

Three

FREEDOM AND BLAMEWORTHY ACTIONS

O chestnut tree, great-rooted blossomer,
Are you the leaf, the blossom or the bole?
O body swayed to music, O brightening glance,
How can we know the dancer from the dance?

William Butler Yeats, *Among School Children*

1. Introduction

In the previous chapter, I argued that the practical compatibilist and the ultimacy pessimist disagree about the autonomy-related distinctions, which both believe to be insufficiently accounted for by the hierarchical authorization account. Susan Wolf's and R. Jay Wallace's shared practical compatibilist strategy, in my reconstruction, consists in their claim that the assumption that we possess the ability of reflective self-control is metaphysically modest: It does not rely on the assumption of a freedom that is incompatible with determinism.

In this chapter, I argue that ultimacy pessimists need not argue that determinism excludes the existence of people who are capable of reflective self-control: They only have to argue that determinism excludes the existence of people who are capable of reflective self-control and are deeply responsible for the wrong actions they commit. This, as I argue, re-opens the issue whether our daily practices of responsibility—as described by the practical compatibilist—are metaphysically modest. After all we blame one another for wrong actions all the time.

2. Exemplary Blameworthy Actions

In discussing responsibility we tend to assume that it is crystal clear what a wrong action is. We all are familiar with wrong actions. Likewise we also are, or at least believe to be, familiar with blameworthy actions. But can we give a coherent account of these actions: actions that are wrong *and* for which the agent is fully responsible? (Remember that we need an account against the background of the practical compatibilist claim that our practices of responsi-

bility are metaphysically modest). Let me try to provide such an account. In order not to be distracted by the unclarity that necessarily attach to borderline cases, I focus on the exemplary version of such actions: actions that are without doubt wrong, performed by agents who are without doubt responsible for them. Let us call such actions “exemplary blameworthy” (EBAs, for short).

In the previous chapter we investigated the intentionality- and autonomy-related conditions that take care of the responsibility-part of our EBAs. This provides us with four conditions for an EBA. The agent p who performed the action: (1) should possess the RR abilities and (2) be able to exercise them. The wrong action a for which p is to be held responsible (3) should be a true action of this agent, and (4) should have been performed under non-excusing circumstances. To take care of the wrong action-part of our EBA we should add a fifth condition: (5) a must be truly wrong. For the sake of simplicity let us take the first two of these conditions together, and reformulate and rearrange the other conditions a bit. The following is the crude definition that we can start with. An action a of person p is exemplary blameworthy *iff*:

- (1) p is a normal human being,
- (2) a is a true action of p ,
- (3) a is something that no normal human being should do, and
- (4) p did a under normal circumstances.

In the remainder of this section I rephrase those claims in such a way as to render them virtually uncontroversial. I also explain why our definition is phrased in terms of “normal human beings” and “normal circumstances.”

A. The RR Abilities and Normality

The first part of our definition—“ p is a normal human being”—captures that the agent of a blameworthy action has no exceptional exempting characteristics. Would the agent have such characteristics that person would be exempted from bearing (full) responsibility for the blameworthy action.

One possible source of controversy with regard to responsibility in general and my definition of blameworthiness in particular, concerns the precise abilities, capabilities, and/or characteristics that make an agent a responsible subject. It is not important to the argument of this chapter how we exactly define the class of responsible human beings, how we determine who belongs to it, or which actions such beings are able to perform. We can set this possible controversy aside by using the ambiguous phrase “normal human beings” to indicate the possession of the RR abilities, regardless of what exactly these abilities are.

I am aware of the statistical and morally suspect connotations of the term “a normal human being” but I believe that, first, the notion shares and illuminates many of the ambiguities that characterize the notion of a “responsible

human being.” Second, it enables us to explicate the problematic, almost incoherent nature of a blameworthy action. Third, it suggests a way to put to use the idea that responsibility is a primitive concept in a way that transfers the burden of proof to the ultimacy pessimist. This will become clear in due course. For the moment, let me leave these matters aside and stipulate that a “normal human being” is shorthand for “a human being who possesses the RR abilities.” What is important for the argument of this chapter is that the classification “normal” equals the assumption that a person is able to behave and act in some specified ways, whereas the classification “abnormal” or “deviant”—which can be the result of, for instance, age (for example, very young children) or mental health—equals the assumption that someone is incapable of behaving and acting in some specified ways.

Although in this chapter I speak about “normal” human beings and “deviant” ones in general terms, people are often normal or deviant with respect to some (classes of) actions and behavior only; compare this with Paul Benson’s suggestion that the grammar of freedom is perhaps relational (Benson, 1987, p. 486). For instance, someone with Tourette’s syndrome lacks the ability to behave quietly and decently all the time, and can be called “abnormal,” but only with regard to behaving and acting in accordance with the norms of decency.

The case of Tourette’s syndrome is especially worrisome because the inability concerned is, first, not an all-or-nothing matter, and, second, difficult to grasp, let alone, define. People who suffer from Tourettism are able to constrain themselves and to control their “uncontrollable” impulses, but only with extreme effort. They are not literally incapable of behaving quietly and inconspicuously, but it would be unreasonable to expect it from them since the costs are very high. When they do so, with medication or without, they suffer greatly in one way or another. (For example, see Sacks, 1985, ch. 10) In this sense, our expectations of one another are related to the mere presence or absence of some abilities and to the effort and costs their exercise demands from the individual agent.

If our expectations of people are based upon the assumption that they possess some general abilities, the legitimacy of these expectations in particular cases is warranted when the individual concerned in fact possesses these abilities. In this sense, the condition that an EBA must have been performed by a normal human being is not a possible source of controversy. Everyone will agree that when our general abilities make us unable to perform some acts or unable not to perform some acts, then we are not to blame for failing to perform or for performing them, respectively. This is not to claim that you cannot be responsible for putting yourself in a situation where your lack of some abilities is the cause of a wrong that you could have prevented by not putting yourself in that situation. In this case, your responsibility for the first wrongdoing transfers to the action that is the inevitable effect of that first action (compare ch. 1, sec. 4.B.i).

B. Possible Vehicles of Self-Disclosure

The second part of our definition—“*a* is an action of *p*”—captures that an EBA has no special features on the grounds of which *a* cannot be used to evaluate the agent. The concern is solely that *a* should not be a “non-action.” We can stipulate the class of actions we are concerned with as that of those actions that are “potential vehicles of self-disclosure,” a phrase used by Paul Benson (although Benson reserves it explicitly and exclusively for completely free actions, see Benson, 1987, p. 481). What this class excludes are those actions that do not tell us anything, not even potentially, about the agent.

The emphasis in “potential vehicles of self-disclosure” is on “potential.” It excludes actions on the basis of which we cannot be evaluated, but includes all actions on the basis of which we might be evaluated. This is not to say that all the actions on the basis of which we might be evaluated are actions on the basis of which we should be evaluated. Most actions we perform are unsuitable and worthless as vehicles of self-disclosure, for example, eating, making tea, and putting on your shoes. Some are unclear: For example, if I trip on the carpet and spill my coffee, my spilling of the coffee is not a vehicle of self-disclosure if it was an accident that I could not avoid, although it might be, if I am a careless person and my tripping was due to “not taking care.” Which actions should count as potential vehicles of self-disclosure and which should not, is not important for the argument of this chapter, as long as we agree that a distinction exists between actions that allow us to evaluate the agent and actions that do not.

C. Normative Expectations

The third part of our definition of an EBA states that “*a* is something that no normal human being should do.” This part captures that the blameworthy action is one that does not correspond to our legitimate normative expectations of a normal human being. The expectations that this subclaim refers to must be understood as general expectations. They concern the expectations we have of someone as a human being, and the more specific expectations we have of someone as, for instance, a parent, a colleague, a neighbor, or a friend. They exclude the predictive expectations we have or form on the grounds of an individual’s characteristics, for instance, the expectation that Aunt Mary will make a joke when asked the time, because she always jokes when asked the time.

The expectation that Aunt Mary will make a joke when asked the time must be excluded because it is merely predictive, not because it is based only on her individual characteristics. Many general expectations are formed on the basis of the individual characteristics of people. If we believe a piano performer *p* capable of giving brilliant piano performances, we might blame *p* if *p* does not fulfill our expectations, although our expectations of *p* are based on *p*’s specific individual abilities.

The general expectations that matter to responsibility are of course *normative* expectations. Examples of such expectations are: “people ought to answer questions,” “neighbors should help one another,” “friends stick together,” and “good piano performers should play well.” We expect people to answer a question because most of the time they do and we believe that the correct way to respond to a question is to give an answer, just as we believe that the correct use to make of your abilities as a piano performer is to give good performances.

If an agent breaches an expectation, this does not automatically constitute a blameworthy action. The expectation breached must also be a legitimate expectation. Let me elaborate on the notion of legitimacy, for it is central to my claim about the tension that the notion of a blameworthy action harbors—a tension which eventually leads to my criticism of practical compatibilism.

i. Legitimacy

In practice two reasons exist that can lead to an adaptation of our normative expectations: (1) the suspicion that the agent who breached the expectation does not possess, or no longer possesses the abilities on which our expectations of the agent are based; or (2) doubt about the legitimacy of the content of the expectation that is breached. We excluded the first possibility by stipulating that the agent of an EBA is a normal human being who possesses the RR abilities. The second possibility is related to this. What we want to exclude by stipulating that the expectations breached must be legitimate, is that our expectations are inappropriate, unjustified, and/or inadequate.

Many of our normative expectations are determined by the unexamined local, national, and religious habits of the group we happen to belong to and the contingent circumstances we find ourselves in. That these expectations might not always be appropriate surfaces when, for instance, we visit a foreign country, meet people with a different social, cultural, or religious background, or suddenly find ourselves in exceptional and unfamiliar circumstances, at a complete loss about how to act and/or evaluate other peoples actions. In some of these cases, we need to reconsider parts of our normative expectations and adapt, refine, or reformulate them. A visit to a foreign country, for instance, might teach us that punctuality is not a generally valued human trait. As a consequence, we might come to enjoy our holiday by adapting our normal expectations of punctuality. On the other hand, our experiences might also result in a more thorough affirmation or rejection of the values that they express: We might come to consider punctuality a vice instead of a virtue (because it spoils our sense of things that matter).

The point is that what we learn from these experiences and how we deal with them is related to our judging or regarding the deviant acting agents as sufficiently like ourselves. Only if we believe that the people who breach our expectations are normal, will our attention be drawn to the possibility that our

normative expectations might be mistaken. For example, if we firmly believe that only careless people with nothing on their mind and no responsibilities to attend to can afford to be tardy, a confrontation with tardy people will not be confronting at all. In this case no doubts are bound to arise about the legitimacy of our normative expectations of punctuality. However, if these people are clearly “just like us” in the sense that they are not careless and do not lack responsibilities, then their tardiness might (and should) be confronting. Apparently people just like us exist who disagree with the normative expectations we believed to be legitimate. (I come back to this elaborately in sec. 3.A.i below and chapter 4, sec. 2.A.)

This pluralism of normative expectations, as I argue in the next chapter, presents us with a problem of authority in the case of persistent conflicting normative expectations that are not solved by one of the expectant parties revising her or his norms and values. If a persistent conflict between normative expectations arises, the question is whom we should accept as authoritative. Wallace avoids the possible controversial consequences of the issue of authority by stipulating that the normative expectations that are breached in the case of a blameworthy action are “the moral demands that we accept” (see my ch. 1, sec. 3.C). This formula enables him to treat the notion of a “culpable choice” as unproblematic. Wolf avoids the question of authority in a similar manner. She treats her concepts of “the right thing” and “the right reasons” as unproblematic, and argues that they assume nothing more exotic than what is assumed by ordinary moral thought: There are some things we should not do and some things we should do. She states that the ability to recognize and appreciate the True and the Good refers to “nothing more exotic than the ability to see and understand what is true and what is good, or, to put it differently, the ability to acquire true beliefs instead of false ones and good values instead of bad ones and to understand these beliefs and values sufficiently to make proper use of them” (Wolf, 1990, p. 122).

In light of a practical compatibilist position, this seems an acceptable way of avoiding the complicated and difficult question of authority. In our daily lives, the pluralism of normative expectations is outweighed—or perhaps we should say “made possible”—by an even larger normative consensus on what ought and ought not to be done. We treat as culpable choices those choices that breach the moral demands that “we” (referring to some unspecified group of people) accept. At this point there seems no need to drag complicated matters concerning the possibility of conflicting values into a discussion about the justification of our daily practices of responsibility.

For the moment, let us stipulate that in the case of an EBA the normative expectations that are breached must be legitimate normative expectations, “legitimate” in the sense that we are right to expect someone who possesses the RR abilities to be able to act in the way prescribed. Let me also assume the existence of the values that are presupposed by the notion of legitimate normative expectations. In this, I follow Wolf who argues that a minimal kind of value realism necessitated by the existence of such expectations and demands

must be shared by anyone who wants to discuss deep responsibility at all. The true value-skeptic cannot but abandon all talk about praise and blame, for the skeptic does not acknowledge the existence of things for which we could be blamed or praised (Wolf, 1990, ch. 6). If we believe that a discussion on the existence of deep responsibility is intelligible at all, we must also assume that values exist and that these values make some normative expectations legitimate and others not. Once we accept this, it can hardly be controversial that an EBA must be an action that breaches legitimate normative expectations.

D. Mitigating Circumstances

This brings me to the last part of our definition: “*p* did *a* in normal circumstances.” This condition captures that an EBA is not due to exonerating or mitigating personal circumstances such that the agent can be partly or fully excused from blame for the action. Of all the actions of normal human beings that potentially disclose something about them and that do not correspond to our legitimate normative expectations—of all the wrong actions—EBAs are those for which no exonerating or mitigating personal circumstances exist. At this point merely wrong actions can be distinguished from truly blameworthy ones in a more than arbitrary way.

A wrong action carried out under mitigating, excusing, or exonerating circumstances will not lead to a reconsideration of the legitimacy of the content of our normative expectations. Imagine, for example, a woman who drinks a few glasses of wine and is then asked by a neighbor to watch a sick child. When the child’s temperature rises slightly the woman decides to take the child to the hospital “just in case.” She gets into her car despite the few glasses of wine and drives the child to the hospital. Let us stipulate that the child is not that sick, so the woman’s over-protectiveness only leads to potentially dangerous situations. If we are told that this woman lost her only child just a few years ago, this will soften our negative moral evaluation of her. We will assume that her personal history somehow clouded her perception of the normative constraints embodied in the situation, and we will infer that her action was the result of this misperception. If the woman keeps on acting in ways we disapprove of on occasions that involve children we will probably, at some point, adapt our classification of her as a normal human being, if only with regard to actions that involve children. (compare Duggan and Gert’s description of the “disability to will” characteristic of, for instance, compulsive or phobic neurotics, in Duggan and Gert, 1979.)

I come back to this in the following chapter. Often, though, a wrong action that can be explained by exceptional circumstances or exceptional biographical facts will not lead to such a reclassification but only to a milder moral evaluation. The existence of such milder moral evaluations indicates our acceptance of a class of wrong actions that are not (fully) blameworthy. If we accept the existence of mitigating and exonerating circumstances as sketched

above, we also accept a distinction between “merely wrong actions” and “fully blameworthy ones.” Before elaborating on this distinction, let me briefly go back to our discussion of the autonomy-related distinctions in the previous chapter. As may be clear, adherents of the hierarchical accounts of responsibility discussed there might not accept this part of our definition (see ch. 2, sec. 3.B.ii), at least not unconditionally.

According to a purely structural hierarchic account such as that of Harry G. Frankfurt, the woman who drank a few glasses of wine cannot be excused for her action if, at the moment preceding the action, she deliberates about what to do and decides that—the few glasses of wine notwithstanding—taking the child to the hospital is the best thing to do. This is so even if, as Frankfurt admits, we cannot blame the woman for becoming the kind of person she is (Frankfurt, 1998, p. 34). According to the hierarchical authorization theorist, the woman deliberates and determines her will in correspondence with the outcome of her deliberation and is, for this reason alone, as much to blame for her action as someone with a different background would be.

As we have seen, practical compatibilists do not agree with this view because they agree with ultimacy pessimists about the existence of autonomy-undermining circumstances. They agree that two actions can have identical time-slice aspects and still warrant a different moral evaluation because of their causal history (see ch. 2, sec. 3.B.ii). Practical compatibilism is committed to the claim that if autonomy-undermining circumstances are present—as in the example of the overprotective mother—the agent acted wrongly, but not in any exemplary way reprehensibly. As such, practical compatibilism is committed to the existence of a fundamental distinction between wrongdoers and blameworthy agents, a distinction that separates the two independently of the decisive identification (or lack thereof) of the agent. If the woman’s ability to perceive what is wrong and what is right is affected by her personal history, then, according to the practical compatibilist, she is to be excused even if she wholeheartedly identified with the action.

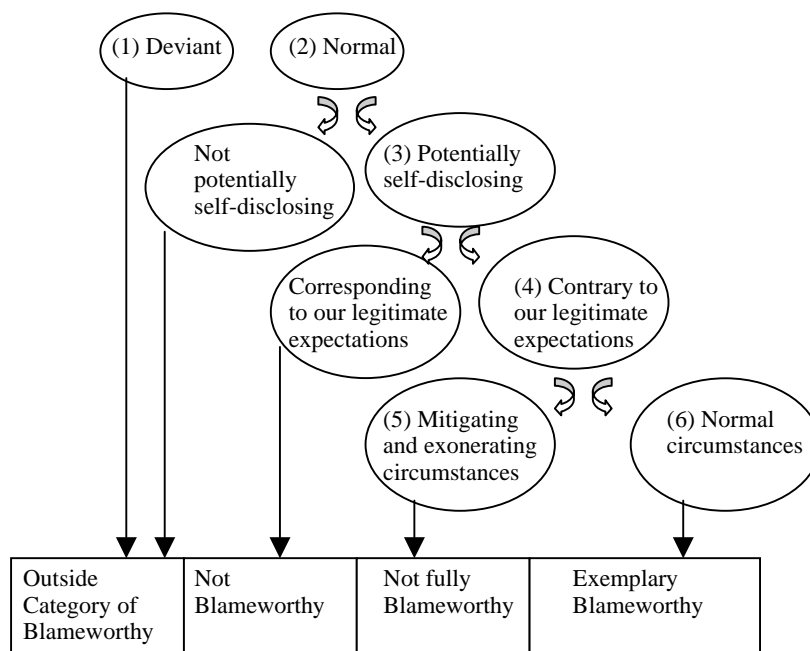
My worry is that this line of reasoning—the acceptance of a fundamental distinction between wrongness and blameworthiness—brings us back to where we started. The distinction between blameworthiness and wrongness defended on the basis of our possession of some general RR abilities, as I show next, might quite well be just another way of claiming that we are only truly to blame for *a* if we could have done anything other than *a*. This, as I show, would mean that if determinism is true, wrong actions are by definition actions that someone with the RR abilities would not perform. Let me explain the problems that result from this as systematically as possible.

3. Wrongdoers and Blameworthiness

The upshot of our definition of an EBA is that someone who performs such an action acts contrary to everything we are allowed to expect from someone who

possesses the RR abilities, and does so in non-excusing circumstances. As a result we are left with the question what distinguishes this agent from a deviant one, if not the ability to act in accordance with our legitimate normative expectations? And the problem with that suggestion is that it is difficult to understand in any other way than as the claim that this agent could have done otherwise. Let me explain.

The model with which we start and that is compatible with a lot of different accounts of responsibility is the following.



Take a closer look at the so-called deviancy or malfunctioning of our blameworthy agent. The left wing of the model above (all circles except those numbered 2, 3, 4, and 6) shows that the deviancy of the agent that is inferred on the grounds of a deviant action cannot be moderated or explained away by a specification or redescription of the action on the grounds of which we judge the agent to be deviant. That it is the individual who is judged, claimed, or experienced to be deviant is stipulated because the action belongs to the class of potentially self-disclosing actions (3). This means that the action enables us to evaluate the agent. If this condition were not met, the action would auto-

matically fall into the class on the left side of the model, the class of “not potentially” self-disclosing actions.

That the individual who acts wrongly is, in at least one sense, deviant is stipulated because the behavior does not correspond to our legitimate normative expectations of the agent (4). If a redescription of the action were possible, we would reclassify it as an action that falls into a class on the left side of the model, an action that corresponds to our legitimate expectations.

That the individual must be deviant in a robust sense—that is, different from a normal human being—is stipulated because actions that do not correspond to our normative expectations but which we can nevertheless come to understand fully or at least partially constitute a separate class, represented again on the left side of the model, that of the “not (or less) blameworthy actions.” These actions are wrong but the agent who performs them is not (fully) to blame. The woman from the previous section who drives the child to hospital after drinking a few glasses of wine acts wrongly, but we can understand what motivated her to act in a way we disapprove of.

Within the category of normal adult human beings on the right side of the model, a subclass of agents exists who act in a potentially self-disclosing way but contrary to our legitimate normative expectations (4). Within that class we have a subclass of wrongdoers (5) and a subclass of agents who deserve to be fully blamed for their wrong action, the class of blameworthy agents (6).

To arrive at the class of blameworthy agents, we must accept the following premises: (a) p is a normal human being; (b) a enables us to evaluate that person; (c) a is something no normal human being should do; (d) we cannot understand a on the grounds of any exceptional circumstances that obtain; (e) p acts in a way that deviates from how a normal human being should act. The only way to arrive at premise (e) is to ensure that premises (a) to (d) are simultaneously true.

However, if no one is ever able to act otherwise than they in fact do (if determinism is true), why not claim that a deviant action is always evidence of some exceptional personal circumstance (which renders premise d false) or of an agent who is a deviant human being, not as able as we thought but suffering from some mental, physical, or volitional deficiencies that explain the action (which renders premise a false)? On this picture, human agents inevitably produce certain actions when put in certain circumstances. This probably involves a complex mental process involving intentions, choices, deliberations, and other typically human mental events, but no intervening agents who can help functioning in the way they function. On this account, agents do not use their abilities but *coincide* with them. As a consequence, the truth of determinism entails that the class of EBAs is empty. A closer examination of our wrong actions will uncover all the causally sufficient circumstances of these actions, and disclose that none of the agents who acted wrongly is truly to blame, because each and every one of these actions can be explained by the exceptional circumstances that obtained or the more permanent mental or physical deficiencies of the wrongdoer.

One should bear in mind that the above argument follows from the possible truth of determinism—the possible absence of robust alternative possibilities—and its consequences for the existence of EBAs. It is not meant to establish the non-existence of EBAs. Nor do I mean to suggest that it adequately describes our common sense thinking about this matter. We do not ordinarily doubt people’s abilities every time they fail to exercise them. Nor do we ordinarily infer that people somehow must have lost their RR abilities if they failed to act in accordance with our normative expectations. The question is what this establishes.

If people who are perfectly able to walk suddenly stumble, we assume that something must have been in their way or that they must have been distracted by something. If they keep on stumbling every five minutes or start falling down every now and then we would be inclined to send these stumblers and fallers to the doctor to find out what is wrong with them. In the case of our walking abilities failures to walk properly make us look for excusing or exempting conditions. Why do we take an altogether different approach when wrong actions are concerned? Why do we believe or assume and what is implied in believing or assuming that if people fail to exercise the abilities relevant to responsibility and lack a proper explanation, they are to blame for this? Sure, we commonly believe that explanations exist for why people act wrongly that are not sufficient to excuse them, but why and what do these explanations entail? Do they imply that we believe some wrongdoers are able to act better than they did, that, in short, they possess alternative possibilities?

Before elaborating on how these considerations lead to a reinstatement of PAP, or rather PAI, let me give a bit more plausibility to the new ultimacy pessimist thesis that emerged from our definition of EBAs. Is it conceivable that blameworthy agents might not exist?

A. Wrong Actions and Deviant Agents

Is it conceivable that every truly wrong action might prove to be the result of some exceptional circumstances or invalidated or impaired RR abilities? Could it be that every action is the inevitable result of a combination of circumstances and the individual’s abilities, and that wrong actions disclose the presence of exceptional circumstances or the absence of the required abilities to behave properly? Could it be that the distinction between deviant human beings and normal human beings is so gradual and subtle that we only perceive the absence or impairment of someone’s RR abilities when they (suddenly) act very wrongly? This might be difficult to imagine, but is not impossible. Many types of mental disorder and many syndromes exist, covering a wide scope of human actions and behavior, ranging from the inability to read properly (dyslexia) to the inability to act and behave in a morally appropriate way (for example someone like Phineas P. Gage; see Damasio, 1994, ch. 1). It is hard to make a firm and clear distinction between normal and deviant human beings

(for the legal problems this poses see Reznick, 1997, ch. 1).

One could object that it is absurd to problematize someone's status as a normal human being (or as a deviant one), and argue that it is generally quite clear and unmistakable whether someone possesses the RR abilities. I come back to this below (sec. 4.B). In a superficial and trivial sense, this is perhaps true, otherwise it is only true in cases where the malfunctioning of an individual is obvious or when we are able to identify the lack of some abilities independently of the malfunctioning itself, for instance, by genetic, cerebral, or other neurophysiological defects. In these cases we can identify the "broken machinery" (deviancy) on the one hand, and the malfunctioning (the deviant behavior) on the other hand. What we are looking for in the case of EBAs, though, is an agent who is a well-functioning human being but whose individual action is indistinguishable from an action of a malfunctioning human being. This might be obscured by our daily and sloppy use of the terms "blameworthy" and "wrong," but if we do not want to trade on the ambiguity of the terms in our daily practice this is what we should establish: the existence of well-functioning beings (normal human beings) who occasionally do not function well at all (act reprehensibly).

The problem with firmly establishing this is that apparently normal humans being might suffer from various forms of inability that are unobservable because of their complete or partial integration into their personalities. Think, for instance, of our Tourette example in the first section of this chapter (sec. 2.A). If we are dealing with people who owe their personality to such an integration of some kind of inability, their wrongdoing might only disclose that they are deviant human beings.

To avoid all misunderstanding: I do not argue that every wrongdoing must be an expression of some kind of inability, only that the fact that we cannot establish that someone is a normal human being, leaves open the possibility that every wrongdoing might disclose some kind of inability. In which case any action that does not correspond to our legitimate normative expectations should be considered, as David Cockburn following Peter F. Strawson has put it: "a proper subject of prediction and control" (compare Cockburn, 1995, p. 426). (I consider some objections below, in sec. 4.) As a consequence we should take these people off the streets, treat and cure them if possible, or at least make sure they will do no further harm.

In so far as deep responsibility is concerned, the distinction between normal and deviant human beings is problematic. We are able to make a rough distinction between normal and deviant without difficulty; we are also able to make a rough distinction between responsible and non-responsible human beings. However, we are unable to answer whether these distinctions that play such an important role in our daily lives are ultimately intelligible if determinism is true—whether the condition that accounts for these distinctions is compatible with determinism. And this is the controversial question. As the skeptic has pointed out, a slippery slope that leads us from some doubt about particular cases to general doubt, in this case about the existence of a firm distinction

between normal and deviant human beings, exists. As Thomas Nagel puts it: “. . . outside of philosophy we find certain natural stopping places along the route, and do not worry how things would look if we went further. (. . .) The trouble is that our complacency seems unwarranted as soon as we reflect on what would be revealed to a still more external view, and it is not clear how we can re-establish these natural stopping places on a new footing once they are put in doubt” (Nagel, 1986, p. 119).

As a consequence, the assumption that blameworthy agents exist is unsubstantiated. This is awkward because especially in the case of EBAs the behavior we assume the agent to be capable of is typically absent. If someone acts in a wrong way the question is what reasons we have to assume that our classification of that person as a normal human being was correct. For, as Daniel C. Dennett has so aptly put it, “the grounds for saying that the person is culpable (the evidence that he did wrong, was aware he was doing wrong, and did wrong of his own free will) are in themselves grounds for doubting that it is a person we are dealing with at all” (Dennett, 1976, p. 194).

What about a more negative route? Could we not, for example, establish all the excusing and mitigating circumstances and use this information to establish which human beings are deeply responsible for their wrongdoings? After all, we seem to possess a pretty elaborate list of what excuses and exemptions. Also, we often offer agents or their representatives the ability to explain the wrongful behavior in terms of exempting or excusing circumstances in order to judge whether they are deeply responsible for it or not. The quest to establish who the normal human beings are is superfluous; a theoretical fabrication that has little to do with our actual practices. Ordinarily, so the argument runs, we simply look at the circumstances of the agent and action to decide whether the agent is deeply responsible for the wrong action. Would this work to make the existence of EBAs more than plausible? Let me take a look at this possibility.

i. Deviant Circumstances

Unfortunately, the distinction between deviant and normal human beings is echoed in our definition of normal circumstances and mitigating ones. It will not serve to establish the dividing line between normal and deviant human beings. Which is not to claim that it might not serve us in our daily practices. It appears to do. The question is (again): What does this establish? That we assume that most people are normal human beings? That we assume that they act in a blameworthy manner when we have no reason to exempt or excuse them? *That* we assume these things is not what the ultimacy pessimist disputes. On the contrary, the ultimacy pessimist of this chapter has problems with our assuming the existence of EBAs while having no evidence that they exist.

The ultimacy pessimist argues that instead of employing the acknowledged excuses and exemptions to distinguish between who is and who is not in

possession of the RR abilities, our acknowledgment of these excuses and exemptions already relies on our assumptions about who the normal human beings are and what abilities they possess. This appears true enough. We might excuse deviant actions in times of severe personal stress, but only because and in so far as we believe that (1) the circumstances concerned would require an emotional effort of all normal human beings, and (2) this emotional effort could well lead to such deviant actions. If this were not the case we might judge that the agent is deviant, not the circumstances. Let me give an example.

Suppose that a woman applies to us for a job that requires a perfect command of the Dutch language. During the interview, the applicant fails to speak Dutch fluently, and at the end of the conversation the applicant claims that the interview made her so nervous that her otherwise perfect Dutch became sloppy and incorrect. Assuming that this is not a job in which we require people to speak Dutch fluently even when they are nervous (in which case other considerations would become superfluous), our acceptance of the excuse will depend upon (our estimation of) how normal human beings speak their Dutch during a job interview. If we believe that a normal human being will speak Dutch fluently even during a job interview, we will not invest any more time in the applicant. We will judge that an applicant who does not demonstrate the ability to speak Dutch fluently during a job interview does not speak Dutch fluently as we understand it. If we believe that job interviews often make normal human beings so nervous that they lose abilities they do have in sufficient degree in normal circumstances, we will probably be prepared to test our applicant's Dutch-speaking ability in some other way. Our evaluation of the circumstances and our judgments about someone's possession of certain abilities ordinarily are strongly intertwined.

The relevance of this point is that in the case of typical human abilities, our epistemological difficulties cannot be solved with the help of a clear picture of what in our bodies or brains performs the work and how precisely it is performed. We cannot establish the presence of exempting or excusing conditions, nor, for that matter, their absence. This gets only worse in the case of such complex abilities as the power of reflective self-control. In the case of such abilities, we lack a clear picture of the mechanisms responsible for our functioning at a higher level and of what it means to function well. When even such a relatively uncontroversial matter as a perfect command of the Dutch language is relative to the context (to the purposes speaking Dutch is supposed to serve), we can imagine the difficulty of defining what it means to possess the power of reflective self-control.

I come back to the possibilities to avoid the undermining consequences of this intricate and obscure relationship in the following chapter. For now, let me proceed with the possibly worrying implications of the theoretical obscurity of the distinction between normal and deviant human beings. What are the consequences for practical compatibilism of the fact that we cannot firmly establish the existence of wrongdoers who possess the RR abilities (and are, therefore, to blame)?

B. Wrong Actions and Blameworthy Agents

Had we been able to establish the existence of blameworthy agents, we could have concluded that determinism is irrelevant to our daily practices of responsibility. When at least some of us are deeply responsible for at least some of our wrong actions while simultaneously determinism is true, then responsibility and determinism must be compatible with one another. When, on the other hand, the established fact of our deep responsibility is incompatible with determinism, then determinism must be false. This would have ended our discussion about alternative possibilities and their robustness. As it is, the existence of alternative possibilities is again a nuisance.

The ultimacy pessimist will rightly argue that our belief in the existence of a class of EBAs presupposes that we are able to distinguish people's status as normal human beings from their (deviant) behavior. And that conclusion, the ultimacy pessimist will continue, might quite well equal the conclusion that some people who acted contrary to our normative expectations at some point in time were nevertheless able to act consistently with our normative expectations at that point in time, and were so unconditionally—under exactly the same circumstances. And that conclusion, the ultimacy pessimist will argue, equals the quite strong and controversial conclusion that at least some of us have been able to act otherwise than we in fact did.

That the wrongdoer must have been able to act otherwise unconditionally is due to the fact that, according to the ultimacy pessimism under discussion here, our RR abilities (via our intentions) inevitably produce the right actions when put in the right circumstances. If the circumstances were not of a proper kind we should be excused (as the woman of sec. 2.D) unless our RR abilities are impaired, in which case we should lose our status as a deeply responsible being. If this is true, the fact that we often distinguish between people's status as normal human beings and their deviant behavior (that we judge people to be blameworthy) and the conclusion that we are justified to do so, discloses the fact that we commonly make an assumption that is not at all innocent or metaphysically modest. The distinction presupposes the very freedom as alternative possibilities that, as we have seen in the first chapter of this book, is so controversial in relation to determinism (ch. 1, sec. 4). As a consequence, practical compatibilism based on a proclaimed unproblematic distinction between normal human beings and deviant ones—on our possession of the RR abilities—is not as metaphysically modest as it was designed to be.

Practical compatibilism's claim is that we can account for the autonomy-related distinctions in terms of the possession of the RR abilities. Since, so its argument proceeds, it is highly unlikely that the thesis of determinism could undermine something so general as the possession of the RR abilities, determinism cannot but be irrelevant to our practices of responsibility. Concentrating on EBAs we see that EBAs might only exist if people who acted wrongly could have done otherwise in a fairly robust sense: The circumstances they act in must not be circumstances that enable us to explain why they acted

in the deviant way they did. If determinism is true people's status as normal responsible human beings might quite well be constituted exclusively by their ability to act and behave in some ways when put in the right circumstances. In that case every badly-acting individual should be either reclassified as a "deviating human being," be exempted, or be excused because of exceptional circumstances. If none of us is ever free to act otherwise than we in fact did, only the following types of action might exist:

- (1) actions of incapacitated deviant individuals,
- (2) actions that are contrary to our legitimate normative expectations because of exceptional personal circumstances, and
- (3) actions that correspond to our normative expectations.

Is there any way to prevent the conclusion that robust freedom is implied in accepting the existence of blameworthy actions?

4. Three Ways Out

The renewed nuisance of the necessity of alternative possibilities for blameworthiness would disappear if we are able to define and determine someone's status as a normal human being with the help of something other than the actions an agent performs. Let me take a closer look at how, in everyday life, we make the distinction between deviant human beings who act wrongly and normal human beings who act wrongly and are to blame. Three suggestions to make the distinction without involving the notion of robust alternative possibilities immediately spring to mind. Unfortunately, though each is useful for our understanding of the phenomenon of blameworthiness, none is able to solve the fundamental difficulty that ultimacy pessimism points out.

A. Describing versus Prescribing

The first suggestion that comes to mind is that the necessity of robust alternative possibilities that we have pointed out is caused by an equivocal use of the concept "normal" in our daily practice. "Normal" is used, on the one hand, to describe classes of human beings and their behavior in a statistical manner and, on the other hand, to prescribe how these human beings should behave. The concept "normal" as used in "normal human beings" is descriptive—and refers to, for instance, "most people"—whereas "normal" used as a prescriptive concept refers to how every single individual of this described group ought to behave. And what is more trivial than the observation that some human beings sometimes act in ways they ought not to?

Unfortunately, the triviality of the observation does not help to solve the fundamental difficulty. When we take a closer look, the idea that these indi-

viduals can be described as normal, as capable of some actions, is exactly what makes us prescribe these actions and behavior to them. Moreover, the idea that some people are able to behave appropriately is exactly what makes it legitimate to prescribe that behavior to them. Imagine that we receive a rude e-mail, but then discover that the person who wrote it was not our colleague, but her six-year-old daughter playing with her mother's computer. Upon learning the age and identity of our e-mailer, we will cease to feel insulted because our standards of politeness are not fit to be applied to six-year-olds. The distinction between the descriptive and prescriptive use of "normal" does nothing more than reiterate the difficulty pointed out in the previous section.

The reason for discussing the objection at all is that I believe that the ambiguity of the concept "normal" plays a substantial role in our day-to-day evaluations of one another, in which we do not mention a principle as PAI. Most of us employ some unrefined statistical notion of normality that includes all those who in some respects "look like us," and use this unscientific notion to prescribe some actions and behavior to them and to justify our blame or moral indignation if these prescriptions are not met (I come back to this method in the next chapter, sec. 4). The point is that even if we do not literally cite the freedom to do or intend otherwise as a necessary condition for blame, the assumption on the basis of which we blame, and the justification of our blaming, might still refer to something like the freedom to do otherwise, if spelled out completely. In this case the idea that the wrongly-acting agent is a normal human being just like us, if explicated, might very well mean: "that person is able to act appropriately."

B. History versus Time-Slice

The second suggestion that springs to mind is that people's status as normal human beings is a historic phenomenon that depends upon the totality of their actions and behavior. To say of people that they acted reprehensibly might boil down to saying that people who act and behave as most of us do most of the time (or, with regard to most things) acted reprehensibly this time (or, with regard to this thing). This suggests that the difficulty we have pointed out might be based upon the misconception that an EBA is a time-slice phenomenon of individual agents and their isolated actions. In everyday life, so the objection runs, we know which individuals are normal and which are deviant because we always see a picture bigger than that of a single action alone.

Unfortunately, this objection only amounts to a solution if we are willing to accept that only those who act out of character can act reprehensibly. This is implausible. A car accident caused by a reckless driver seems a pretty good example of a bad example of an EBA. Conversely, a car accident caused by an otherwise quite careful driver seems to be a bad example of a good example of an EBA (I discuss the prototypes of wrong actions elaborately in the next chapter, sec. 5). We might of course be mistaken about this—blameworthiness

might be a matter of agents somehow acting out of character—but it seems unwarranted to jump to that implausible and revisionary conclusion without further knowledge about our RR abilities and how they cohere with determinism. “Acting normally most of the time” does not seem a plausible necessary condition to distinguish between a wrongdoer and an exemplary blameworthy agent. Nor does it seem sufficient.

We can act normally most of the time with regard to most actions and still lack some abilities that other people have, or we may possess these abilities but only to such an extent that some conditions prevent us from using them. Students who pass every oral exam effortlessly can flunk a written exam because they are dyslectic and unable to write flawlessly. If this is the case, the students are not responsible for failing the exam. Likewise, students who have the abilities to pass an exam can flunk it due to the circumstances in which the exam was taken; for instance, because some undetected or undetectable aspect of the situation made them unable to concentrate sufficiently. If this is the case, again, the students are not responsible for failing the exam.

Although the historic view might give us a good epistemic account of how we come to judge each other as deviant or normal individuals in daily life, this is not sufficient. In order to block the possibility of ultimacy pessimism, it should give us the conditions of normality that enable us to establish who possess the RR abilities in sufficient degree relative to the circumstances, even if people do not act in accordance with them.

C. Motivating versus Justifying

The third—and, to my mind, most interesting—suggestion is that the distinction between motivating and justifying reasons could come to our rescue. Perhaps a set of possibly motivating reasons exists that enables us to determine which actions are actions of someone who possesses the RR abilities, and a subset of these possibly motivating reasons—those that lack a proper justification—that determines which actions are wrong. In this case an agent might be blameworthy if the action is properly motivated but lacks a sufficient justification. As a consequence, the difficulty that we are examining—the apparently incoherent, even paradoxical, nature of an exemplary blameworthy agent—disappears because the agent’s deviation (the wrong behavior) does not contradict that which gives the agent status as a normal human being (the agent’s intelligible behavior) in the first place. Some actions correspond to our expectations in the sense that we recognize the motivating reasons as motivating reasons, while at the same time they run counter to our normative expectations in the sense that we do not accept these motivating reasons as justifying reasons.

We understand the attraction of, for instance, tax evasion, but we do not as a rule approve of people who evade tax. In other words, tax evasion is something human beings with a normal motivational make-up do, but also

something that human beings with a sense of right and wrong should not do. Perhaps we can determine an individual's status as a normal human being because we expect this deviant behavior of a normal human being, but do not approve of it: We want every human being to behave a good deal better than that.

If this is true, the class of EBAs consists (entirely) of those actions that we partly understand, but nevertheless disapprove of. To give an example, the woman next door who throws (big) stones at the neighborhood cats because they kill her pigeons acts reprehensibly. We can imagine someone becoming quite angry if a cat kills her pigeons, but hurting cats is the wrong reaction to it. If, on the other hand, the neighbor hurls stones at the cats without any intelligible motivating reason, we would (and should) reconsider our assumption that she is a normal individual and conclude that our neighbor is out of her mind, or insane. Apparently the neighbor does not possess the RR abilities: No people in their right minds would throw stones at neighborhood cats just for fun.

A difficulty with regard to our emotions and attitudes toward so-called moral monsters might obscure the point I want to make. When we are confronted with horrible behavior, the interest in the legitimacy of our emotions and attitudes toward this wrongdoer might quite well disappear completely. Many philosophers take this as proof or an indication of their claim that alternative possibilities do not matter for blameworthiness. An alternative explanation is that, in those instances, we cease to feel the need to be just to those people we no longer recognize as normal human beings. Our reaction with the moral sentiments reflects the unwillingness to justify our reproaches and feelings of anger; it does not necessarily reflect a considered judgment that they are responsible regardless of their mental incapacities. (I come back to this difficult topic in the next chapter, sec. 5A.)

If we understand the class of blameworthy actions with the help of the distinction between motivating and justifying reasons, the class of EBAs becomes much smaller than the traditional one because it excludes all "moral monster"-like crimes we often allow and use as examples of blameworthy actions. I argue, in the following chapter, that good reasons support this restriction when we are talking about deep responsibility (also sec. 5A). With regard to the problem at hand the distinction between motivating reasons and justifying reasons, unfortunately, is not of much help. It only obscures the difficulty under scrutiny by replacing it with the obscure, though more familiar, concepts of "weakness of will" and, a subclass of this, "laziness of mind." Let me explain.

If we recognize the reasons for people's deviant behavior as motivating reasons, and if we recognize these motivating reasons as not being justifying reasons, then we need to assume the wrongdoers to be capable of recognizing the same, notwithstanding the fact that they did not recognize it (also often referred to as "laziness of mind"). Or, if the agents do recognize the motivating reasons as not being justifying reasons, we need to assume them to be capable of acting upon this recognition, notwithstanding the fact that they did not act

upon it (also often referred to as “weakness of will”). The labels “weakness of will” and “laziness of mind” are abbreviations for the complete formula that contains the *explanandum* of this chapter. To say of agents that they were weak of will means:

- (1) the agents were able to do *a*, which is an action that every normal human being would and should do;
- (2) the agents knew and agreed that they should do *a*; and
- (3) although the agents were able to do *a* and knew and had agreed that they should do *a*, they preferred or chose not to do *a*.

Likewise, to say of agents that they were lazy of mind means:

- (1) the agents were able to know that *a* was what they should have done, and
- (2) nevertheless, the agents preferred or chose to remain ignorant about *a*.

The labels “laziness of mind” and “weakness of will” imply that some effort was not made, although it was perfectly legitimate to expect some efforts to be made by those persons at that moment and with regard to the circumstances they were in.

The ultimacy pessimist will point out that the addition of these explanations does not alter the need for alternative possibilities for blameworthiness. The ultimacy pessimist will claim that the basic assumption remains the same: We assume—and we need to assume—that our perfectly reasonable and legitimate expectations were not fulfilled by someone who could have fulfilled them (unconditionally), for otherwise it would be wiser to adapt our expectations of the blameworthy agent. Again, a distinction is made between the behavior that does not fulfill our legitimate expectations and the agent who is perfectly capable of fulfilling those expectations—and again the distinction is crucial.

The distinction between justifying and motivating reasons does not enable us to avoid the need to assume the existence of robust alternative possibilities in order to understand the distinction between normal human beings and their deviant behavior on the one hand, and deviant human beings and their deviant behavior on the other. It does not solve anything; it only makes the difficulty less visible.

This concludes our discussion of the three possibilities to avoid the conclusion that robust freedom is implied in accepting the existence of blameworthy actions. Let me now return to the conceptual necessity of alternative possibilities and see where it leaves us with regard to practical compatibilism.

5. The Necessity of Alternative Possibilities

If agents do not live up to our expectations, the conclusion that they failed to behave in ways they are capable of—as opposed to the conclusion that our expectations of the agents (as normal human beings) were unjustified—depends upon the unsubstantiated assumption that the agents are normal human beings. To assume that the agents are normal human beings even though they acted as malfunctioning ones amounts to assuming that they were free, or able, to act better than they in fact did (under exactly the same circumstances). Determinism is threatening because it renders the distinction between a normal and a deviant human being equal to the distinction between a well-functioning and a malfunctioning human being—just as it renders the distinction between normal and exceptional circumstances equal to the distinction between suitable circumstances for well-functioning and unsuitable circumstances for well-functioning.

On this account it does not matter what kind of determinism we adhere to. It does not matter whether the determining conditions follow from God's omnipotence, or from the laws of nature together with the antecedent events, or from our motives and desires which are, in turn, understood to be the inevitable products of our birth and upbringing. According to this argument for the necessity of alternative possibilities, the crucial question is whether the sum total of our abilities together with the sum total of the circumstances produce our actions (via our intentions), just as the sum total of the currents constituting the flood cause the poorly constructed dam to break (Chisholm, 1964, p. 25).

If this is a correct comparison, all our actions are mere effects in a causal chain that started long before we were born, and people are only superficially responsible for the consequences of their actions, just as the dam is only superficially responsible for failing to avert the flood. If, on the other hand, the possession of some RR abilities enables us to originate events, some events can only be understood by referring to individual agents who did what they did, chose as they chose, decided as they decided, and did so freely: they could have done, chosen, or decided to do otherwise.

Since determinism excludes origination and we—in our daily practice of responsibility—seem to accept the existence of blameworthy actions, the burden of proof with regard to the claim that our daily practices of responsibility are justified, remains firmly on the compatibilist's shoulders. It does not matter whether the causes of well-functioning or malfunctioning are conceptualized at the level of elementary particles, at the level of neurological events and brain states, or at the level of psychological and mental phenomena. As long as we do not understand how the existence of causally sufficient conditions for each and every event accommodates the idea of origination by a single individual, or as long as we cannot explain the distinction between a wrongdoer and a blameworthy agent regardless of this lack of origination, our daily practices of responsibility are in conflict, if not incompatible, with determinism (compare Grau, 2000 and Fischer and Ravizza, 1992, pp. 385–88).

Where does this leave Wolf and Wallace in so far as they are practical compatibilists?

A. Practical Compatibilism

The objections that ultimacy pessimism will have against Wallace are clear. His principles of “no blameworthiness without fault” and the principle that it is “unreasonable to hold someone to expectations that she is incapable of fulfilling” leave room for the existence of blameworthy agents only if robust alternative possibilities exist. Blameworthy agents exist only if people exist who make mistakes they could have avoided, or people who did not fulfill our expectations even though they could have. Ultimacy pessimists will argue that Wallace’s compatibilist conclusion is not warranted unless he is able to explain: (1) what wrongdoers’ possession of the ability of reflective self-control exactly amounts to if not their ability to (intend to) act otherwise under exactly the same circumstances; and/or (2) how these kinds of alternative possibilities (to act better than we did) are compatible with determinism.

Wallace’s arguments against a bipartite account of abilities and against the confusion of several kinds of impossibility (see ch. 2, sec. 4.B) are arguments about what it means to possess the RR abilities and how this is not necessarily affected if determinism holds. Wallace does not discuss the possibility that the truth of determinism might entail that every wrongdoer lacks the requisite RR abilities to act appropriately. With regard to our general possession of the RR abilities, he argues that this possession would not necessarily be undermined if determinism is true (Wallace, 1994, p. 199). But that is not enough to refute the ultimacy pessimists discussed in this chapter, for they do not argue that determinism necessarily undermines our general possession of the RR abilities. The ultimacy pessimists of this chapter only suggest that determinism’s truth implies that wrongdoers do not possess the RR abilities to a sufficient degree relative to the circumstances.

With regard to PAP, Wallace argues that we have no independent commitment to it and that his principle of “no blameworthiness without fault” is enough to account for all the excuses we accept (Wallace, 1994, pp. 147–153). This is not enough to refute the ultimacy pessimists discussed in this chapter either, for they do not argue that we have such an independent commitment to alternative possibilities. They argue that our commitment to alternative possibilities consists in our commitment to the principle that it is unreasonable to hold people to expectations that they are incapable of fulfilling, and that it is unreasonable to hold people to expectations if they do not possess the RR abilities. If determinism’s truth is incompatible with the existence of blameworthy agents, then to hold wrongdoers responsible for their wrongdoing is unreasonable.

The objections that the ultimacy pessimist will have against Wolf are less clear if only because Wolf’s position on the issue of freedom is more ambigu-

ous than Wallace's. As we have seen, Wolf agrees with this necessity of alternative possibilities in so far as blameworthy actions are concerned, but argues that physiological determinism need not be a threat to our daily practices of responsibility. For this purpose, she tells us the "Leibnizian" story in which the presupposition that the physical level of existence is more basic than the psychological is questioned. Why, Wolf asks us, should we assume that "we go wherever our body takes us and not that our body goes wherever we take it?" She argues that, until proven otherwise, the assumption that we are psychologically free should not be abandoned. Psychological determinism, Wolf concludes, is incompatible with responsibility, but since psychological determinism is also most probably untrue we have no reason to worry about our responsibility.

Wolf does not see the need to justify any further the assumption that we make free choices all the time. Justifications, she states, must "come to an end somewhere" (Wolf, 1990, p. 112). Since, she argues, little reason exists to suppose that all occasions on which someone is weak of will or lazy of mind are inevitable (in the sense that the agent could not have reflected better or could not have acted according to her better judgment) little reason exists to doubt that we are, at times, responsible for what we do (Wolf, 1990, pp. 88–89; compare Duggan and Gert, 1979, p. 222).

Although ultimacy pessimists accept that what matters to responsibility is psychological freedom, they are not sure what this should establish. They will point out that the notions "weakness of will" and "laziness of mind" either conceal robust alternative possibilities or else lose their explanatory force with regard to the distinction between blameworthy actions and wrong ones. If they conceal alternative possibilities, Wolf should explain how our acceptance of their existence is compatible with determinism (compare Fischer and Ravizza, 1992). Related to the existence of EBAs, the existence of psychological freedom is as problematic as physiological freedom.

Ultimacy pessimists are pessimistic about our ability to make sense of our daily practices of responsibility not because they believe that we could give up on our daily practices of responsibility, but because they believe that we cannot make sense of the idea of blameworthiness without the notion of an individual who is able to originate events. Unless we understand how origination is possible in a deterministic universe, they argue, we should be skeptical about the existence of blameworthy actions.

Does this mean that practical compatibilism remains entangled in the age-old (in)compatibilist argument phrased in terms of alternative possibilities? I believe not. The practical compatibilists' position can be strengthened if we abandon their compatibilist aspirations and focus on the normative turn they advocate by way of the idea that responsibility is a primitive concept (see ch. 2, 2.B). This is the focus of the next chapter.

6. Conclusion

On the basis of the first chapter, we can distinguish between several ways of reacting to the necessity of alternative possibilities for responsibility. We can:

- (1) deny that determinism is true;
- (2) argue that alternative possibilities and determinism are compatible; or
- (3) argue that the class of EBAs as we have defined it in this chapter is empty.

The first option is the traditional incompatibilist (F) option of the libertarian. The second option is the compatibilist (F) option of those who endorse the conditional analysis. The third option is the incompatibilist (F) option of the hard determinist or the compatibilist (R) option of the hierarchical authorization account theorist who argues against the necessity of robust alternative possibilities.

Practical compatibilism, as I argued in the previous chapter, does not choose between these options. Wallace has sympathy for the compatibilist solution of the hierarchical authorization accounts. Wolf has sympathy for the compatibilist option of the conditional analysis, but also for the opposite incompatibilist option of the libertarians. Both, though, doubt whether the traditional compatibilist options adequately account for the autonomy-related distinctions, and both take quite seriously the skeptical challenge to account for the legitimacy of our individual judgments of responsibility.

Wolf and Wallace both reckon that their understanding of the (in)compatibilist discussion—as a normative discussion on the conditions that should regulate our daily practices of responsibility—enables them to discuss whether our daily practices of responsibility are justified without allowing this discussion to have the possible unhappy consequence of undermining these practices as a whole. Though I agree with their claim that our ability for reflective self-control should be the condition of our status as deeply responsible agents, I disagree with their view that this condition is justified because it is highly unlikely that determinism conflicts with the possession of this ability (or any other ability for that matter).

As argued in this chapter, I believe that the contention that it is “highly unlikely” that determinism is incompatible with our possession of the RR abilities in general, misrepresents the worries that incompatibilists, pessimists, and others might have concerning our daily practices of responsibility. What can, should, and does worry them is the intelligibility of exemplary blameworthiness and, consequently, the existence of blameworthy agents. With regard to these worries, both determinism and (in)compatibilism (R) matter.

The idea that alternative possibilities do not exist, I argued, threatens to reduce the category of exemplary blameworthy agents to the category of wrongdoers, that is, human beings who might not possess the RR abilities in sufficient degree relative to the circumstances and who, therefore, act wrongly.

If blameworthiness is reduced to a mere sub-category of wrongness, the autonomy-related distinctions are rendered obsolete. People malfunction in different degrees and relative to the circumstances, either because they are young, mentally ill, hypnotized, or manipulated, or for other yet unknown reasons. If this is true, the distinction between deeply responsible and non-responsible does not make a difference: People just do the things they do. This is exactly what ultimacy pessimism feared and what practical compatibilism was designed to prevent. Where does this leave us?