischer and Ravizza must have some conception of rationality in mind since rational action *just is* acting for reasons in some appropriate way. In formulating the condition of moral responsibility which determines who is a rational candidate for praise and blame on account of his behavior, Fischer and Ravizza do not say what theory of rational action is operating in the background. It appears, however, that they assume a thin theory of rational action. After all, in formulating **MR1** they focus on the operation of a mechanism that is weakly reasons-responsive - responsive to some possible reason - placing *no constraints* on the preferences or reasons to which the mechanism responds. In order to determine whether a mechanism is weakly reasons-responsive, one must have in mind some explanation of what counts as a reason for an action. Since Fischer and Ravizza explicitly place no constraints on what counts as a reason for weak reasons-responsiveness, I assume that they are operating on the thin theory of rationality which places minimal constraints on reasons.

In section **2.2** I argued that the condition of strong reasons-responsiveness is superfluous in the theory of responsible agency. Furthermore, Fischer admits that weak reasons-responsiveness is a sufficient condition for responsible agency. Consequently, it makes sense to dispense with Fischer's explanation of reasons-responsiveness in terms of the strong/weak distinction. I want to consider an alternative explanation of reasons-responsiveness which relates an agent's reasons to rational action. The idea is that the reasons-responsiveness of agents comes in degrees related to their exercise of rationality in

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true and the good there is room and need for a broad theory of the rational. To say that truth is necessary for rational beliefs clearly is to require too much; to say that consistency is sufficient, to demand too little. Similarly, although more controversially, for rational desires: the requirement of consistency is too weak, that of ethical goodness too strong." Ibid., p. 15.

performing actions. In order to see how the relationship of reasons to rational action works, compare the perfectly rational agent to a person, that is, an imperfectly rational agent. In attempting to satisfy a preference, the perfectly rational agent would act on a mechanism that was perfectly reasons-responsive. That is, he would act on a mechanism that would recognize and respond to all reasons relevant to satisfying his preference. I want to distinguish here between the notion of perfect reasons-responsiveness and Fischer's notion of strong reasons-responsiveness. The notion of strong reasons-responsiveness embodies a normative conception of rational action. One acts on a mechanism that recognizes and responds to the evaluative facts that indicate what the *best* action would be in a particular situation. As I suggested in the previous section, for the moral realist the best action may not be the action that results in satisfaction of one's strongest preference.

The notion of perfect reasons-responsiveness embodies a naturalized conception of rational action in the sense that one acts on mechanisms that recognize and respond to all reasons relevant to satisfying one's preference. Perfect reasons-responsiveness is the upper limit of reasons-responsiveness. However, in *Elbow Room the Varieties of Free Will Worth Wanting*, Dennett makes the point that persons are not perfectly rational agents. He says,

> "We are not infinitely but only extraordinarily sensitive and versatile considerers of reasons. If that is not enough, if free will and responsibility require *absolute* freedom...then we must overthrow the scientific vision of ourselves altogether or admit defeat. But these dire alternatives are not yet pressed upon us. We have hardly begun to see how much of what we want to be true about ourselves can be illuminated - not threatened - by an application of the scientific, naturalistic vision."[32]

As Dennett notes, a person is incapable of perfect reasons-responsiveness because she is a finite, imperfect creature who is unresponsive to many factors in the environment. A person does not recognize, select and act on all reasons relevant to satisfying a preference. Moreover, different persons exhibit varying degrees of rationality in recognizing, selecting and acting on reasons. In other words, some agents act on reasons-responsive mechanisms that are more sensitive to reasons - have a greater degree of reasons-responsiveness - than those on which others act. How is the idea is that the reasons-responsiveness of agents comes in degrees relevant to formulating the condition of weak reasons-responsiveness? On the one hand, we want to consider persons who are imperfectly rational as rational candidates for praise and blame on account of their behavior. On the other hand, we do not want to consider irrational - in the sense of insane - persons as candidates for praise and

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[32] Daniel C. Dennett, *ELBOW ROOM The Varieties of Free Will Worth Wanting* (Toronto: Oxford University Press, 1982), p. 49.

blame on account of their behavior. The alternative explanation of reasons-responsiveness allows us to capture the idea that the reasons-responsiveness of mechanisms occurs on a continuum. Weak reasons-responsiveness is less than perfect but not so imperfect that one would consider the mechanism to be defective. Persons who act on weakly reasons-responsive mechanisms respond with varying degrees of rationality to reasons that bring about actions which further satisfaction of their preferences.

If we accept that the reasons-responsiveness of agents comes in degrees related to their exercise of rationality in performing actions, then it makes sense to posit upper and lower limits of reasons-responsiveness. The upper limit of reasons-responsiveness is a mechanism that is perfectly reasons-responsive; the lower limit is a mechanism that is not reasons-responsive. Furthermore, if we accept that the reasons-responsiveness of mechanisms occurs on a continuum between the upper and lower limits, then it makes sense to amend the condition of weak reasons-responsiveness by restricting the mechanisms pertinent to ascriptions of moral responsibility. I claim that a mechanism which does not satisfy a specified minimum level of rationality in response to reasons is defective. And, weakly reasons-responsive mechanisms, the mechanisms pertinent to ascriptions of moral responsibility, are those which are not defective. We can specify a sufficient condition for a *defective mechanism* as follows:

DM A mechanism is defective if it does not satisfy a minimum level of rationality in selecting and processing reasons given the preferences of the agent.

In order to understand what a defective mechanism is, consider an analogy of a person to a computer system. With a computer system we recognize that one may input good data but if the program which processes the data is flawed, the output will be wrong. For a person reasons and preferences are the data input to the system, deliberation and decision constitute the program which processes the data, and revised preferences or dispositions or actions are the output. And, with a person just as with a computer program, if the process of deliberation and decision is flawed, that is, if the mechanism on which the person acts is defective, the person's action will not be rational. On this account the mechanism on which the agent acts may be reasons-responsive but *defective* in the sense that the mechanism would respond to and process *some possible reason* with the result that the agent would do otherwise. However, the selection and processing of that reason would not be rational according to what we specify as minimally rational. Moreover, on this account a weakly reasons-responsive mechanism is one which is *not* defective. Therefore, we can retain **MR1** as the condition for responsibility for actions. Recall that **MR1** says that an agent

has actual causal control of an action (event) if it issues from a weakly reasons-responsive mechanism.

A mechanism that is not defective must have the capability to select and process reasons at a minimum level of rationality. How does one determine that minimum level of rationality? I suggest that one would make a pragmatic decision on what counts as a mechanism that selects and processes reasons at a level that is rational enough for moral responsibility in the same way that one makes a pragmatic decision on what counts as rational in determining legal responsibility. The idea is that a person who acts on defective mechanisms does not possess competence, the minimum capacity for responsible agency. Consider an analogous use of the notion of competence as it relates to legal responsibility. Joel Feinberg discusses the capacity of persons for self-government in ascribing legal responsibility to persons.[33] He claims that a person's capacity for self-government (autonomy) rests on his ability *to make rational choices*. Some examples of agents who do not have that ability are infants, insane persons, the severely retarded, the senile and the comatose. Virtually everyone else has the necessary competence for autonomy and, as a result, is a rational candidate for legal responsibility. Competence, then, is a *threshold notion* in the sense that one is competent if one has the minimum relevant capability for the task. Even though some persons are more richly endowed with intelligence, judgment and other capabilities relevant to the task of self-government, they are considered no more competent with respect to legal responsibility than those who are less well-endowed. For the purposes of being capable of self-government - of being a rational candidate for legal responsibility - those with greater capabilities have what Feinberg calls an "unused surplus." All those with capabilities above the minimum level are considered to be equally competent candidates for legal responsibility. Similarly, all those who have the ability to respond rationally to reasons, that is, to act on weakly reasons-responsive mechanisms - which I specified above as mechanisms which are not defective - are equally competent candidates for moral responsibility. I want to point out that the threshold for moral competence could be, but may not be, the same as that for legal competence.

On Feinberg's view, one has the competence for legal responsibility if one has the ability to make rational choices. Similarly, one has the competence for moral responsibility if one acts on weakly reasons-responsive mechanisms. Since competence is a threshold notion, either a person has the relevant capacity or she does not. However, if we consider persons

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[33] Joel Feinberg, *HARM TO SELF The Moral Limits of the Criminal Law* (New York: Oxford University Press, 1986), pp. 28-30.

above the threshold for legal responsibility, we see that different persons possess different degrees of autonomy. For instance, with respect to the *exercise* of self-government, the person who is just above the threshold may rule herself badly, unwisely or even recklessly. Similarly, if we consider persons above the threshold for moral responsibility, we see that different persons possess different degrees of reasons-responsiveness. With respect to *exercising* rationality in responding to reasons, different persons act more or less rationally. Furthermore, an agent who is legally competent can be judged temporarily insane if it appears that, because of circumstances, the agent was "pushed" over the threshold of competence and became incapable of making rational choices. Similarly, an agent who is normally a rational candidate for moral responsibility may fall below the threshold of competence and act on defective mechanisms in some circumstances. For example, suppose an agent suffers from claustrophobia. She has competence and acts on reasons-responsive mechanisms in most cases. However, when she happens to be on the scene of a mining disaster, she is unable to help carry victims out of the mine even though she has a preference to help. She runs away in fear. The agent does not have actual causal control of her action because her action issues from a defective mechanism. Either her fear of closed-in places renders her unable to recognize and respond to the reasons there are for helping the victims or her fear overrides her ability to process those reasons. Nevertheless, there is some possible reason for which she would do otherwise. If she believed that the forest that she would run towards would smother her, she would remain at the mine and help.

By focusing on the rationality which an agent exercises in acting on a reasons-responsive mechanism, one brings to light the relationship between the agent's reasons and the rationality of her actions. If an agent acts on mechanisms with a great degree of reasons-responsiveness, that is, on mechanisms that approach the upper limit of perfect reasons-responsiveness, her actions are more rational than those of an agent who acts on mechanisms with a lesser degree of reasons-responsiveness. If an agent acts on mechanisms which are defective as specified by DM, she acts in an irrational way and does not have the competence necessary for responsible agency.

I shall now apply the revised condition of weak reasons-responsiveness to Schoeman's counterexample. On the original condition of weak reasons-responsiveness, the killer on the Staten Island Ferry is responsible for his action because there is at least one possible reason, the possible reason that if the killer believed it was Friday and a religious holiday, that would be sufficient for him to do otherwise. On the revised condition, the killer will be responsible for his action if there is at least one possible reason based on which he would

have sufficient reason to do otherwise and would do otherwise, *and* the reasons-responsive mechanism on which he acts is not defective. On the revised condition if the agent is not a rational candidate for responsible agency, then we can claim - following Fischer's suggestion - that there is a different (defective) mechanism operating in the alternative scenario in which the agent is responsive to a bizarre reason. If we assume that the killer's strongest preference is to kill his fellow passengers, it may be that the mechanism on which the killer acts is defective. The mechanism does not satisfy a minimum level of rationality in selecting and processing reasons given the killer's preference because the killer does not possess competence. We can imagine the killer lining the passengers up, preparing to stab and slice them with the sabre. At this point we are already suspicious about his sanity because he is prepared to kill others in this manner for no apparent reason and he has a history of irrational behavior and institutionalization. But, suppose that if one of the potential victims cried out, "You can't do this! It's Friday and a religious holiday," the killer would drop the sabre and calmly walk away. The killer might consider the fact that it was Friday and a religious holiday to be a reason, but no one else would. The reason is bizarre. It appears to have no rational relationship to his deliberation and decision about whether to kill the passengers. On the face of it, the mechanism on which the killer acts is defective. Either the mechanism does not select reasons which satisfy a minimum level of rationality relative to satisfying his preference to kill or failure occurs in the processing of the reasons selected. In either case, the action which would issue from the mechanism is not rational.

Nevertheless, Schoeman's counterexample remains a problem. Even if we keep in mind that the killer has a history of irrational behavior and institutionalization, it is conceivable that if we knew more about the killer's background, we could establish some connection between the possible "reason" and the fact that the killer would decide to do otherwise. As I noted above, we can suppose that the killer's highest-ranked preference is to kill the passengers. Moreover, we can imagine that the killer has an elaborate system of interconnected beliefs which include the fact that, while killing *per se* is not evil, killing on religious holidays is. Under these circumstances, even though the killer's highest-ranked preference is to kill, the mechanism on which the killer acts appears to be weakly reasons-responsive, not defective. On the thin theory of rationality, which I claim is the theory that underlies Fischer and Ravizza's conception of weak reasons-responsiveness, the possible reason to which the killer would respond is rational in light of his preference to kill and his false belief that, while killing *per se* is not evil, killing on religious holidays is. The possible reason to which the killer would respond would be rational because the killer's

reason would be a reason *for* the action and would *cause the action in the right way*. The problem is that the thin theory of rationality is purely instrumental. Consequently, on this thin conception of rationality, the killer's action *is* rational. The upshot is that the mechanism on which the killer acts may not be defective because it *does* satisfy a minimum requirement for processing the reasons it selects and a minimum level of rationality in response to reasons given the false beliefs and the preferences of the agent.

In this first attempt to solve the problem with the condition of weak reasons-responsiveness, I restricted the mechanisms pertinent to moral responsibility by distinguishing between mechanisms which exhibit at least a minimum degree of rational response to reasons and mechanisms which are defective. The attempt fails. Even if one one excludes defective mechanisms from the class of mechanisms that count as weakly reasons-responsive, the condition of weak reasons-responsiveness places too weak a rationality constraint on the agent's reasons for action. Consequently, the revised version of **MR1**, which specifies weakly reasons-responsive mechanisms as those which are not defective, is inadequate as a condition for responsibility for actions.

However, this second analysis of Schoeman's example brings to light the source of the problem with the condition of weak reasons-responsiveness. The problem may be *not* that the mechanism on which the agent acts is defective but that the preferences which the agent has are insane. We can imagine the killer acting on weakly reasons-responsive mechanisms, carrying out his plan and still not being capable of responsible agency just because he is insane in the sense that he has insane preferences. I am not claiming that every person who has a preference to kill is insane. Rather, I am suggesting that in this example it appears - from what Schoeman says and the historical details that I have added - that the killer is insane. Furthermore, I want to suggest that the killer is insane because, in some important sense, *he does not have control* over the formation of his preferences. I believe that the significance of this example for Fischer and Ravizza is that their condition **MR1** does not address the fact that *an agent can have actual causal control of specific actions without having had control over the formation of the preferences or of the reasons that motivate those actions*. I have suggested that Fischer and Ravizza have assumed a thin theory of rationality. The thin theory requires only that an agent's reasons are consistent, that they are reasons for the action and that they cause the action in the right way. The point is that in order to determine who is a rational candidate for responsible agency Fischer and Ravizza must place constraints on reasons and preferences beyond those required by the thin theory of rationality. Thus, in a second attempt to revise the condition of weak

reasons-responsiveness, I suggest that Fischer and Ravizza restrict the reasons and preferences pertinent to weak reasons-responsiveness by adopting a broad theory of rationality.

At this point I want to say a bit more about preferences and their relationship to reasons and actions. I am using "preference" broadly to mean desire, motive or value. Moreover, I have said that an agent's reasons are his beliefs and desires. The idea is that the satisfaction of a preference is the goal of an intentional action. In order to satisfy a preference one chooses among various possible courses of action on the basis of one's reasons - one's beliefs and desires. Elster uses the following example to illustrate the relationship of preferences to reasons. Suppose that an agent is hungry and has a preference for eating an apple. He sees a fruit bowl with various kinds of fruit in it including an apple. The agent satisfies his preference for an apple by performing the intentional actions of taking the apple from the bowl and eating it. The explanation for his action of taking the apple is that he *prefers* the apple. Moreover, his action is based on reasons. He *believes* that there is an apple in the bowl, that it has a certain taste etc. And, he *desires* the apple more than any of the other fruits in the bowl.[34]

Clearly, an agent's preferences and reasons are closely related, but I claim that they are also interdependent. That is, an agent forms her beliefs on the basis of the information available, and those beliefs affect the formation of her preferences. Moreover, the agent's selection of reasons for evaluation, deliberation and decision is affected by her preferences. An agent cannot respond to the reasons there are if she does not know or is incapable of recognizing what reasons there are. Consider two examples that illustrate the interdependence of preferences and reasons. The first example concerns the members of the Hitler Youth who grew up in the Germany of the late 1930's. The members of the Youth may have formed preferences to hate Jews because they were indoctrinated with false information by Hitler's propaganda machine. And, once those persons formed preferences to hate Jews, they may have been incapable of recognizing information which would change those preferences. At that time and place in history - the Germany of the late 1930's, a Hitler Youth's preference to hate Jews would be so entrenched that she would discount whatever evidence she might encounter that was contrary to Hitler's propaganda as a plot by Jews to take over the country. For a second illustration of the interdependence of preferences and reasons, I return to Schoeman's example. I suggested in my analysis of

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[34] Elster, p. 5.

that example that an agent who lacks the competence for responsible agency may not have control over the formation of his preferences. I want to suggest that, because of a neurological pathology, the killer in Schoeman's example is incapable of processing information in a way that leads to the formation of rational preferences. Recall the analogy to the computer system. If the program which processes the data is flawed, the output - the revised preferences or dispositions or actions - may be wrong. Moreover, once the killer forms insane preferences such as the preference to murder others with a sabre, those preferences affect his personal conceptual scheme - the way he partitions the information in the environment into reasons. He may acts on reasons-responsive mechanisms, but those mechanisms respond to reasons that issue in actions which satisfy his insane preferences. These examples illustrate the fact that an agent's preferences and reasons are not only related but also interdependent.

Schoeman's counterexample points to the fact that, on the thin theory of rationality, the condition of weak reasons-responsiveness places too weak a rationality constraint on reasons for action. The condition allows bizarre factors to count as reasons thereby including persons such as insane persons among those capable of responsible agency. Furthermore, Fischer's analysis of strong reasons-responsiveness shows that, on the full normative theory of the true and the good, the condition of strong reasons-responsiveness places too strong a rationality constraint on reasons for action thereby excluding persons who fail to perform actions that "track value" from being held responsible. If Fischer and Ravizza were to adopt a broad theory of rationality, they could examine the causal history of an agent's preferences and reasons to determine rationality. Only those preferences and reasons with the right sort of causal history would be considered rational in the fuller sense required by the broad theory. Moreover, I believe that the broad theory fits well with the spirit of Fischer and Ravizza's project. In support of this contention I note that Fischer characterizes his theory of moral responsibility as an historical theory. He says that it matters what kind of process issues in an action. Specifically , he characterizes moral responsibility as an *historical* phenomenon in the same way that Nozick characterizes distributive justice as an historical phenomenon.[35] For Nozick, past circumstances or the actions of persons make a difference for distributive justice. According to Nozick one does not arrive at a just distribution using a structural principle that looks exclusively at who ends up with what. One arrives at a just distribution by an historical principle that takes into account not only what the distribution embodies but also *how the distribution came*

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[35] Fischer, p. 105. See also Robert Nozick, *Anarchy, State, and Utopia*, (New York: Basic Books, Inc., 1974), pp. 153-55.

about. Similarly Fischer and Ravizza could say that whether a person is morally responsible for an action depends not only on the fact that the action issues from a weakly reasons-responsive mechanism but also on the causal history of the preferences and reasons to which the mechanism responds. Since preferences and reasons motivate the action, *how those preferences and reasons came about* makes a difference in determining moral responsibility for the action. By adopting Elster's broad theory of rationality Fischer and Ravizza could develop this historical theme evaluating the rationality of reasons and preferences by considering the way in which they came about - their causal history.

The question then arises as to how one examines the an agent's preferences and reasons to determine whether they are rational on the broad theory. While I cannot pursue this question here, I want to suggest the direction that the theorist should take in order to answer this question. I noted that Elster says that one determines the rationality of a belief by evaluating the relationship between the belief and the available evidence. The important point is that an agent must have *control* over the formation of the belief in the sense that Elster indicates. There are epistemological theories which tell one how to determine the rationality of a belief. Furthermore, Elster says that one determines the rationality of a desire or preference by ascertaining whether it is autonomous. There are, of course, many theories on what counts as an autonomous desire - Wolf's or Brandt's, for example. Again, the important point is that the agent *controls* the formation of his preferences through a process of evaluation and decision based on facts and logic.

In this section I endeavored to solve the problem with the condition of weak reasons-responsiveness - the fact that the condition places too weak a rationality constraint on an agent's reasons for action. I tried revising the condition of weak reasons-responsiveness in the two possible ways that Fischer suggests but does not pursue. First, I attempted to restrict the mechanisms pertinent to moral responsibility by distinguishing between mechanisms which exhibit at least a minimum degree of rational response to reasons and mechanisms which are defective because they do not. This revision failed to solve the problem. Even if one excludes defective mechanisms, on a thin theory of rationality the condition of weak reasons-responsiveness places too weak a rationality constraint on the agent's reasons for action. In a second attempt to revise the condition, I suggested that Fischer and Ravizza could solve the problem by adopting a broad theory of rationality. On the broad theory one could restrict the preferences and reasons pertinent to weak reasons-responsiveness by examining their causal history. Only those preferences and reasons with

the right sort of causal history would count as rational in determining whether an agent is a rational candidate for responsible agency.

2.5 Refinements to the Condition of Weak Reasons-responsiveness

The condition of weak reasons-responsiveness requires further explication. In this section I discuss two refinements to the condition - the identification of mechanisms relevant to ascriptions of responsible agency and the relationship of mechanisms to agents' dispositions. First, I discuss which mechanisms are relevant to ascriptions of moral responsibility. Note that Fischer and Ravizza do not explicate the notion of a mechanism. They rely on one's intuitive grasp of what a mechanism is and of how one could individuate mechanisms that issue in action. Although Fischer admits that his theory does not include a general principle which specifies which mechanism is *the* mechanism relevant to the ascription of moral responsibility, he assumes that there always is one. Furthermore, Fischer does tell us which mechanisms he believes are relevant from an intuitive, natural point of view. He distinguishes between mechanisms which are not reasons-responsive and those which are. Mechanisms which entail that an action will take place as a result of an agent's deliberation are not reasons-responsive and, therefore, are not relevant to ascriptions of moral responsibility. That is, if a mechanism **M** issues in the action **X**, then **M** is relevant to the agent's responsibility for **X** only if **M**'s operating does not *entail* that **X** occurs. For example, in *Assassin* Sam deliberates and decides whether or not to shoot the mayor. If we were to say that the mechanism on which Sam acts is "deliberation preceding his shooting the mayor," then that mechanism would entail that the action, "Sam shoots the mayor," occurs. If that mechanism were the relevant one, then it would be logically impossible that Sam not shoot the mayor. That mechanism is not the one relevant to the ascription of moral responsibility. If we consider how we actually did analyze the example, we would say that the mechanism on which Sam acts is "deliberation on whether or not to shoot the mayor." This mechanism does not entail that the action, "Sam shoots the mayor," will occur. This mechanism is reasons-responsive and is relevant to the ascription of moral responsibility.

Consider another example. Susan is a drug addict who has an irresistible desire to take the drug. On the one hand, one might suggest that Susan acts on the mechanism "deliberation involving an irresistible desire to take the drug." But if Susan acts on that mechanism her deliberation entails her action. As a result, the mechanism is insensitive to all reasons and is not pertinent to the ascription of moral responsibility because it is not reasons-responsive. On the other hand, one could say that Susan acts on the mechanism

"deliberation involving an irresistible desire." Since this mechanism is reasons-responsive, it is one that is pertinent to the ascription of moral responsibility. However, if Susan acts on this mechanism, there is a possible scenario in which Susan refrains from taking the drug. That is, she is morally responsible - a rational candidate for praise or blame on account of her behavior. Fischer correctly suggests that this result does not accord with our intuition that Susan is not responsible for her action. When she is in the throes of an irresistible desire, she is incapable of acting rationally. Therefore, neither of these mechanisms is the one pertinent to the ascription of moral responsibility. Rather, according to Fischer there is a mechanism **P**, involving a physical process that is not reasons-responsive, which is pertinent to the ascription of moral responsibility. In other words, we have reason to believe that in cases of physical addiction when a person is overcome by an irresistible desire, the person's will to action arises from physical causes which bypass the person's motivational system.

Consider a variation of this example suggested by Ishtiyaque Haji. In Haji's example, Susan has an extremely strong, but not irresistible, desire for the drug. She has a small supply of the drug - only enough for herself. Furthermore, Susan correctly believes that if she does not take the drug, she will die. Susan takes the drug at *t*. Moreover, Susan would take the drug under all circumstances except one. If she believed that her young son, who is also addicted, would die if she did not give him the drug, she would give the drug to her son. The question arises as to whether Susan is morally responsible for taking the drug. On Haji's view, she is not morally responsible because she is a drug addict and her desire for the drug is extremely strong. But according to Fischer, if there is some possible reason for which an agent would do otherwise, she acts on a weakly reasons-responsive mechanism and is morally responsible for her action. Since Susan would do other than take the drug for the possible reason that her son would die if she did not give him the drug - even though she believes that not taking the drug would result in her own death, it seems that Fischer must say that she is morally responsible for her action of taking the drug.

As Haji points out, our intuitions tell us that even a drug addict whose desire for the drug is not irresistible but very strong is *not* responsible for her actions. Haji claims that Fischer must say that a drug addict such as Susan is morally responsible for her actions when her desire for the drug is not irresistible because she acts on a weakly reasons-responsive mechanism. I think that Fischer has at least two possible responses to Haji's objection. First, I think our intuitions concerning the moral responsibility of drug addicts are far from

clear. While, as Fischer points out, it is clear that a drug addict who is in the throes of an *irresistible* desire is not morally responsible for her actions, it is unclear whether a drug addict with varying degrees of desire for the drug is or is not morally responsible. I think the answer to the question of whether drug addicts with varying degrees of desire are morally responsible depends on the results of empirical research about how addiction affects the physical and motivational systems of addicts.

Secondly and more importantly, Fischer need not say that an addict who has a strong desire for the drug is responsible for her actions. Fischer could point out that one need not think that a person such as a drug addict *always* acts on the same type of mechanism. If the addict were sometimes capable of acting for her own reasons - at times when the desire for the drug was *not* irresistible and *not* extremely strong, then at those times the mechanism pertinent to the ascription of responsibility would be the mechanism "deliberation involving a desire for the drug" and the addict would be responsible for the action issuing from that mechanism. At other times, when the addict's desire was irresistible or very strong, the mechanism pertinent to the ascription of responsibility would be the mechanism **P** involving a physical process that is not reasons-responsive. However, the critic could point out that Fischer must be careful not to deflect criticism of the condition of weak reasons-responsiveness by saying that the weakly reasons-responsive mechanism is not the one pertinent to ascribing moral responsibility. Such a move by Fischer could be viewed as a way of sidestepping criticism by resorting to an ad hoc choice of the mechanism pertinent to moral responsibility. Nevertheless, the purpose of Fischer's discussion about identification of mechanisms is to highlight the importance of identifying the correct mechanism pertinent to the ascription of moral responsibility. And, Fischer makes it clear that the mechanism pertinent to the ascription of responsibility may not be the weakly reasons-responsive one. The problem for Fischer - a problem which he acknowledges but does not address - is the problem of determining *which mechanism is the relevant one for ascribing moral responsibility*. Fischer admits that his theory does not tell us how to determine which mechanism is the relevant one, but he assumes that there always is one.

Secondly, I discuss the relationship between mechanisms and agents' dispositions. Suppose an agent acts at t1 on a reasons-responsive mechanism that results in his acting at t2 on a mechanism that is not reasons-responsive. According to Fischer, he is morally responsible for his actions at t2. For example, suppose a drug addict wants to overcome her addiction. In Frankfurt's terminology, she is an unwilling addict. She has a first-order desire to take the drug which is in conflict with her higher-order desire to overcome her

addiction. In order to overcome the addiction, she agrees to allow a therapist to introduce in her a sensitivity to a post-hypnotic suggestion which will trigger a feeling of nausea in her when she thinks of taking the drug. If the unwilling addict manages to overcome her addiction based on this therapy, she is responsible for the result even though her action of not taking the drug issues from a mechanism - the one triggered by post-hypnotic suggestion - that bypasses her motivational system. Fischer would say that the mechanism is a physical one that is not reasons-responsive. However, the addict is responsible for actions issuing from the physical mechanism because she deliberates and decides, based on reasons, voluntarily to allow the post-hypnotic suggestion to be introduced. The addict agrees at t1, on the basis of a reasons-responsive mechanism, to act at t2 on a mechanism that is not reasons-responsive. In other words, she deliberately makes herself unresponsive to the physical effects of addiction in order to achieve her purpose of overcoming the addiction. Consider another example. A lawyer, who wants to lose ten pounds, begins a daily jogging program. He does lose ten pounds as a result of following the program, but he does not stop jogging. He has developed a disposition to jog every day without even thinking about it, that is, regardless of the weather, of injuries, of illness etc. The mechanism on which he acts is not reasons-responsive. But, the lawyer is responsible for his actions because the original mechanism which resulted in his disposition to jog was reasons-responsive. According to Fischer, the upshot is that if an individual adopts a disposition through a process of deliberation and decision based on reasons, he is responsible for the actions that flow from that disposition. These examples illustrate how a person's intentional or purposive behavior can result in his acting on mechanisms that are not reasons-responsive.

Fischer's view on one's responsibility for one's dispositions raises some questions about the relationship between the origin of one's dispositions and one's responsibility for them. In the example of the drug addict it seems clear that the addict is responsible for overcoming her addiction. She acted on a reasons-responsive mechanism at t1 in order to make herself responsive to a post-hypnotic suggestion and, thus, unresponsive to the physical effects of addiction at t2. In the example of the lawyer who adopts a disposition to jog in order to lose ten pounds, one could raise the question of whether the lawyer, who continues to jog after he loses the ten pounds in the face of illness and injury, is acting out of compulsion. That is, the lawyer's reason for adopting the disposition was to lose ten pounds. It was not his intention to continue to jog and to become compulsive about it. Therefore, the lawyer may not be responsible for his disposition to continue to jog. Now consider an example suggested by Haji. Suppose Jane, a housewife who has difficulty making decisions,

agrees at t1 on the basis of a reasons-responsive mechanism to become a compliant victim. She allows her husband Jack - the evil genius - to implant a device in her brain which gives him control of her decisions and actions from that time on. The question arises as to whether Jane is responsible for her actions after the device has been implanted even though those actions issue from a mechanism which is not reasons-responsive. It appears that, according to Fischer, Jane would be responsible. Fischer says,

> "It is only when it is true that at *no suitable point along the path to the action* did a reasons-responsive mechanism operate that an agent will not properly be held responsible for an action." (my italics)[36]

This comment raises the question of what Fischer considers as a "suitable point" and what the scope of the "path to the action" is. I suggest that Fischer, in assessing whether a person is a rational candidate for praise or blame for a particular action, must restrict the scope of the path to action to the agent's bringing about a particular bodily movement. In other words, **MR1** tells us under what conditions an agent is responsible for an action that is identical to a particular bodily movement. The question of whether an agent is responsible for a particular disposition is a different question, one not addressed in **MR1**. The question about whether an agent is responsible for adoption of a particular disposition because he acts on a reasons-responsive mechanism at t1 is a question about the consequences of the action he performs at t1. Fischer and Ravizza address the question of consequences for one's actions in "Responsibility and Inevitability." However, they do not discuss this interesting and complex question about an agent's responsibility for the formation of his dispositions.

2.6 Summary

In this chapter I outlined how Fischer and Ravizza, relying on the intuitions elicited by the examples in chapter 1, develop their sketch of a theory of moral responsibility by formulating two conditions for moral responsibility - one for actions and one for omissions. I then analyzed and assessed their condition for responsibility for actions, **MR1**, which says that the fact that an agent has actual causal control of an action is a sufficient condition for the moral responsibility of the agent for the action. An agent has actual causal control of her action if it arises from the normal process of deliberation and decision based on reasons. Fischer and Ravizza capture this intuition by claiming that the agent's action issues from a weakly reasons-responsive mechanism. They say the mechanism is "weakly" reasons-responsive because there is some possible reason for

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[36] Ibid., p. 99.

which the agent would do otherwise but that reason need not be one that ensures that the agent's action tracks value.

However, the counterexample presented by Ferdinand Schoeman shows that the condition of weak reasons-responsiveness places too weak a rationality constraint on an agent's reasons for action. In an attempt to solve the problem, I developed the two possible solutions suggested by Fischer. First, I attempted to restrict the mechanisms pertinent to weak reasons-responsiveness by distinguishing between mechanisms which exhibit at least a minimum degree of rational response to reasons and mechanisms which are defective because they do not. I wanted to show that the agent in Schoeman's counterexample would act on a defective mechanism in the alternative scenario in which he would respond to a bizarre reason. This attempt at a solution failed because it became apparent that, on the thin theory of rationality, the possible reason to which the killer would respond in the alternative scenario might be rational. On a thin theory of rationality even if one excludes defective mechanisms, the condition of weak reasons-responsiveness places too weak a rationality constraint on the agent's reasons for action. In a second attempt to revise the condition, I suggested that Fischer and Ravizza could solve the problem by adopting a broad theory of rationality. The broad theory fits well with the spirit of Fischer and Ravizza's project because Fischer characterizes their theory of moral responsibility as an historical one. He says that it matters what kind of process issues in an action. On the broad theory one could restrict the preferences and reasons pertinent to weak reasons-responsiveness by examining their causal history. Only those preferences and reasons with the right sort of causal history would count as rational in determining whether an agent is a rational candidate for responsible agency.

I noted in chapter 1 that Fischer and Ravizza's theory of moral responsibility arises out of the debate over free will and causal determinism. The compatibilist claims that free will and causal determinism are compatible, whereas the incompatibilist claims they are not. If the incompatibilist is correct in claiming that if one is causally determined to do what one does, one is not free because one cannot do otherwise, then the moral responsibility of persons for their actions is threatened. Fischer and Ravizza's actual-sequence model of responsibility for actions answers the incompatibilist's challenge. The advantage of their model is that one can claim not only that a person does not have the freedom to do otherwise because of necessitation in the alternative sequence but also that the person's actions in the actual sequence are causally determined. Nevertheless, one can maintain that the person is morally responsible because she has actual causal control of her action in

virtue of the fact that she acts on reasons-responsive mechanisms. On this view, moral responsibility for actions is compatible with causal determinism even if causal determinism is incompatible with freedom to do otherwise. What Fischer calls semicompatibilism is the view that one can be a compatibilist about causal determinism and moral responsibility and be either a compatibilist or an incompatibilist about causal determinism and freedom to do otherwise.

Fischer and Ravizza, like other compatibilists, are committed to maintaining the association of responsibility with control. For actions they maintain that association by presenting an actual-sequence model of moral responsibility. But, they do not adopt an actual-sequence model for omissions. In developing an account of omission as the not bringing about (*not causing*) relation between an agent and some possible bodily movement, they close the option of maintaining the association of responsibility with control through actual causal control. For omissions they preserve the association of responsibility with control by requiring that the agent could have done otherwise. The asymmetry thesis results from this analysis.

In chapter 3 I question the asymmetry thesis by comparing Fischer and Ravizza's analysis of responsibility for omissions to one that does not require alternative possibilities. The rival analysis is an actual-sequence model in which one ascribes responsibility for omissions on the basis of what occurs in the actual sequence of events without considering alternative sequences. I argue that the Fischer/Ravizza model is superior to the actual-sequence model of responsibility for omissions because the Fischer/Ravizza model both preserves the association of responsibility with control and offers greater explanatory power.

Chapter 3
Responsibility for Omissions

In chapter 2 I analyzed and assessed the first condition in Fischer and Ravizza's asymmetrical account of moral responsibility, **MR1**, which did not require alternative possibilities for one to be responsible for one's actions. In this chapter I analyze and assess the second condition, **MR2**, which does require alternative possibilities for one to be morally responsible for one's omissions. **MR2** says the following:
The fact that an agent has regulative control over the relevant action[1] is a necessary condition for the moral responsibility of the agent for her failure to perform the action. An agent has regulative control over an action if she can either ensure the occurrence of the action or prevent it. This condition is equivalent to **PPA** which says that an agent is morally responsible for failing to perform a given action only if she could have performed that action.

In analyzing **MR2** I question Fischer and Ravizza's asymmetry thesis by comparing their analysis to one that does not require alternative possibilities. The rival analysis is an actual-sequence model in which one ascribes responsibility for omissions on the basis of what occurs in the actual sequence of events without considering alternative sequences. I argue that the Fischer/Ravizza model is superior to the actual-sequence model for two reasons. First, the proponent of the actual sequence model fails to establish that regulative control is not a necessary condition for responsibility for omissions. Secondly, in the case of non-intentional omissions the actual-sequence model results in analyses that conflict with our intuitions about clear cases of moral responsibility. I point out that, as it stands, Fischer and Ravizza's account is incomplete for two reasons. First, it fails to provide a complete account of a Frankfurt-type counterexample. Secondly, it fails to give us a complete account of responsibility for non-intentional omissions. I claim, however, that the Fischer/Ravizza model has the flexibility to allow the revisions needed to handle Frankfurt-type examples and responsibility for non-intentional omissions.

Before I consider Fischer and Ravizza's condition for responsibility for omissions, I want briefly to consider an important distinction - the one between intentional and non-intentional omissions. I shall illustrate the distinction with examples rather than attempting to provide a precise explication of the slippery notion of intentional omission. *Sloth* provides a clear example of an intentional omission. John's failure to save the drowning child is intentional

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[1] Recall that on the Davidsonian analysis particular bodily movements are identical to particular actions and actions are identical to events.

because he considers whether to save the child and decides not to try. John wills not to try to save the child. Now consider an example of a non-intentional omission. Suppose Jane agrees to meet a friend for lunch but fails to meet him because she forgets. Jane's omission is non-intentional. If she had remembered, she would have willed to meet her friend and would have met him. In "Responsibility and Failure" Fischer says that it is desirable to have a theory of moral responsibility that encompasses both intentional and non-intentional omissions. He talks of omissions in the wide sense which includes both intentional and non-intentional omissions and in the narrow sense which includes only intentional omissions. He says,

> "It is desirable to have a theory of responsibility which applies to this broad [wide] notion of omission, as we often speak of an agent's being (or not being) morally responsible for not doing something (where his failure might not count as an omission, in the narrower sense of 'omission')."[2]

On the wide conception of omission an agent omits to do X whenever she does not do X. For instance, I am now omitting to stop the earth's rotation. Fischer says of the wide view, "Omission to do X needn't (in this sense) require explicit deliberation about X or the ability to do X, etc."[3] I note that Fischer's use of "omission" in the wide sense is not the normal use of the word. Normally, we do not think of an agent as "omitting" to do all the possible actions that she does not do.

One significant question that arises is whether there is a difference in the conditions for moral responsibility for non-intentional and intentional omissions. Another puzzle is why one considers some actions to be omitted and others simply "not done" when no intention is involved in the not-doing. I believe that this last question is related to the question of whether one is responsible only for those failures to act in which one had a duty to perform the action. Fischer has a two-stage approach to answering these questions. First, he says that it is desirable to have a theory of responsibility which applies to the wide notion of omission. Thus, the theory which determines whether an agent is a rational candidate for responsible agency should encompass all omissions - intentional, non-intentional and those (intentional or non-intentional) failures to act in which one had a duty to perform the action. Secondly, I think that Fischer would say that the supplementary theory, which sets out the conditions under which an agent ought to be praised or blamed, would address the related questions - the question of the relationship between an agent's failure to act and her duty to perform the action and the question of the degree of praise or blame that one ought to

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[2] John Martin Fischer, "Responsibility and Failure," *Proceedings of the Aristotelian Society*, 1984/5, p. 264.
[3] Ibid., p. 264.

ascribe for a particular omission. It would appear from what Fischer says in "Responsibility and Failure" that the condition of responsibility for omissions is supposed to apply to non-intentional as well as intentional omissions. Nevertheless, in "Responsibility and Inevitability" Fischer and Ravizza do not explicitly make the intentional/non-intentional distinction. Moreover, all of their examples are about intentional omissions. Following Fischer and Ravizza I shall, for the most part, discuss examples about intentional omissions. I shall raise the question of non-intentional omissions again towards the end of the discussion.

3.1 An Analysis of Fischer and Ravizza's Condition for Responsibility for Omissions, MR2

Recall that Fischer and Ravizza's asymmetry thesis comprises two claims. The first claim is that an action and an omission involve different types of relations, the "bringing about" and the "not bringing about" relation between the agent and some possible bodily movement. The second claim is that, although their analysis of actions and omissions is asymmetrical with respect to the requirement of alternative possibilities, it is symmetrical at a deep level. The deep principle of symmetry is that responsibility both for actions and for omissions requires that the agent be *in control* of a bodily movement.

Consider Fischer and Ravizza's first claim that an omission consists in the "not bringing about" relation between an agent and some possible bodily movement. In the example in chapter 2 the pilot *brings about* the event of turning the plane to the west because she brings about the physical movement of her arms which is identical to the action of turning the plane's wheel. If the pilot decided not to perform the action, she would *not bring about* the possible bodily movement. The pilot's not bringing about that event is a failure to act, an omission. According to Fischer and Ravizza then, if X is an event and X' is the related bodily movement, an agent omits to do X if the agent does not bring about (does not *cause*) X'. Note that on the Davidsonian analysis of events X is identical to X'. At this point I want to consider a counterexample to Fischer and Ravizza's analysis of omission suggested by Steven Davis. Suppose a judge instructs the members of a jury on voting for or against hanging Smith. A juror is to vote *for* the hanging by leaving her arm by her side. She is to vote *against* the hanging by raising her arm above her head. Jones votes to hang Smith. In casting her vote, she does not bring about the possible bodily movement of raising her arm. According to Fischer and Ravizza, Jones's not bringing about the possible bodily movement of raising her arm is an omission. But, in fact, Jones's not raising her arm is the action of voting to hang Smith.

Fischer and Ravizza could respond that Jones's leaving her arm by her side is an action. She *brings about* the possible bodily movement of leaving her arm by her side. Jones's *not bringing about* the possible bodily movement of raising her arm is the omission. She omits to vote for Smith's acquittal.[4] Nevertheless, the critic could say that this example shows that, if one uses Fischer and Ravizza's analysis of actions and omissions, whether one characterizes an event as an action or an omission is an arbitrary judgment. The problem arises because on the Davidsonian theory of action, which Fischer and Ravizza say they adopt for the sake of simiplicity, particular actions are identical to particular bodily movements. In Davis's example, when Jones votes for the hanging she does not bring about *any* bodily movement. On the face of it, Jones's action is the same as that of Sally, a non-voter who happens to have her arm by her side. The important point is that what Jones *wills* to do differs from what Sally *wills* to do. Jones has the intention (volition) of voting for the hanging by leaving her arm by her side. Sally, in leaving her arm by her side, has a different intention. Ishtiyaque Haji has suggested to me that Fischer and Ravizza can handle the objection by explicating their theory in terms of states of affairs rather than possible bodily movements. Fischer and Ravizza could say that an action and a failure to act involve different types of relations, the "bringing about" and the "not bringing about" relation respectively, between the agent and the same possible state of affairs. I believe that Fischer and Ravizza could accept this modification to their theory since they say that the Davidsonian analysis is not essential to their project. I discuss this proposed modification to Fischer and Ravizza's analysis in greater detail in section **3.3** when I discuss how the Fischer and Ravizza's account can be revised to handle responsibility for volitions.

Consider Fischer and Ravizza's second claim that their analysis of responsibility for actions and omissions is symmetrical at a deep level. The deep principle of symmetry is that responsibility both for actions and for omissions requires that the agent be *in control* of a bodily movement. I noted in Chapter 1 that Frankfurt opens the way for the compatibilist to claim that responsibility for actions does not require the sort of control inherent in having alternative possibilities. However, I also noted that Frankfurt does not dissociate moral responsibility for actions from the need for one to have some sort of control. Neither does he dissociate moral responsibility for omissions from the need for the agent to have control. Thus, Fischer and Ravizza, like other compatibilists, are committed to maintaining the

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[4] Martin Hahn suggests a perspicuous way to view Fischer and Ravizza's distinction between bringing about and not bringing about a bodily movement. The distinction is not an active/passive distinction but an actual/possible one.

association of responsibility with control. For actions they maintain that association by presenting an actual-sequence model of moral responsibility. There is no requirement of alternative possibilities. One ascribes responsibility on the basis of what occurs in the actual sequence of events. But what about omissions? Is an actual-sequence model of responsibility for omissions feasible and what would such a model require? Fischer and Ravizza say,

> "...in order to develop a full theory of moral responsibility which is an actual-sequence approach, it would be necessary to argue that in any case of apparent moral responsibility for an omission, there is some action....for which the agent is morally responsible (and to which there need be no alternative possibility)."[5]

Fischer and Ravizza do not adopt an actual-sequence model for omissions. In developing an account of omission as the not bringing about (*not causing*) relation between an agent and some possible bodily movement, they close the option of maintaining the association of responsibility with control through actual causal control. Consequently, in order to defend **PPA** they must present an associationist strategy that maintains the association of responsibility with control in some other way.

For omissions, Fischer and Ravizza maintain the association of responsibility with control by requiring that the agent have regulative control. Recall that an agent has regulative control over the occurrence of an event if there is an alternative possibility open to her. For an event *a* the agent can ensure that *a* occurs at t or prevent *a* from occurring at t. Moreover, this condition is equivalent to **PPA**. However, the question arises as to why one should accept the deep principle of symmetry that an agent's responsibility both for actions and for omissions requires control of some possible bodily movement. In "Responsibility and Failure" Fischer admits that he has not proven the deep principle of symmetry. He says he does not know how one would prove it but says it is "...a plausible and attractive principle which embodies, at a deep level, a symmetric account of moral responsibility."[6] I think, however, that I can provide some further motivation for acceptance of the deep principle of symmetry.

As I noted in Chapter 1 theorists have associated responsibility with acting freely and acting freely with being in control. I suggest that the sort of control that an agent must have in order to be responsible, the sort of control that Fischer and Ravizza want for actions and omissions, is that the agent has the *power* to do a particular action - to make a particular

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[5] John Martin Fischer and Mark Ravizza, "Responsibility and Inevitability," *Ethics*, January, 1991, p. 277.

[6] Fischer, p. 269.

bodily movement. The deep principle of symmetry is grounded in this sort of control. Moreover, the asymmetry thesis follows from the fact that the agent must have the power to make the particular bodily movement. In the case in which an agent performs an action, not only does he have the *power* to bring about the relevant bodily movement, he does bring it about. If he acts for his own reasons, he is responsible for his action even though there is no alternative possibility open to him. In the case of an omission the agent has the *power* to bring about the relevant bodily movement but does not bring it about. The omission just *is* the not bringing about of the relevant bodily movement. Thus, for an omission the agent has the power both to bring about and not bring about the bodily movement. He has the power both to ensure the occurrence of the event and to prevent it. He can do otherwise. Thus, it follows from the deep principle of symmetry that an agent requires greater control to be responsible for an omission than he does to be responsible for an action.

Based on the deep principle of symmetry Fischer and Ravizza argue for the asymmetry thesis as follows:

P1 Suppose that the events doing X and not doing X involve a relation between the agent and some possible bodily movement X'. The deep principle of symmetry states that moral responsibility for doing X or not doing X requires control of X'.
P2 There are two kinds of control of X', actual causal control and regulative control.
P3 The fact that an agent has actual causal control of an action is a sufficient condition for the moral responsibility of the agent for the action. This is **MR1**. I have analyzed the arguments for **MR1** in the preceding chapter.
P4 When an agent omits to do X, the agent does not have actual causal control of the relevant bodily movement X'. This fact follows from the definition of an omission as the relation of "not bringing about" or "*not causing*" between the agent and a possible bodily movement.
P5 By the deep principle of symmetry in **P1**, the agent's moral responsibility for not doing X requires control of X'. Since by **P4** the agent does not have actual causal control of X' when he omits to do X, by **P2** he must have regulative control of X'.
C Regulative control of X' entails that the agent can both prevent the occurrence of X' and ensure it. Therefore, in order to be morally responsible for not doing X, the agent must be able to bring about X', that is, to do X.

The upshot is that if one accepts the deep principle of symmetry, one must conclude that an agent's responsibility for actions and omissions is asymmetrical with respect to the requirement for alternative possibilities.

In my discussion of the deep principle of symmetry above, I attempted to provide some motivation for acceptance of **P1**. However, one can also question **P2**. Why should one accept Fischer and Ravizza's claim that there are only two types of control which can warrant ascriptions of moral responsibility? In fact, when Fischer and Ravizza say that an agent's having actual causal control is a *sufficient* condition for responsibility for actions, they leave it an open question whether some other sort of control might also be sufficient. However, they claim that regulative control is a *necessary* condition for moral responsibility for omissions. Their claim is a strong one. The question is whether the critic of Fischer and Ravizza's view can show that regulative control is not necessary for responsibility for omissions. In the two sections that follow I consider two different attempts to show that responsibility for omissions requires a different sort of control than regulative control. In section **3.2** I review Frankfurt's attempt to require personal control for responsibility for omissions and Fischer's convincing rejection of that attempt. In section **3.3** I assess the notion of control that underlies an actual-sequence model of responsibility for omissions. I argue that the proponent of the actual-sequence model fails to establish conclusively that there is another type of control that grounds moral responsibility for omissions.

3.2 Frankfurt's Objection to the Fischer/Ravizza Account of Responsibility for Omissions

In this section I consider Frankfurt's objection to the Fischer/Ravizza account of responsibility for omissions. In "What We Are Morally Responsible For," Frankfurt contends that there is no requirement of alternative possibilities for an omission if the omission is a personal one. He divides omissions into two classes, personal and impersonal, and argues that proponents of the asymmetry thesis generalize from an inappropriate sample - the impersonal omissions - in formulating their thesis. An omission is *impersonal* if it would have occurred no matter what bodily movements the agent had made; it is *personal* if it would *not* have occurred no matter what bodily movements the agent had made. Frankfurt also distinguishes between full responsibility and moral responsibility. He says, "A person is fully responsible, then, for all and only those events or states of affairs which come about because of what he does and which would not come about if he did otherwise." Frankfurt adopts a Davidsonian account of agency and concludes, based on that account, that an agent is fully and morally and personally

responsible *for her bodily movements*. He leaves it an open question whether moral responsibility presupposes full responsibility in other cases.[7] I suggest that Frankfurt makes a distinction between personal and impersonal omissions in an attempt to capture the intuition that one must have some sort of control - personal control which, on Frankfurt's account, is equivalent to control of one's bodily movements - in order to be responsible for an omission.

Consider the following examples which illustrate the distinction between personal and impersonal omissions. In the first example, Smith looks out the window and sees a senior citizen being attacked by a gang of thugs. Because Smith wants to avoid involvement, he fails to call the police. But, unknown to Smith, the telephone line has been cut and he could not have called the police. Frankfurt would say that Smith's omission is impersonal because it would have occurred no matter what bodily movements Smith made. Therefore on Frankfurt's view, Smith is not fully responsible for the omission.[8] In the second example Jones, who is driving along the highway, keeps looking at the scenery to the left. Moreover, if the scenery had not distracted him something else would have. Jones's failure to keep his eyes on the road is unavoidable. According to Frankfurt, Jones is fully and morally responsible for his omission because it is personal. What Jones does - how he moves his body - is both a necessary and a sufficient condition for his omission. One cannot say that the omission would have occurred no matter what bodily movements Jones had made. Thus, on Frankfurt's view, there is no requirement of alternative possibilities for one to be morally responsible for actions or for personal omissions.[9]

Fischer offers convincing counterexamples which refute Frankfurt's challenge to the claim that responsibility for omissions requires alternative possibilities. Suppose that, in the first example, the telephone line had not been cut. Rather, Smith fails to call the police because he suffers a bout of temporary paralysis when he tries to walk to the telephone. According to Frankfurt, Smith's omission is personal because he fails to make a bodily movement.

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[7] Harry Frankfurt, "What We Are Morally Responsible For," *HOW MANY QUESTIONS Essays in Honor of Sidney Morgenbesser*, eds. Leigh S. Cauman et al., (Indianapolis, Indiana: Hackett Publishing Co., 1983) p. 326.

[8] As I noted previously, Frankfurt distinguishes between full responsibility and moral responsibility. He says, "...full responsibility is not a necessary condition for moral responsibility. Thus I believe that [Smith] *may be* morally responsible for failing to call the police even though he could not have avoided the failure. But I do not propose to defend this position here." (my italics) Frankfurt suggests, however, that one may want to redescribe Smith's failure in terms of what was within his personal control. That is, since the telephone line has been cut, Smith is responsible for failing *to try to call the police*. Ibid., p. 327.

[9] Frankfurt's point is that, although both omissions (Smith's and Jones's) are unavoidable, the agent is fully and morally responsible for the personal one because it is constituted in his bodily movements. The agent's bodily movements are both a necessary and a sufficient condition for the omission. Ibid., p. 330.

The omission would not have occurred no matter what bodily movements Smith had made. On Frankfurt's view, Smith would be responsible for the omission. Fischer correctly points out that our intuitions tell us that Smith is not responsible for failing to call the police either when the telephone line has been cut or when he suffers paralysis. Moreover, **MR2** in the Fischer/Ravizza account explains why Smith would not be responsible for the omission in either case. Smith does not have regulative control over the event, "Smith's calling the police." He cannot both ensure the occurrence of the event and prevent it. Now consider the case described in chapter 1 *Sloth* in which John sees a child drowning and does not try to save her. Fischer and Ravizza conclude that John is not responsible for failing to save the child because the child drowned one second after John decided not to jump into the water. On Frankfurt's view, John's failure is impersonal because he would have failed to save the child no matter what bodily movements he made. Suppose, however, that the child did not drown immediately but continued to struggle. And, suppose John jumped into the water, began swimming to the child but failed to save the child because he was attacked by a school of sharks. His failure would be personal. It is not true that the failure would have occurred no matter what bodily movements he had made. If he had managed to swim to the child, he would have saved her. Moreover, the failure would not have occurred if he had not made the bodily movements of jumping into the water. Nevertheless, intuitively we want to say that John is not responsible for failing to save the child either when she drowns immediately or when the sharks attack John. Moreover, **MR2** explains why John would not be responsible for the omission in either case. John does not have regulative control over the event, "John's saving the child."

Fischer speculates that Frankfurt, after considering Fischer's arguments about Smith and John, could amend his account to say "a failure is impersonal if, and only if, it would occur, no matter how the agent moves his body, among all the ways in which the agent *can* move his body."[10] Fischer correctly points out that the revision would be unacceptable to Frankfurt because on the revised account Jones's failure to keep his eyes on the road would be impersonal. Frankfurt stipulates that Jones's failure is unavoidable. Jones *cannot* keep his eyes on the road ahead. Jones keeps looking at the scenery to the left and, if the scenery had not distracted him, something else would have.

I suggested above that Frankfurt makes the personal/impersonal distinction in an attempt to capture the intuition that one needs some sort of control in order to be responsible for a

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[10] Fischer, p. 260.

failure to act. I believe that Frankfurt's distinction is based on the presupposition that an agent has control of her bodily movements - since one normally does. On the basis of that presupposition, Frankfurt ties responsibility for a failure to act to whether the event would have occurred no matter what bodily movements the agent had made. When the omission is personal the agent is responsible even if she could not have done otherwise. The assumption is that she is in control of her bodily movements and is therefore responsible for her failure to act. If the omission would have occurred no matter what bodily movements she had made, it is impersonal and the agent is not responsible. The assumption is that factors outside of the agent's control caused the event. However, Fischer's counterexample about Smith's temporary bout of paralysis shows that the presupposition that agents always have control of their bodily movements is false. In summary, Frankfurt's challenge to Fischer and Ravizza's claim that there is a requirement of alternative possibilities for omissions fails because his distinction between personal and impersonal omissions does not account for our intuitions about clear cases of responsible agency.

3.3 A Comparison of an Actual-sequence Model and the Fischer/Ravizza Model for Responsibility for Omissions

In *An Essay on Moral Responsibility* Michael Zimmerman presents an analysis which provides a starting point for an actual-sequence model of responsibility for omissions. Zimmerman attacks the heart of Fischer and Ravizza's account - their contention that an agent must have regulative control in order to be responsible for an omission. He says,

> "I take the following...to be *false* ...S is morally responsible for not bringing about *e* only if he could have brought about *e*."[11]

Zimmerman's analysis rests on two claims. First, he says that intentional omissions cannot be accomplished without intentionally doing something in place of what one omits to do. Secondly, he claims that omissions may be causal consequences of other events. He says,

> "...they [omissions] may (in virtue of the not-doings which they comprise)be consequences, either causal or simple, of other events. The manner in which they may be causal consequences of other events differs somewhat from the manner in which 'normal,' 'positive' events may be causal consequences. For instance, an omission may be the consequence of a volition, as in the case of intentional omission, but *only* by way of a 'normal' event."[12]

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[11] Michael Zimmerman, *An Essay on Moral Responsibility*, (Totowa, New Jersey: Rowman & Littlefield, 1988) p. 125.
[12] Ibid., p. 23.

The idea is that if Smith intentionally omits to turn on the light, then he has a volition that causes (brings about) a "normal" event such as causing his arm to remain by his side. The normal event is (in the circumstances) causally incompatible with turning on the light. Therefore, the negative event of not turning on the light is a causal consequence (via a circuitous route) of the volition and, in virtue of this, the omitting to turn on the light is also a causal consequence of the volition.

Although Zimmerman claims that omissions may be causal consequences of other events, he commits himself to ascribing responsibility to agents only for their volitions, leaving the question of responsibility for consequences an open one. Nevertheless, he suggests several positions the theorist might adopt in ascribing responsibility for consequences. He says the least misleading of these is the Internalist Position. The Internalist proposes an actual-sequence model of responsibility for omissions. Since the actual-sequence model does not require alternative possibilities, it is the antithesis of Fischer and Ravizza's asymmetrical account. Before I compare the Fischer/Ravizza model to the actual-sequence model by analyzing some examples, I present the salient points of Zimmerman's account of moral responsibility and the extension of that account in the Internalist Position.

According to Zimmerman, appraisability is the worthiness of an agent of appraisal - of being judged. If one is judged as praiseworthy, one is laudable. He says metaphorically that one has "credits" in one's ledger. If one is judged as blameworthy, one is culpable. One has "debits" in one's ledger. Zimmerman distinguishes between direct and indirect appraisability (laudability and culpability.) In order to understand what he means by that distinction one must be aware of his distinction between direct and indirect freedom. An agent is directly free only with respect to her volitions. A volition is an agent's decision or choice that an event occur and is based on her *belief* that she has regulative control over the occurrence of the event. The idea is that it is only the agent's volitions that are subject to her direct manipulation. She is indirectly free with respect to the consequences of those volitions for which she is directly free. Suppose that an agent has a volition v and $f1, f2$ and $f3$ are the consequences of that volition - the chain of events issuing from it. If the agent is directly free with respect to v, then she is also free with respect to $f1, f2$ and $f3$. However, her freedom with respect to $f1, f2$ and $f3$ is parasitic on her freedom with respect to v. She is directly free with respect to v because she has regulative control over v. She is only indirectly free with respect to $f1, f2$ and $f3$ because they are beyond her control in

some important sense.[13] Recall Frankfurt's discussion of personal omissions. I suggested that Frankfurt presupposes that an agent has control of her bodily movements. I noted, however, that Fischer makes it clear that even though an agent normally has control of her bodily movements, she may not. She may have a volition to move but become temporarily paralyzed. The upshot is that even those bodily movements which are consequences of an agent's volition to move are out of her control in some important sense. Consequently, an agent's direct appraisability does not extend beyond her volition and is a function of *willing to do* right or wrong, not of *doing* right or wrong. Zimmerman highlights the fact that agents have direct freedom and regulative control only with respect to their volitions by distinguishing between direct appraisability for volitions and indirect appraisability for the consequences of those volitions.

On Zimmerman's view, one is directly appraisable for one's volitions and indirectly appraisable for the consequences of those volitions. But what is his view on appraisability for those entities of concern to Fischer and Ravizza, actions and omissions? According to Zimmerman, an action is the bringing about of an event and one brings about an event by having a volition that causes the event. He says that actions are complexes of volitions and their consequences. Since appraisability for volitions is direct and appraisability for consequences is indirect and actions are complexes of the two, appraisability for actions involves a conjunction of direct and indirect appraisability. If *e* is an action, Zimmerman says appraisability for *e* is *conjoint* as follows:

> "S is conjointly laudable [culpable] to degree *x* for bringing about *e* if, and only if, for some volition *v* of S,
> (a) S brings about *e* by virtue of *v*,
> (b) S is directly laudable [culpable] to degree *x* for *v*, and
> (c) S is indirectly laudable [culpable] to degree *x* for *e*."[14]

Since omissions do not necessarily involve volitions, appraisability for non-intentional omissions is indirect. The agent does not have a volition concerning the non-intentional omission. Zimmerman points out , however, that one may think of appraisability for intentional omissions as conjoint because the volition is part of the omission even though the negative event is a causal consequence of the volition.

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[13] Ibid., pp. 19-22, 29-32.

[14] Ibid., p. 60. The issue of degrees of laudability (culpability) is one that I shall not discuss. Since Zimmerman mentions it here, I note that Zimmerman distinguishes degrees of culpability and laudability based on three conditions. First, one must assess whether the agent did wrong (right) for wrong's (right's) sake. Secondly, one must assess the seriousness of wrongness (rightness) at issue. Thirdly, one must assess the likelihood of doing wrong (right.)

Zimmerman claims that *indirect appraisability is essentially empty* because it is parasitic on direct appraisability. It is for this reason that he can leave the question of moral responsibility for consequences an open one. The theorist is free to adopt one of a number of positions. Zimmerman favors the Internalist Position. He says,

> "Clearly, other positions on indirect appraisability are open for adoption. It is tempting to ask: but what is the *correct* position? My answer is, of course, that there is none...Again, which position one adopts is to be dictated by extraneous considerations. However, having said this, I shall add that the Internalist Position seems to me, in general, to be the least misleading. The great merit of this position is that the internal source of S's appraisability for *e* [*e* is an event, a consequence of a volition] is revealed....we give an indication as to what it is that gives rise to such appraisability, what that volition is for which S is directly appraisable."[15]

Although Zimmerman does not commit himself to fully endorsing the Internalist Position, I want to consider it as one version of an actual-sequence model.

On the Internalist Position, one is directly appraisable - morally responsible - for one's volition and indirectly appraisable *and morally responsible* for an event that is a consequence of the volition if the volition "concerns" the event. A volition concerns an event if the event "enters into" the volition. An event *e* enters into a volition *v* if, and only if, there is some event *f* such that the agent has the volition *v* of willing *f* in the belief that *f* will bring about *e*.[16] For example, if Jane promises Fred that she will meet him at the restaurant but willfully fails to keep her promise, she is morally responsible for not keeping her promise to meet Fred because her volition concerned that event. However, if Jane fails to rescue a child from drowning in a river next to the restaurant - a rescue she could easily have performed if she had kept her promise - she is not morally responsible for failing to rescue the child because her volition did not concern that event. On the Internalist Position, then, the condition for moral responsibility for an event *e*, the consequence of one's volition *v*, is:

IP: S is morally responsible for *e* if, and only if, for some volition *v* of S, S is directly appraisable for *v*, *e* is a consequence of *v* and *v* concerns *e*.[17]

The Internalist's condition for responsibility for consequences suffices as the condition for responsibility for intentional omissions because, on Zimmerman's analysis, an intentional omission is a causal consequence of a volition and that volition concerns the omission.

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[15] Ibid., p. 57.

[16] Ibid., p. 57.

[17] I formulate this condition on the basis of Zimmerman's conditions P3.13 and P3.14. Ibid., p. 57.

Recall that Fischer and Ravizza claim that there are only two kinds of control for responsibility for actions and for omissions, actual causal control and regulative control respectively. Since one cannot have actual causal control of an omission, one must have regulative control of the relevant event. The question is whether the proponent of the Internalist Position can show that some other type of control grounds moral responsibility for omissions. I investigate this question by comparing the Internalist's analysis of some examples to Fischer and Ravizza's analysis. Consider first an example presented by Zimmerman. Zimmerman uses the example of Peter and Paul, twins who grow up locked in a room unaware that they cannot escape, to illustrate his claim that one does not require alternative possibilities in order to be responsible for an omission. Peter's presence in the room has begun to annoy Paul and Peter knows it. However, because he enjoys annoying Paul, Peter remains in the room. Of course, Peter cannot leave the room because the door is locked. On Zimmerman's analysis, Peter has a volition to annoy Paul by remaining in the room which brings about (causes) his remaining in the room. The "normal" event of remaining in the room is (in the circumstances) causally incompatible with leaving the room. Therefore, the negative event of Peter's not remaining is a causal consequence (via a circuitous route) of his volition and, in virtue of this, Peter's omitting to leave the room is also a causal consequence of his volition to annoy Paul by remaining. Moreover, according to the Internalist, Peter need not have regulative control to be responsible, but he must *believe* that he has regulative control. In fact, on Zimmerman's view, an agent cannot have a volition unless he believes that he has regulative control over the occurrence of the event. Zimmerman says,

> "If he had been aware of his confinement, he could not have decided to remain; for a belief in strict standard [regulative] control is necessary for *any* volition..."[18]

The Internalist would conclude that Peter is morally responsible for the omission even though he could not have done otherwise. By **IP** he is morally responsible for omitting to leave because the omission is a consequence of his volition and the volition concerns the omission. Zimmerman suggests, however, that the critic might say that Peter's omitting to leave is actually a consequence of the fact that the door is locked, not of his volition. But, clearly there is no reason to overlook the causal efficacy of Peter's volition. There is causal overdetermination in virtue of the fact that the door is locked. But both conditions, Peter's volition and the door's being locked, have causal efficacy.

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[18] Ibid., p. 124.

Consider how Fischer and Ravizza would analyze this example. They would point out that Peter does not bring about the possible bodily movements of opening the door and walking out of the room. They would say that Peter is responsible for deciding not to try to leave and for not trying to leave but is not responsible for not leaving. He can ensure the event of not leaving but he cannot prevent it. On Fischer and Ravizza's view, in order to preserve the association of responsibility with control for omissions, it is appropriate to redescribe the omission as a failure that corresponds to an action the agent can do - an event over which the agent has regulative control. They would say that Peter has regulative control in deciding not to try to leave and in not trying to leave, but that he does not have regulative control of not leaving.

The Internalist would disagree saying that Peter is morally responsible for omitting to leave because he has control of his action in the actual sequence which leads to the consequence that he does not leave. Peter is the *source* of his action of remaining because he is directly free with respect to his volition and his action is brought about by his volition. Moreover, since remaining is causally incompatible with leaving, Peter is responsible for not leaving. The upshot is that on the Internalist's analysis **PPA** is false. There is no requirement of alternative possibilities for Peter to be responsible for his omission. The Internalist, in denying that freedom and moral responsibility require alternative possibilities, concedes that he must give an account of what is required. He argues that what is required is freedom of the will where willing - having a volition - is explicated as decision-making.[19] One must evaluate an agent's responsibility on the basis of his volition - *what he decides to do in light of his beliefs*. An agent is responsible for an event by virtue of the fact that his volition is a decision that is accompanied by an intention that the decision cause the event. The idea is that we can determine an agent's responsibility for an omission by examining the actual sequence of events. Since the agent has a volition that both concerns the omitted event and causes a normal event that is causally incompatible with the omitted event, we can say that the agent has some sort of causal control of the omission and is morally responsible for it.

However, one can challenge the Internalist's analysis of omissions as *causal consequences* of other events. I consider three objections to the analysis. First, one can question Zimmerman's use of "normal" to characterize the event that the agent brings about. Consider again the example of Smith intentionally omitting to turn on the light. Zimmerman says that Smith brings about the "normal" event of keeping his arm by his

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[19] Ibid., pp. 19-20.

side. This normal event is (in the circumstances) causally incompatible with raising his arm to turn on the light. But, Zimmerman's use of "normal" is suspect. If Smith walks into a dark house, it would be normal for him to raise his arm and turn on the light and not normal to leave his arm by his side. The Internalist, however, could reply that all Zimmerman means by "normal" is that the event actually occurs. The event is "normal" in the sense that it is a "positive" event, not a "negative" one. If one interprets Zimmerman as wanting to avoid the claim that agents *cause negative events*, this interpretation of "normal" event as "positive" event is the charitable one. On the charitable interpretation, the agent does not cause a negative event. Rather, the omission is a causal consequence of the agent's volition in virtue of the fact that the agent's volition causes a positive event that is causally incompatible with the omitted event.

The second objection, suggested by Martin Hahn, is more trenchant. In some cases in which one wants to assess moral responsibility for an omission the positive event is not causally incompatible with the omitted event. For example, the positive event of Smith's leaving his arm by his side might not be incompatible with turning on the light. Smith might have a light switch that he operates with his foot or one that causes the light to come on when he opens the door. Yet Zimmerman is careful to say that the positive event is causally incompatible with the omitted event "in the circumstances." But, it is unclear what Zimmerman means by "causally incompatible in the circumstances." Haji suggests a plausible interpretation of Zimmerman's view. According to Haji, an agent's bringing about a state of affairs *a* at *t* is *causally incompatible* with his bringing about *b* at *t* if, and only if, it is not possible both that the agent brings about *a* at *t* and that the agent brings about *b* at *t*. On Haji's interpretation, Peter's remaining in the room *is* causally incompatible with his leaving. However, Smith's action of not turning on the light may not be causally incompatible with leaving his arm by his side if Smith has a light switch that he operates with his foot. In order for his interpretation of causal incompatibility to succeed, Haji must rely on a finely grained individuation of states of affairs - the positive state of affairs and the corresponding omitted state of affairs. Remaining and leaving are causally incompatible, but leaving one's arm by one's side and not turning on the light are not. However, leaving one's arm by one's side *is* causally incompatible with extending one's arm to the light switch. If *a* is the state of affairs of Smith's leaving his arm by his side and *b* is the state of affairs of Smith's extending his arm to the light switch then it is not possible that Smith brings about *a* at t and that Smith brings about *b* at t. I note that Haji's interpretation of states of affairs as finely grained is compatible with Zimmerman's view. Zimmerman says,

> "I take events to be finely grained, abstract, proposition-like entities that directly concern individual things....I claim these advantages for the treatment that I advocate: it can be worked out in considerable detail; it allows for a precise account of certain logical relations (such as implication, conjunction, disjunction, negation, and so on) between events; it allows us to dispense with talk of events being 'under a description' (which is necessary only where they are coarsely individuated)...."[20]

The third objection is that the Internalist's analysis does not preserve the association of responsibility with control. This objection is closely related to the second one. Zimmerman attempts to preserve the association of responsibility with control by showing that an omission is a causal consequence of a volition in virtue of the fact that the volition causes a positive event that is causally incompatible with the omitted event. The problem is that this explication of intentional omission yields an extremely weak notion of a causal consequence. On this view, any not-doing that is causally incompatible with the action the agent performs is an omission.

The Internalist could reply that he strengthens this weak notion of an omission as a causal consequence by tying the agent's volition to the omission. Recall that Zimmerman claims that one cannot accomplish an intentional omission without doing something in place of what one intentionally omits to do. He says,

> "If S intentionally omits to bring about *e*, then there is some event *f* such that S wills *f* for the purpose of not-*e*."[21]

The Internalist would say that in the case of an intentional omission the agent wills some event *f for the purpose of not-e*. Recall the example of Jane's omitting to meet Fred at the restaurant and omitting to rescue the child who drowns in the river next to the restaurant. While both events are causally incompatible with Jane's remaining at home, Jane is morally responsible for omitting to meet Fred because her volition concerns that omission. On the Internalist's view, Jane remains at home *for the purpose of* not meeting Fred. She is not morally responsible for omitting to rescue the child because her volition does not concern that omission. She does not remain at home for the purpose of not rescuing the child. The thought of not rescuing the child does not enter into her volition whereas not meeting Fred does.

Nevertheless, the question of how one's having a volition that concerns the omission establishes any kind of control over the omitted event has not yet been adequately

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[20] Ibid., pp. 16-17.
[21] Ibid., p. 23.

answered. The Internalist answers the question by claiming that the sort of control that grounds responsibility for an omission comprises the following three factors:

1 One must believe that one can do the omitted event - that one has regulative control over the event.

2 One must have a volition that concerns the omitted event.

3 One must have causal control of an action that is causally incompatible with the omitted event.

But, one can still ask what this notion of control comes to. Certainly, the first factor - the fact that the agent *believes* that he has regulative control over the omitted event - gives him no control over the omitted event. The Internalist is correct to claim that there is a causal connection between the agent's belief and his volition. The agent's belief that he has control over the omitted event can cause him to have a volition that the omission occur. In fact, according to the Internalist, the agent's belief that he has control over the omitted event is a necessary condition for his having a volition concerning the omitted event. However, the fact that the agent has causal control of his volition does not extend beyond the volition to give him some sort of control over the omitted event. It is the second and third factors that establish the agent's control over the omitted event. The second factor - the fact that one must have a volition that concerns the omitted event - establishes the causal connection between the agent's volition and the omitted event. If one wills *f* for the purpose of not-*e*, then one has a volition concerning the omitted event. And according to the Internalist, the third factor - the fact that one must have actual causal control of the action that is causally incompatible with the omitted event - gives the agent control of the omitted event. On the Internalist's view, actual causal control of an action that is causally incompatible with the omitted event in virtue of the agent's volition concerning the omitted event is all the control necessary for moral responsibility for the omission. For example, on this view Peter brings about the state of affairs of remaining in the room for the purpose of not leaving. Since he has actual causal control of remaining and remains for the purpose of not leaving, he has some sort of control of not leaving even though he could not have left the room no matter what he had done. I want to point out, however, that Zimmerman does not say that Peter remains in the room for the purpose of not leaving. Rather, he says that Peter remains for the purpose of annoying Paul. Nevertheless, I think the Internalist could embellish the example with enough details to convince us that Peter remains for the purpose of not leaving because he believes that his not leaving is an annoyance for Paul.

Contrary to the Internalist, Fischer and Ravizza want to assess an agent's moral responsibility on the basis of events over which she has regulative control. Recall that the

deep principle of symmetry is grounded in an agent's having control in the sense that she has the *power* to make a particular bodily movement. In determining responsibility for an omission it would be misleading to say that the agent *does not causally bring about* an event that is not in her control - that she could not have brought about no matter what she had done. As a result, it is appropriate to redescribe the omission in terms of events over which the agent has regulative control. In order to be responsible for an omission the agent must have regulative control because the agent could *causally bring about* only those events over which she has regulative control. For example, Peter has regulative control in deciding not to try to leave and in not trying to leave, but he does not have regulative control of not leaving. Under our ordinary description, *what* the agent is morally responsible *for* may depend on factors extraneous to the agent - factors not in the agent's control. Fischer argues that by *redescribing* the situation in terms of what is in the agent's control one both preserves the association of responsibility with control and captures the *content* of moral responsibility.

At first glance Fischer's redescription of an omission may seem counterintuitive. But, the purpose of the redescription is to separate the specification of the content of moral responsibility from the evaluation of an agent. Fischer's insight is that the content of moral responsibility may vary when the degree of praise or blame to be ascribed is the same. For example, in *Sloth* John is responsible for not trying to save the child but is not responsible for not saving her because he could not have saved her. But, suppose that John did not have a device in his brain. Suppose that he could have saved the child and simply decided for his own reasons not to save her. In that case, John would be responsible for not saving the child. On Fischer's view, the content of moral responsibility for the two cases is different. In the first case John is responsible for not trying to save the child. In the second case John is responsible for not saving the child. However, there is something that is the same in both cases. John has the same motivation and acts on that motivation. Consequently, John is equally blameworthy in both cases. According to Fischer, one determines the content of moral responsibility by ruling out extraneous conditions which are not in the agent's control. And, when one determines the degree of praise or blame to be applied to the agent, one takes into account the agent's motivation and his attempt to act on that motivation. Fischer says,

> "...what seems crucial to our moral assessment of persons and our practice of praising and blaming is the person's motivation (and his attempt to act on that motivation). Agents who have the same intention and make the same choice and are equally conscientious in attempting to act on the choice are accessible to the same *degree* of praise or blame, even if *what* they are responsible *for* is different....*degree* of

praiseworthiness or blameworthiness needn't vary with *content* of moral responsibility."[22]

Fischer's attempt to separate the question of content - of what the agent is responsible for - from the question of the degree of praise or blame to be ascribed to an agent is consistent with his project of dealing with moral responsibility in two separate theories. In this theory, in which Fischer and Ravizza set out the conditions under which a person is a rational candidate for responsible agency, they are concerned with specifying the content of moral responsibility. In the supplementary theory that Fischer mentions, the theorist would be concerned with determining the agent's motivation in order to ascertain the degree of praise or blame to be ascribed to the agent.

This separation of the content of moral responsibility from the evaluation of the agent departs from traditional approaches. In traditional approaches the question of the ascription of praise or blame is bound up with the question of what the agent is responsible for. I believe that it is a virtue of the Fischer/Ravizza model that it separates the content of moral responsibility from the evaluation of the agent. The separation makes it clear that the content may vary when the degree of praise or blame to be ascribed to the agent is the same.

Fischer and Ravizza claim that it is appropriate to redescribe an omission because they want to assess an agent's moral responsibility on the basis of events over which she has regulative control. The Internalist wants to assess the agent's moral responsibility on the basis of the sort of control constituted in the three factors mentioned above. The difference in views is crucial because it determines whether **PPA** is true or false. One way to see which of the two analyses is more plausible is to consider a Frankfurt-type counterexample to **PPA** suggested by Haji. I compare what Fischer and Ravizza's analysis of the example would be to what the Internalist's would be. In *Beached* James, a non-swimmer who is walking along a beach, sees a child drowning a few metres from shore. James notices that there is a life preserver hanging within easy reach which he could throw to the child. However, James is an implant victim. If James decides to throw the life preserver, Jack the evil genius will activate the device in James's brain which will cause him to continue to walk along the beach without throwing the life preserver. Nevertheless, James decides for his own reasons to continue to walk along the beach without throwing the life preserver. Intuition tells us that James is morally responsible for not throwing the life preserver. However, James could not have thrown it. He believed (falsely) that he could but, in fact,

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[22] Fischer, p. 256.

that alternative possibility was not open to him because Jack would have activated the device in his brain.

What would Fischer and Ravizza say about this Frankfurt-type counterexample to **PPA**? Although Fischer and Ravizza do not explicitly discuss responsibility for volitions, I suggest that they would say that James is responsible for *deciding (or intending or having the volition) not to throw the life preserver* but not for not throwing it. I base my claim on the fact that in their discussion of *Sloth* Fischer and Ravizza say, "John may well be morally responsible for *deciding* not to try to save the child and even for not trying to save the child."[23] (my italics) In their discussion of *Flat Tire*, they say that Bonnie "...might be morally responsible for *deciding* not to rob the driver, for *not deciding* to rob the driver, and for not trying to rob the driver."[24] (my italics) In *Beached* then, on Fischer and Ravizza's analysis, James is not responsible for omitting to throw the life preserver because he could not have thrown it. He is not responsible for omitting to try to throw the life preserver because he could not even have tried to throw it. The possible bodily movements of throwing the life preserver are not within his regulative control. The only thing within his regulative control is his volition. On Fischer and Ravizza's analysis of the example James is not responsible for an omission. While I believe that Fischer and Ravizza's analysis of the alleged counterexample is correct as far as it goes, I think the alleged counterexample presents a problem for Fischer and Ravizza. Their analysis is not satisfying because intuition tells us that James is responsible for *something* in this case.

Fischer and Ravizza are committed to separating the content of James's moral responsibility from the question of the degree of blame that one should ascribe to James based on his motivation. But what is the *content* of James's moral responsibility? What is the omission? As I suggested above, Fischer and Ravizza would say that James is responsible for deciding (or intending or having the volition) not to save the child. What James is responsible for is his volition because it is only his volition over which he has regulative control. The possible bodily movements relevant to throwing or trying to throw the life preserver are not within his regulative control. However, according to Fischer and Ravizza, an omission consists of an agent's not bringing about *a possible bodily movement*. Moreover, by **PPA** the possible bodily movement which the agent does not bring about must be within his regulative control in order for him to be morally responsible for it. In this example Fischer and Ravizza's redescription of the omission in terms of what

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[23] Fischer and Ravizza, p. 261.
[24] Ibid., p. 262.

is within the agent's regulative control results in the agent not being responsible for an omission because what is within the agent's regulative control cannot be an omission on the account that Fischer and Ravizza espouse. I believe there are two different approaches that Fischer and Ravizza could take in order to handle this example. But, before I consider the two possibilities, I want to look at how the Internalist would fare in his analysis of this example.

The Internalist would say that James believes falsely that he can save the child by throwing the life preserver to her - just as Peter believes falsely that he can leave the room. The Internalist, following Zimmerman's analysis of this type of example, would say that James has a volition that causes the positive event of his continuing to walk along the beach. Walking along the beach is (in the circumstances) causally incompatible with throwing the life preserver. The negative event of not throwing the life preserver is a causal consequence of James's volition and, in virtue of this fact, omitting to throw the life preserver is a causal consequence of his volition. James is responsible for omitting to throw the life preserver because he is the source of his action in the actual sequence in which the event takes place. The fact that James cannot throw the life preserver because he does not have regulative control over throwing it is not relevant to our assessment responsibility. What is relevant are the three factors which the Internalist claims establish the sort of control necessary for moral responsibility for an omission. First, James believes that he has regulative control over throwing the life preserver. Secondly, James has a volition that concerns the omitted event. That is, James decides to continue to walk along the beach for the purpose of not throwing the life preserver. Thirdly, James has causal control of the action that is causally incompatible with the omitted event. That is, James decides to continue to walk along the beach for his own reasons. The Internalist maintains that as long as the agent has direct freedom with respect to his volition - as he does in this case - he is morally responsible for the volition and for any omission that is a causal consequence of the volition if the volition concerns the omission.

However, in order for the Internalist to assess responsibility for the omission in the way that I have suggested he would above, the omission must be causally incompatible with the action that the agent does perform. Certainly, one can question whether James's throwing the life preserver is causally incompatible with continuing to walk along the beach even on Haji's interpretation of what the Internalist means by causal incompatibility. On Haji's interpretation an agent's bringing about a state of affairs *a* at *t* is *causally incompatible* with his bringing about *b* at *t* if, and only if, it is not possible both that the agent bring about *a* at

t and the agent bring about *b* at *t*. But we can imagine James continuing to walk as he takes the life preserver from the hook on which it hangs and throws it. And, if James's throwing the life preserver is not causally incompatible with continuing to walk, then the omission is not a causal consequence of James's volition and James is not responsible for it.

In order to show that James's continuing to walk along the beach *is* causally incompatible with throwing the life preserver, the Internalist must do two things. First, he must establish the causal connection between the agent's volition and the omitted event. Recall that the Internalist attempts to establish that the agent has control over the omitted event by tying the agent's volition to the omission. The volition must concern the omission. Zimmerman puts it this way,

> "Intentional omission...cannot be accomplished (I believe, but shall not here argue) without intentionally doing something in the place of that which one omits to do."[25]

The Internalist must specify that James continues to walk along the beach for the purpose of not throwing the life preserver - in order to fulfil his volition not to throw the life preserver. Secondly, the Internalist must show that the state of affairs that occurs is causally incompatible with the omitted state of affairs. The Internalist does this by carefully individuating the relevant states of affairs. In order to see that James's action is causally incompatible with his throwing the life jacket, consider two complex states of affairs. Consider the state of affairs, S1: At *t* James walks along the beach as he takes the life preserver from the hook on which it hangs and throws it. Consider the state of affairs, S2: At *t* James walks past the life preserver without taking it. The Internalist would say that James wills S2 for the purpose of not-S1. And, S2 is causally incompatible with S1. On this interpretation, the omission is a causal consequence of James's volition and, as a result, he is responsible for the omission of not throwing the life preserver to the child.

I suggested above that there are two plausible ways for Fischer and Ravizza to handle the Frankfurt-type counterexample. On the one hand, they could retain their account of an omission as the not bringing about of a possible bodily movement and maintain that the agent in the Frankfurt-type counterexample is not responsible for an omission. However, in the face of our strong intuition that the agent is responsible for something, Fischer and Ravizza would be obliged to come up with an account of responsibility for volitions. There is some evidence to indicate that Fischer and Ravizza consider the evaluation of an agent's volition to be a question for the supplementary theory of moral responsibility which they

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[25] Ibid., p. 23.

mention. In this theory about responsibility for actions and omissions they want to determine the content of moral responsibility. They say the content - what the agent is responsible for - may differ when the degree of praise or blame to be ascribed to the agent may be the same. In the two variations of *Sloth* that I described, the content of John's responsibility differs. When he has the device in his brain he is responsible for not trying to save the child. When there is no device, he is responsible for not saving the child. However, on Fischer's view, there is something which is the same in the two cases. John has the same motivation and makes the same decision to act on that motivation. He has the same volition. Moreover, in determining the degree of praise or blame to be assessed one examines the agent's motivation and his decision to act on it - his volition. Since Fischer and Ravizza say that determination of the extent of praise or blame is a question for the supplementary theory, they may want to separate the question of responsibility for volitions from that of responsibility for actions and omissions. They may want to deal with responsibility for volitions in the supplementary theory.

On the other hand, Fischer and Ravizza could revise their account in such a way that an agent's not making a decision to act in a particular way would be an omission. In particular, if Fischer and Ravizza were to explicate their theory in terms of states of affairs rather than possible bodily movements, they could present a conceptually attractive analysis while preserving the intuitions of their asymmetrical account. Putting forth the analysis in terms of states of affairs then, Fischer and Ravizza could say that the asymmetry thesis comprises two claims. First, an action and a failure to act involve different types of relations, the "bringing about" and the "not bringing about" relation respectively between the agent and the same possible state of affairs. Secondly, responsibility both for actions and for omissions requires that the agent be *in control* of a state of affairs. Recall that, although Fischer and Ravizza adopt a Davidsonian analysis of action, they say that the Davidsonian analysis is not essential to their project. Moreover, if they were to say that an action is identical to a state of affairs, it is still open for them to say that a particular action is identical to a bodily movement and the bodily movement is identical to a particular state of affairs that obtains.

Furthermore, they could say that an omission consists in an agent not bringing about a state of affairs in which the state of affairs could be either a decision to act or a possible bodily movement. I contend that this revision is consistent with Fischer and Ravizza's account. I noted above that, if X is an action, on more than one occasion Fischer and Ravizza characterize the content of the corresponding omission as *deciding* not to do X or *not*

deciding to do X. Moreover, this revised analysis preserves the association of responsibility with control. The agent in *Beached* is responsible for not bringing about the state of affairs, "that he decides to throw the life preserver to the child," only because he could have brought about that state of affairs. Furthermore, by including failures to decide to act among omissions Fischer and Ravizza exclude from responsible agency any agent who could not have decided to act because of compulsion, clinical depression, hypnosis or other factors which were beyond the agent's control. Recall the example of the agent at a mine disaster who suffers from claustrophobia and, as a result, fails to enter the mine and help carry victims out. Suppose that the agent literally became paralyzed with fear. I suggested that she might be incapable of processing the reasons there are for helping. The revised account indicates what being incapable of processing reasons might mean. The agent does not have regulative control over the decision to help. She cannot ensure that the decision occurs. She cannot choose to do other than she does. On the revised account, Fischer and Ravizza could say that the agent is not capable of responsible agency because, as a result of her compulsive fear of closed-in places, she literally could not have brought about the state of affairs, "that she decides to enter the mine."

How would one state **MR2** incorporating the suggested revision? If X is a state of affairs, I suggest that we revise **MR2** as follows:
MR2': The fact that an agent has regulative control over X is a necessary condition for the moral responsibility of the agent for his failure to bring about X. An agent has regulative control over X if he can either ensure the occurrence of X or prevent it.
The analogous revision to **PPA** would be as follows:
PPA': If X is a state of affairs, an agent is morally responsible for failing to bring about X only if he could have brought about X.

The question arises as to whether including a failure to bring about a decision to act among omissions is consistent with Fischer and Ravizza's sketch of a theory of moral responsibility for actions. Does the revised analysis affect Fischer and Ravizza's account of responsibility for actions? Fischer and Ravizza preserve the association of responsibility with control for actions by requiring that an agent have actual causal control of her action. An agent has actual causal control when her action issues from a weakly reasons-responsive mechanism. Roughly, she acts for her own reasons. But the fact that the agent acts for her own reasons implies that she has control of her decision to act. As a result, the revised analysis of responsibility for omissions does not affect Fischer and Ravizza's account of responsibility for actions. They have no need to come up with a separate

account of how an agent must have control of her decision to act in order to be morally responsible for her action.

I have considered Fischer and Ravizza's analysis and the Internalist's analysis of several examples. But, the question remains as to which analysis provides the best explanation for our intuitions regarding responsibility for omissions. Let us review the situation. In arguing for the asymmetry thesis Fischer and Ravizza rely on two crucial premises. First, they rely on acceptance of the deep principle of symmetry which I would now re-state as the principle that responsibility both for actions and for omissions requires that the agent be *in control* of the relevant state of affairs. The Internalist, like other compatibilists, can accept this premise. Secondly, Fischer and Ravizza claim that there are only two types of control which warrant ascriptions of moral responsibility, actual causal control for actions and regulative control for omissions. I noted that their claim that an agent's having actual causal control is *sufficient* for responsibility for actions leaves it an open question whether some other sort of control might also be sufficient. They claim, however, that regulative control is a *necessary* condition for moral responsibility for omissions. The asymmetry thesis rests on this claim. So, the crucial question is whether the Internalist has shown that regulative control is not necessary because there is some other sort of control that underwrites responsibility for omissions. I have presented the Internalist's argument for another type of control. He argues that the agent's belief that she has regulative control combined with a volition that concerns the omission combined with actual causal control of the action that flows from the volition is enough control to warrant the ascription of moral responsibility for an omission.

While the Internalist may have raised doubts about Fischer and Ravizza's claim that regulative control is necessary for responsibility for omissions, his argument is far from conclusive. On the one hand, the Internalist's analysis of the example of Peter remaining in the room is persuasive. It seems that Peter may be responsible not just for *not trying* to leave the room but for not leaving the room. After all, even if the door were unlocked Peter would not have left the room. On the other hand, in *Sloth* when we learn that John could not have saved the child because the child drowned one second after John decided not to jump into the water, it seems correct to redescribe the case to capture the content of moral responsibility - to say that John is responsible for not trying to save the child but not responsible for not saving her. While I believe that Fischer and Ravizza's attempt to capture and separate the content of moral responsibility from the evaluation of the agent is conceptually attractive, I concede that they do not have a knockdown argument for the claim

that responsibility for intentional omissions requires regulative control. Nevertheless, the Internalist does not have a conclusive argument for his claim that there is a different sort of control than regulative control. Whether one is persuaded by one analysis or the other seems to depend on the example that one chooses to analyze. Is there a way to determine which analysis is correct? One method of judging the superiority of one model over another is to consider which model has greater explanatory power. I noted at the beginning of this chapter that Fischer says that it is desirable for a theory of moral responsibility for omissions to encompass responsibility both for intentional and non-intentional omissions. Thus, in an attempt to break the deadlock between the two models by showing that one model has greater explanatory power, I compare them on the basis of how the rival theorists would analyze responsibility for non-intentional omissions.

How would the proponent of the actual-sequence model analyze responsibility for non-intentional omissions? On the Internalist Position, an agent cannot be responsible for a non-intentional omission. According to the Internalist, there are two ways that non-intentional omissions can take place and, consequently, two ways of assessing responsibility for them. In the first case, the non-intentional omission is not a causal consequence of a volition. For example, suppose a lifeguard fails to save a child from drowning because he falls asleep while on duty. Since the lifeguard falls asleep without having a volition that causes him to do so, his omitting to save the child is not a causal consequence of a volition. But, according to Zimmerman, indirect appraisability is parasitic on direct appraisability for volitions. Since there is no volition at all in this case, the lifeguard is not indirectly appraisable and, on the Internalist Position, is not morally responsible for the omission. But, certainly one would say that the lifeguard is responsible and blameworthy for not saving the child because he has a duty to save the child. In the second case, the non-intentional omission is a causal consequence of a volition but the volition does not concern the omitted event. For example, suppose that Jane forgets to meet Fred for lunch because she decides to play tennis. She has a volition that causes her to play tennis during her lunch break. Playing tennis is (in the circumstances) causally incompatible with meeting Fred for lunch. Therefore, Jane's omitting to meet Fred is a causal consequence of her volition. But, Jane's omission is non-intentional because she does not intentionally do something in place of what she omits to do. On the Internalist view, Jane is not morally responsible for the omission because her volition does not concern the event of omitting to meet Fred for lunch. But, one would say that Jane is morally responsible and blameworthy because she has a duty to remember her

appointments. I conclude that this aspect of the Internalist view, the fact that one cannot be morally responsible for a non-intentional omission, is counterintuitive.

Even though all of Fischer and Ravizza's examples are about intentional omissions, I believe that their theory is meant to include non-intentional as well as intentional omissions. I base my claim on the quotation from Fischer stated at the beginning of this chapter in which he says that a theory of moral responsibility should apply to the wide conception of omission in which an agent omits to do X whenever she does not do X. However, since Fischer and Ravizza present no examples of non-intentional omissions, my construal of how they would analyze responsibility for non-intentional omissions is speculative. Fischer and Ravizza say that a necessary condition for responsibility for an omission is that the agent must have regulative control over the relevant event. There must be an alternative possibility open to the agent. If their theory applies to the wide conception of omission, this necessary condition applies to non-intentional omissions.

Consider how Fischer and Ravizza could analyze the two examples about non-intentional omissions. In the example in which Jane forgets to meet Fred for lunch because she decides to play tennis, Fischer and Ravizza could say that Jane has regulative control over the state of affairs - the bodily movements that are equivalent to meeting Fred - even though she does not have a volition not to meet Fred. The alternative of making the bodily movements that are equivalent to meeting Fred is open to her. As with intentional omissions one can describe non-intentional ones in terms of what is in the agent's regulative control thereby capturing the content of moral responsibility. In this example, since their necessary condition is satisfied, it is open to Fischer and Ravizza to say that Jane is responsible for not meeting Fred if other conditions which they may want to specify are met. However, in considering the example about the lifeguard I admit that it is unclear to me how Fischer and Ravizza would analyze it. Whether the lifeguard has regulative control of falling asleep is a puzzling question. It seems to me that in some cases an agent does have regulative control of falling asleep and in other cases he does not. Nevertheless, the point is that Fischer and Ravizza's analysis can be applied to non-intentional as well as intentional omissions. By applying the necessary condition they can eliminate those non-intentional omissions which do not satisfy the condition and consider only those that do satisfy it. The question of whether Fischer and Ravizza's condition is sufficient for ascribing responsibility for either intentional or non-intentional omissions remains an open one.

In summary, I want to emphasize that the fact that the agent must have regulative control of the relevant event is only a necessary condition for moral responsibility for omissions. Fischer and Ravizza may have other conditions in mind in determining whether an agent is responsible for a non-intentional omission. Nevertheless, I believe that Fischer and Ravizza could offer an account of responsibility for non-intentional omissions such as the one I have outlined that is both consistent with their theory and consistent with our intuitions. Moreover, once Fischer and Ravizza determine the content of moral responsibility, they could use the supplementary theory to examine the agent's motivation and her attempt to act on it to determine whether the omission is praiseworthy, blameworthy or morally neutral.

In conclusion, I reject the actual-sequence model of responsibility for omissions exemplified by the Internalist Position. In claiming that there is no requirement of alternative possibilities in order for one to be responsible for an omission, the Internalist denies Fischer and Ravizza's claim that one must have regulative control to be responsible for an omission. As a result, the Internalist must preserve the association of responsibility with control in some other way. I have argued that the Internalist fails to come up with a conclusive argument to support his contention that there is another type of control which could ground moral responsibility for omissions. Furthermore, I have argued that in the case of non-intentional omissions the actual-sequence model results in analyses that conflict with our intuitions about clear cases of moral responsibility. I have pointed out that the Fischer/Ravizza account is incomplete because it fails to give us a complete account of a Frankfurt-type example and because it fails to give us a complete account of responsibility for non-intentional omissions. However, I have suggested some ways in which the account could be expanded to handle Frankfurt-type examples and responsibility for non-intentional omissions. I conclude that the Fischer/Ravizza model is superior to the actual-sequence model for two reasons. First, because it is based on a deep principle of symmetry for actions and omissions, the Fischer/Ravizza model preserves the association of responsibility with control. Secondly, the Fischer/Ravizza model has greater explanatory power. It provides explanations which are consistent with our intuitions about moral responsibility for intentional omissions and it has the potential to be expanded to provide plausible explanations for non-intentional omissions.

Conclusion

I conclude that Fischer and Ravizza's "sketch" of a theory of moral responsibility presents a viable compatibilist picture of the conditions under which one is justified in ascribing moral responsibility to a person. Why? I noted in Chapter 1 that while Frankfurt opens the way for compatibilists to claim that responsibility for actions does not require the sort of control inherent in having alternative possibilities, he does not dissociate moral responsibility from the need for one to have some sort of control. Fischer and Ravizza's analysis preserves the association of responsibility with control through the deep principle of symmetry which requires that the agent have the *power* to bring about the relevant state of affairs. The asymmetry thesis follows from the fact that the agent must have the power to bring about the relevant state of affairs. In the case in which an agent performs an action, not only does he have the *power* to bring about the relevant state of affairs, he does bring it about. If he acts for his own reasons, he is responsible for his action even though there is no alternative possibility open to him. In the case of an omission the agent has the *power* to bring about the relevant state of affairs but does not bring it about. The omission just *is* the not bringing about of the relevant state of affairs. Thus, for an omission the agent has the power both to bring about and not bring about the state of affairs. He has the power both to ensure the occurrence of the state of affairs and to prevent it. He can do otherwise.

In addition to preserving the association of responsibility with control Fischer and Ravizza's analysis provides explanations for the responsibility of persons that are consistent with our intuitions about moral responsibility. While Fischer and Ravizza's condition for moral responsibility for actions - which they explicate in terms of weak reasons-responsiveness - is too weak as it stands, I have argued that Fischer and Ravizza can modify the condition by adopting a broad theory of rationality. On the broad theory Fischer and Ravizza could restrict the preferences and reasons pertinent to weak reasons-responsiveness by examining their causal history. Only those preferences and reasons with the right sort of causal history would count as rational in determining whether an agent is a rational candidate for responsible agency. Although Fischer and Ravizza's account of moral responsibility for omissions is incomplete because it fails to give a complete account of Frankfurt-type examples and non-intentional omissions, I have argued that the account is flexible enough to be expanded to handle these cases. Fischer and Ravizza can account for responsibility for volitions by stating their conditions for moral responsibility in terms of states of affairs. And, they can account for non-intentional as well as intentional omissions by requiring that an agent have regulative control of the relevant state affairs. In ascribing

moral responsibility for non-intentional omissions they can, by applying this necessary condition, eliminate those non-intentional omissions which do not satisfy the condition and consider only those that do satisfy it. I note that the fact that the agent must have regulative control of the relevant state of affairs is only a necessary condition for moral responsibility for omissions. Fischer and Ravizza may have other conditions in mind in determining whether an agent is responsible for either intentional or non-intentional omissions.

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