

## Four

# BLAMEWORTHY ACTIONS AND NORMATIVE DISAGREEMENTS

But it is not, as might be supposed, that there is room for responsibility in the gaps, if there are any, in determinism. We do not first establish where determinism holds sway and then draw conclusions about if, and where, there is room for the idea of people as responsible for what they do. Rather, there is room for determinism (and indeterminism) in the gaps left by responsibility.

David Cockburn (1995, p. 427)

### 1. Introduction

In the previous chapter, I argued that we cannot establish the existence of EBAs. This allows for ultimacy pessimism about the legitimacy of our daily practices of responsibility. We commonly hold one another responsible for wrong actions and—even on the practical compatibilist condition—this discloses the assumption that we possess counterfactual freedom. If determinism is true our daily practices of responsibility might not be warranted. I say “might” because I did not argue against or in favor of compatibilism (F).

In this chapter I argue that we can defend the practical compatibilist condition under the heading of “practical semi-compatibilism,” a view that answers the question which of all human beings should inform the normative expectations that (should) regulate our shared community. The key to my defense of practical semi-compatibilism is the concept of “a normative disagreement.”

I argue that the actions crucial to our daily practices of responsibility are not incomprehensibly wrong ones, but actions that seem to disclose a normative disagreement of the agent with the normative expectations transgressed. Allowing room for such actions requires us to assume that at least some people are fully responsible also for actions that seem wrong to us. This inevitably brings with it that some actions appear as exemplary blameworthy ones.

I conclude that even though we might discover that no true EBAs exist if determinism is true, it is impossible to eliminate the evaluation of some actions as EBAs.

## 2. Normative Disagreements

As suggested in section 2.C and 4.A of the previous chapter, not all normative expectations that regulate our daily lives are legitimate. Some of them are inappropriate, unjustified, or inadequate, for instance, because they are determined by unexamined habits, or norms and values we should no longer adhere to once we have examined them critically. This, I take it, is an uncontroversial observation, empirically speaking (if you are reluctant to accept it, I have an argument that shows it to be inevitable for ultimacy pessimists in chapter 5). Sometimes transgressions of normative expectations are not wrong.

What is important about that observation is that the performance of these legitimate transgressions should not lead to an adaptation of our expectations of the agent, but to an adaptation, refinement, or reformulation of the normative expectations. This means that the normative expectations of an agent can turn out not to be legitimate in two ways:

- (1) the agent might not be an adult human being who possesses the RR ability in sufficient degree relative to the circumstances, or
- (2) the content of the normative expectations might turn out to be mistaken.

The crucial intuition of this chapter is that these two ways to adapt or change our expectations are in conflict with one another. An action is understood as criticism of or as an objection to the legitimacy of the content of the normative expectations it transgresses, only if we understand the agent to be a responsible human being.

This discloses a category of actions with regard to which the assumption that agents are responsible is morally required. It would be incorrect and wrong to excuse or exempt agents whose actions disclose a legitimate normative disagreement with the content of the normative expectations transgressed. It is incorrect because we stipulated that it concerns a legitimate transgression of our normative expectations. It is also wrong in a more serious moral sense. It would undermine the agents' full participation in our shared community, whereas, in this case, their action is a token of their ability to fully participate, a token of their possession of the RR abilities. To exclude fully capable individuals in this way is deadly wrong, on all accounts of what is and is not morally permissible.

Unfortunately, from a participant point of view—from the point of view of people who participate in a community regulated, and partly constituted, by some normative expectations—we cannot easily distinguish the legitimate transgressions from the other, illegitimate, ones (see also chapter 5). If we adhere to the transgressed normative expectations, the action will simply seem wrong to us. For the sake of the argument let me focus more generally on all actions that disclose a normative disagreement with the normative expectations transgressed (hereafter, for short: ADNDs), and, for the moment, disregard the

question whether these disagreements are legitimate or not. ADNDs are all those actions that seem wrong to those who adhere to the normative expectations transgressed, but which are performed by agents because they—in some way or other—disagree with those expectations.

What it means exactly “to disagree with some normative expectation” is not entirely clear. Sometimes agents act in ways because they did not reflect thoroughly and carefully: What seemed good to them initially, might seem wrong to them upon reflection. Also sometimes people do not realize that their actions transgress some normative expectations, they see nothing wrong with what they do and do not suspect that others do either. Or they act in ways they know to be wrong normally, just because they want to hurt or annoy someone, or are angry in general and believe this to be good enough reason to perform the otherwise wrong action. We could wonder whether all of these should count as ADNDs or not. For the purposes of the view that will be defended in this chapter, these nuances are not important. At least, not initially. I call an ADND all actions that divide those who hold responsible and those who are held responsible on the question whether the action concerned is wrong. In due course more will become clear about the boundaries of the class of ADNDs and about the question how we should perceive of them.

#### A. Blameworthiness

Every normative community recognizes some circumstances as excusing and some as exempting. The assumption of the presence of such circumstances causes ADNDs to be misunderstood. Excusing and exempting circumstances let agents off the hook by excusing and exempting them from blame and also let a normative community undisturbed by rendering the deviant action harmless and unconflicting. If an action is excused or if the agent is exempted, the deviant action can safely be ignored; after all, none of the full-blown participants with whom we share our normative community claims that the action was not wrong. None of them claims that the expectations it breached were wrong and should be reconsidered.

As a rule agents who disagree with the normative expectations that their action breached do not want to be excused or exempted (some exceptions are discussed in sec. 5). They want their deviant action to matter to and inform the normative community they belong to. But what does wanting to “matter to and inform” the normative community that you belong to mean? In what sense do people want to co-determine and be co-authoritative about the normative expectations that regulate the normative community they participate in? Let me give some elaborate examples to illustrate this so-called ability to inform and matter to our normative community, the importance and value that we attach to it even though it might subject us to the negative moral sentiments, and the ways in which it can be controversial whether we possess it.

Let me start with a relatively uncontroversial example. Suppose that you

live abroad and have to speak a foreign language. If people assume (or acknowledge) that you are not able to fulfill the normative expectations (language-related) of the language community because you are a foreigner, your deviant language-acts will be excused, rather than blamed. This assumption (or acknowledgment) of your inability, apart from obstructing blame, at the same time disables you to behave and act in a manner disclosing a disagreement with the normative expectations that regulate that language community. You are not regarded as a full-blown participant in that community, your deviant language-acts will be excused before you are even able to express your doubts about some of the language community's language-related rules and customs. For example, your refusal to address your superiors in the required polite form will only be understood as a disagreement with that requirement if you first convince them that you know what is required, but that you are deliberately not complying because you disagree with that custom.

In the case of a foreign-language community your inability might be annoying but is relatively limited. As soon as you are able to speak the language to a sufficient degree you are—in principle—able to communicate your disagreements, even about the language that you do not speak fluently. This is not always the case. Imagine a teenager, let me call her "Teen Mary." Suppose Teen Mary is bothered by the importance that people attach to politeness and proper dress in public life. As a protest against this, she breaches the expectations of proper dress and politeness. Confronted with Teen Mary's behavior, most people will regard it—rightly or not—as a manifestation of the difficult phase in life she goes through, not as the deliberate action resulting from a conscious choice of an individual, autonomous agent who happens to be a teenager. They will understand Teen Mary's insulting behavior as constituting an action—a vehicle of self-disclosure (see ch. 3, sec. 2.B); they might even understand it as an action that discloses something about her, for example, that she has a mind of her own. They will not blame her for the behavior displayed, at least, not fully and/or not in the same way as they would blame adults.

As in the example of the inexperienced participant in the language community, the deviant behavior of Teen Mary will perhaps be judged as insulting and wrong, but not as fully blameworthy. Contrary to the language example, Teen Mary will encounter much more trouble in getting her behavior interpreted as a sincere and possibly correct objection to the stress on politeness in public life. No matter how intelligent or compelling the arguments are with which she defends her behavior, not many adults will take it very seriously. They will not listen and weigh the arguments and ideas as (possibly) informative of the normative expectations that should regulate their normative community. Even though they might admit Teen Mary's arguments to be intelligent and compelling, they are not likely to be truly challenged by her behavior or arguments. Teen Mary is just a teenager, and the deviant behavior of teenagers—rightly or not—is typically ascribed to their being teenagers. Teen Mary will have to wait until reaching adulthood before being able to inform the

normative expectations regarding politeness and proper dress in public.

Apparently, to be bright, intelligent, and verbally capable of expressing your points—though it probably helps a lot in our western culture in which these traits are highly valued—is not necessarily enough to co-determine the normative community you belong to. The teenager is all these things, but is still not regarded as someone capable of what Michael Smith and Philip Pettit have called an “intellectual conversation,” a conversation in which the participants accept one another as equally authoritative and are in principle prepared to revise their ideas when confronted with the appropriate evidence (Pettit and Smith, 1996, pp. 90–91). The point is that it is quite possible that in order to inform and co-determine the community that is regulated by the normative expectations of proper dress and politeness other things count, if you want to fully participate. For instance, we might exclude teenagers because they have no equal share in the burdens of work and care we bear.

On the other hand, Teen Mary might be (considered) a full-blown participant in another normative community, for instance, that of her immediate family. She might be able to change and influence that normative community. Suppose, for instance, that Teen Mary disagrees with the polite, cold, and distant manners with which her parents, brothers, and sisters behave toward one another, and with the strict rules that obtain in their home about, for instance, proper dress. Suppose she feels that a family should provide for a warm and loving environment, one in which informality rather than decency should be the rule. In this case the adults—parents, older sisters, and brothers—might be willing to examine the normative expectations of politeness and proper dress concerned, and as a consequence of this adapt or even abandon them.

Our ability to inform, matter to, and co-determine our normative community coincides with how the other participants of that community regard us. This implies that being regarded as an exemplar of a normal human being and actually being such an exemplar are—disconcertingly so—similar. If (most) people do not accept us as an equal participant in their (our) community, we will not be able to inform, influence, and co-determine the expectations that regulate that community. Consequently, human beings like us will not leave a mark on the expectations that regulate that community (see also the chapter 5).

To be sure, the recognition of an action as an ADND does not necessarily mean that our normative expectations are adapted or abandoned. The parents in the example of the teenager, for instance, might hold on to their expectations even though they acknowledge their daughter as a participant with an equal say. It is beyond the scope of this book to elaborate on the possible or necessary ways to deal with such disagreements. What must be clear, though, is that whatever is decided on these issues, the way their daughter is treated by them even if they keep on disagreeing with her, is fundamentally distinct from the scenario in which they disregard her actions and make up excuses (she has moodswings) and exemptions (she is just a teen) for it.

Basically two ways exist in which the parents can take Teen Mary’s disagreement into account. First, Teen Mary’s parents might adapt the content of

the expectations that regulate their household, but only in so far as is necessary to allow Teen Mary to deviate from them. They might, for instance, add to the demand “to behave politely and dress properly in and around the house” the clause “once you are no longer in your teens.” This means that they accept that being a teenager is a good excuse not to behave as politely and dress as properly as you should in adult life. We can even imagine that the adapted normative expectations become a reason for criticizing the younger sisters and brothers if they still behave as politely and dress as properly as their parents once they are in their teens.

Second, Teen Mary’s parents might consider the content of the expectations that regulate their household unconditionally. For example, they might come to see that their polite, cold, and distant manners are the unexamined inheritance from their own upbringing and that they do more harm than good. Or, alternatively they might come to reaffirm these manners and explain them better to their daughter. Regardless of the outcome—a reaffirmation or rejection of the normative expectations transgressed—, an exemplary normative disagreement with, or protest against, a demand, norm, or expectation aims at being handled in this second way. A true or exemplary protest or disagreement is directed toward the content of the normative expectation breached. If Teen Mary disagrees with the demand of politeness and proper dress in and around the home, she wants the demand itself to be examined, discussed, and abandoned, not the demand in relation to people who like her are in their teens.

This is not to claim that all people who truly disagree with something always disagree with an expectation as such, but only that this is the most thorough, exemplary way of disagreeing with something and is distinct from a (less thorough) conditional disagreement, one that can be solved by relating the content of the expectation, for example, to a group or a set of conditions (compare previous chapter, sec.2.D). Hereafter, I call unconditional normative disagreements UNDs.

The discussion that can or should result from an UND concerns questions such as whether politeness and decency within the home disclose a value that we care about deeply, whether they serve an educational purpose or provoke a cold and distant atmosphere, and so on. None of the discussed issues should concern the individual agent’s possession or lack of the requisite abilities, none of it should concern the question whether our specific expectations of a teenager are correct or whether we should adapt them because teenagers are not as able (for instance, to keep their peace and behave politely) as we thought them to be—that is, if we assume that our Teen Mary’s disagreement is an UND. Only if we regard our teenagers as able to inform the normative expectations that regulate our common lives will we be prepared to acknowledge their actions as ADNDs, which might lead to re-evaluation of the content of the normative expectations they disagree with.

With this in mind, let us proceed with drawing some general conclusions from the connection between blameworthiness and normative disagreements for our status as full-blown participants of a normative community.

### B. Full-Blown Participants

We should not disregard or be insensitive to the behavior of people who are in some sense deviant or, due to circumstances, act as such. In some respect, all the behavior of human beings is relevant to our normative expectations of one another. A foreigner's use of our language might lead to changes in our language if the foreigner's failure to speak the language fluently discloses to us that parts of the grammar of our language are difficult, inexplicable, or—now we come to think of it—superfluous. Our normative expectations can be informed, influenced, and adapted in all kinds of ways.

Sometimes, though, people disagree with our normative expectations and do so in a thorough way. They will not be satisfied with a slight adaptation of the normative expectation in the form of “an exception to the rule” clause. If the disagreeing agent, on some account, is an equal participant with whom we want and are able to constitute a normative community, we need to try to reach a common agreement. As the teenager example in section 2.A showed, this is not always the case (see also the friendship example in chapter 5). An ADND is most likely to be acknowledged/recognized if the person who acts in a deviant manner is—and is regarded as—a full-blown participant in our normative community. But to be “regarded as a full-blown participant” and “actually to be a full-blown participant,” as we have also seen, are awkwardly alike. This is important to keep in mind, it burdens us with the need to be extremely careful with our exclusive practices. How do we commonly determine when to regard someone as such?

Most of the time we rely on unscientific everyday observations and comparisons to make as good a guess as we can about someone's possession of the relevant abilities (relative to the circumstances) on the one hand, and about what the good and the right thing is on the other. A plea for unscientific though thorough and serious comparisons and guesses is also what Susan Wolf argued for with regard to the determination of someone's possession of the RR abilities. Remember that Wolf argued for this in relation to EBAs (Wolf, 1990, p. 87 and this book, ch. 2, sec. 4.A.i). In relation to EBAs, as I argued in the previous chapter, such a guess cannot be defended. The ultimacy pessimist is right to demand a more thorough defense of an assumption related to a category of actions that are so difficult to understand and do so much harm.

ADNDs constitute a different class of actions. They are self-disclosing, intelligible actions, performed intentionally and often deliberately. Why did I cycle on the pavement? Because I was in a hurry! In relation to ADNDs the kind of assumption—the kind of guess—that needs to be defended is the opposite of the assumption that needs to be defended in case of an EBA. Take again the example of Teen Mary. Teenagers do not want to be excused or exonerated; on the contrary, they want to count as normal human beings, they want their actions to be regarded as actions of adult human beings, or, in the example of the normative community of the family, as actions of a full-blown member of their family.

The arguments that the agents of an ADND will demand—or the arguments that we should develop on their behalf—are those that establish that their status is less than that of a full-blown participant in the normative community we share with them. In the case of the teenagers we should explain why being younger matters, why behavior that you display in your teens should not be taken seriously, and so on. We should, in short, formulate the reasons for excluding their behavior as informative of our shared normative community. As may be clear, the fact that they might not possess the relevant abilities if determinism is true is not such a specific argument! The general thesis of determinism does not tell us that of all people they are the ones whose actions should be excluded as informative of our normative community and not, for instance, their adult brother or their parents. Determinism does not discriminate between people, it concerns all people alike.

This does not mean that understanding the concept of an ADND in relation to the possible absence of alternative possibilities is any easier than in the case of an EBA. In both cases, determinism seems to imply that the deviancy of the actions should be (completely) explained in terms of the deviancy of the agents (their abilities) or in terms of the exceptionality of the circumstances. In neither case are simple definitions or measures available that enable us to understand and determine whether the agents are in fact normal human beings. Hence, actions that seem to be ADNDs might actually be nothing more than the actions of malfunctioning individuals who mistakenly assume themselves to possess all the abilities that are required to determine which normative expectations should and which should not regulate our normative community. (I come back to this possibility in sec. 4.C below.)

A huge difference, though, is that with regard to the justification of our daily practices of responsibility matters are much easier in the case of ADNDs than they are in the case of blameworthiness.

First, as I argue in section 4, ADNDs might exist even if alternative possibilities do not. Second, as should be clear by now, the assumption that deviant actions that are not performed in any apparent excusing or exempting circumstances belong to the class of ADNDs, is legitimate.

It is only one step from there to the justification of our evaluation of some actions as exemplary blameworthy. Let me start with the second claim.

### 3. Modesty and the Production of EBAs

As we saw in chapter three, the existence EBAs is problematic because the concept of a normal human being who performs EBAs is unintelligible against the background premise of the absence of alternative possibilities. Hence, as long as we do not know what an EBA could possibly be if alternative possibilities do not exist nor understand how compatibilism (F) might be possible, we should be extremely careful in assuming this category to exist. We should take care not to include too many actions in this dubious category before we



know more, for it could be that only malfunctioning agents who act wrongly and well-functioning agents who act rightly exist, but no bad agents who act wrongly and are fully to blame for it.

With regard to ADNDs our lack of firm knowledge about exactly who the normal human beings are leads to the opposite conclusion (see also chapter 5). Since we do not know for certain which normative expectations are legitimate, we should take extreme care not to exclude prematurely too many (deviant) actions from the category ADNDs. Rather than run the risk of excluding people from our normative community just because they transgress our normative expectations, we should assume every agent to be a normal human being just like us, unless we have specific reasons to assume otherwise—reasons that make it plausible that a particular agent lacks the relevant abilities (relative to the circumstances) to co-determine which normative expectations should and should not regulate our shared community.

In treating and regarding other human beings as normal responsible human beings even if their action seems evidence of the contrary (because it deviates from how we ourselves would act under similar circumstances) we allow others to disagree with us without immediately excluding them as normal human beings. In this sense, assuming other people to be responsible human beings is something we should do for moral reasons (compare Korsgaard, 1996, p. 208).

Interestingly, this expression of normative modesty—the general acknowledgment of others as co-authoritative even if they act in a deviant way—produces the phenomenon of blameworthy actions. If someone acts in a deviant way and we are convinced that the action is wrong (although we have no indication of the presence of either excusing or exempting circumstances), then our general acknowledgment of the agent as a co-authoritative being leads to the perception and evaluation of the action as a truly blameworthy one: a truly wrong action of a normal human being. Let me spell this out.

If we understand our holding *p* responsible for *a* in terms of the vocabulary of normative disagreements, this provides us with the following picture.

- (1) Our commitment to the normative expectations transgressed explains our perception of the action *a* as wrong.
- (2) Our assumption that the agent *p* is a normal human being explains our susceptibility to the negative moral sentiments regarding *p*'s performance of *a*.
- (3) The justification of our perception of some actions as wrong consists in the fact that we are spectators of or sufferers from transgressions and participants in the normative community regulated by these normative expectations.

ADNDs, unlike EBAs, presuppose two factions: those who entertain, affirm, or are committed to the normative expectations transgressed, and those who disagree with them. On this picture we should understand the force of our nega-

tive moral sentiments primarily as communicating our commitment to the normative expectations transgressed.

- (4) Our holding  $p$  responsible for  $a$  is justified because the default assumption that people are normal human beings is the only way to prevent ADNDs from being misunderstood.

This is especially important in the case the transgressions concern normative expectations we (those holding  $p$  responsible) never doubted or believe to be legitimate beyond doubt. In these cases it will be extremely difficult for us to understand deviant actions as ADNDs. The more central and important to our moral practice some norms and values are, the less room there will be for an explanation of an action that transgresses these norms and values in terms of reasons—reasons that make the action understandable, though not necessarily morally admissible. In other words, the more central and important some transgressed norms and values are to a community the less likely the participants of this community will be able to see the action as an ADND. Our firm adherence to some norms and values makes us blind to the reasons agents might have for their deviant behavior. In these cases we risk making up excuses or exemptions that might explain the so-called wrongdoing in our view, but that are in fact inappropriate because they do not correspond to the reasons for which the agents in fact acted.

As you can imagine, making up examples in this area is not easy; after all the example needs to be about behavior we find difficult if not impossible to understand. Let me try anyway. Perhaps we can imagine a nice sweet lady—call her Granny—who is absolutely convinced that no agents in their right minds would drive too fast unless it is absolutely necessary. Let us add that she herself is terrified of high speed. Also she is convinced that people who own an expensive car do important and necessary work. As a consequence of these things she regards all fast-driving devils in expensive cars as poor souls who are in a hurry, because they have very important matters to attend to. She is so convinced that nobody in their right mind would drive too fast, that she assumes that those who drive too fast are either not accountable (for example, those who drive cheap cars) or have a good excuse (for example, important matters to attend to). As we who imagine this example for philosophical purposes know, the woman is mistaken. Some of the people who drive too fast disagree with her about the legitimacy of the expectation “not to drive too fast on the highway.”

The lesson to be drawn from this example is that, for all we know, some of the expectations we ourselves take to be legitimate beyond doubt, might not be so evident to others. That, I argue, provides us with a very good reason to hold one another responsible by default.

Some behavior to us might qualify as “wrong beyond doubt”—perhaps, stealing. Moreover, our (ultimacy pessimist) views on human nature might seduce us to make up excuses or exemptions for wrongdoing agents in general.

This could result in us excusing or exempting all stealing individuals. Although we might be right—it might be the case that people only steal if they are hungry, badly raised, angry at society, and so on—we must realize that the risk involved in this attitude to them, is that we deprive those who disagree with us about the normative expectations in question (under no circumstances to steal) of having a voice in the matter. We silence them and the considerations they might have for stealing.

On the other hand, the danger exists that we silence considerations that some people believe to be reasons for acting in ways we disapprove of, if this disapproval is widely shared and voiced. Strong moral indignation toward some kinds of actions or behavior makes it extremely difficult for agents to own up to a disagreement. More about this in section 5 below.

We have good reasons to hold one another responsible for so-called wrongful deeds, and to do so by default: It is the only way to bring all potential normative disagreements to the surface, and to guarantee an equal input also of those who happen to disagree with the norms and values that regulate our shared practices. Let me return to the second point announced in the previous section, the possible (in)compatibility of normative disagreements with determinism.

If a connection between blameworthy actions and normative disagreements exists, and if a problem with regard to the (in)compatibility of blameworthiness and determinism exists, the question arises whether the (in)compatibility (R) issue can be solved with regard to normative disagreements and determinism, and, if not, what the implications of this are for the justification of daily practices of responsibility. I argue that the (in)compatibility (R) issue with regard to normative disagreements and determinism cannot be solved, but that in relation to ADNDs this cannot be of any practical consequence. Normative disagreements involve two parties, probably needless to say: the disagreeing ones. Although I initially discuss the action of one of the disagreeing parties as a “deviant action” in order to emphasize its similarity to a wrong action, it is deviant over and against the normative expectations of another party. The crucial question is: Who is to decide which of them is right?

Determinism’s truth could only be of consequence for our daily practices regarding ADNDs if it were to provide us with an answer to the question which of the disagreeing parties is right. Since it is a general thesis it is unable to provide such answers. Therefore, determinism’s truth will not change the occurrence of ADNDs. From the perspective of the participants in the normative communities that form the necessary background of ADNDs in the first place, embracing determinism does not alter the occurrence of actions they disagree with.

While the incompatibility of determinism and blameworthy actions might lead to the disappearance or moderation of our attitudes of blame if determinism is true (or—if we are not able to abandon these sentiments—to the acknowledgment of their inappropriateness), this is not the case if ADNDs and

determinism prove to be incompatible. Even if we were forced to conclude that ADNDs do not exist if determinism is true, this would not change the phenomenon of ADNDs unless we knew (for certain) which of the two disagreeing participants is the actual exemplar of a well-functioning human being. Let me explain this argument step by step.

#### 4. The (In)compatibility (F) Issue

With regard to the (in)compatibility issue, UNDs may be perceived in two different ways. (Since the comparison between EBAs and ADNDs is no longer central to my argumentation, from now on I mainly use UNDs as my focus.) One of these perceptions is compatible with the absence of alternative possibilities, the other is not.

The first way of looking at UNDs is that some people—those we disagree with—are not yet able to appreciate the world for what it is. If, for instance, vegetarians look at UNDs in this way, they believe that non-vegetarians do not (yet) understand why it is wrong to eat meat, or that they are not (yet) able to act according to this insight. Likewise, if the non-vegetarians share the vegetarians' view of normative disagreements, they will believe the vegetarians do not yet understand that basically nothing is wrong with eating meat, that it is, for example, just in the natural order of things. The vegetarian might believe, for instance, that the non-vegetarian has not yet witnessed animals suffer, does not know that meals without meat can be delicious, and so on. The non-vegetarian, on the other hand, might believe that the vegetarian is an over-sensitive being, spoiled by a culture in which everything edible comes from the supermarket around the corner, and is unable to accept what is in the natural order of things, and so on.

This understanding of normative disagreements is lenient toward the agents of the so-called wrong actions in the sense that it does not ascribe substantial faults to them for which they can be blamed. Neither participant blames the other for acting wrongly, instead both believe that the other was not (yet) able to do the right thing at the time of the so-called wrong action. This does not mean that they do not believe in the possibility of changing the other in such a way as to get that person to share their own point of view and to act appropriately the next time, for instance, by providing the right reasons via argumentation or by changing the other's sensitivity, for example by telling stories. We can also defend the framework of moral sentiments itself, as a way to manipulate others into performing the preferred behavior or actions. (This is the consequentialist or pragmatist view discussed and rejected in sec. 2.A of chapter 2. As now becomes clear, the pragmatist or consequentialist view of the moral sentiments, in our terms, is involved in the peculiar enterprise of defending a no-blame view of blame.) If the conflict is not very fundamental or if the participants are convinced normative pluralists, they might even accept that they are both right in their own way, and decide on a truce. Let us call this

the “no-blame view.” I deal with it more elaborately in section 4.B.

To avoid misunderstanding, “normative pluralism” does not refer to what Wolf refers to under the same name. Whereas Wolf uses the term to refer to the view that values and value judgments are partly objective, I use it to refer to the view that there might be more than one correct view on the world (see Wolf, 1990, p. 126).

The other way to conceive of an UND is to believe that people have free will and can make radically diverging choices. If this is the view the principled vegetarians and non-vegetarians endorse, they will conceive of their normative conflict differently, for they will believe that the bottom line is that the other could have made a different choice with regard to their meat-eating or non-meat-eating activities, and should have done so. Let me call this the “free-choice view.” People who endorse the free-choice view might blame one another for their choices, and they might do so in the sense anticipated in chapter three, section 4.C. They might, for instance, believe that some choices are made because they are easier or more convenient than others; as such, they believe in the existence of culpable weakness of will and laziness of mind.

They are not necessarily committed to the existence of exemplary blameworthy agents, for they might agree with ultimacy pessimists about the all-pervading existence of moral luck. They might believe that although we have free will, the amount of moral luck that exists is enormous; the room that leaves for individual agents to shape their lives, actions, and behavior is minimal and in itself is not enough to bear the full weight of our moral sentiments. It might well be that this kind of freedom—precisely because it no longer needs to carry the burden of deep responsibility—can be analyzed conditionally (compare Bruce Waller, 1993). Before drawing any premature conclusions concerning blameworthy actions, let me first concentrate on the compatibility of the existence of normative disagreements and determinism.

#### A. Normative Disagreements and Determinism

According to the free-choice view, an UND is a disagreement between at least two participants who make different and perhaps even opposite choices. Like the existence of EBAs, the existence of exemplary UNDs understood as such is incompatible with determinism—it is not intelligible without the existence of alternative possibilities. Only if the participants could have chosen to do something other than they actually did, can we claim that the agents who are in relevant respects exactly alike choose something different enough to constitute or lead to an UND. The big difference between normative disagreements and blameworthy actions is, first, that if determinism renders ADNDs non-existent according to the free-choice view, we still have available the no-blame view’s account of them. In a sense we can also be said to have a different account of EBAs available should robust alternative possibilities turn out not to exist, namely, the hierarchical authorization account (see ch. 2, sec. 3.B.ii). It would

not be an account, though, that enables us to maintain a fundamental distinction between wrongdoers and blameworthy agents (see ch. 3, sec. 2 and sec. 5). Second, even if determinism were to render unintelligible the existence of UNDs, it would not tell us which participant in the conflict is right and which is wrong. Even if determinism were to render the existence of true UNDs impossible, we would still be in the dark about which of the disagreeing participants is right.

Let me start with the first claim. If both determinism and incompatibilism (F) are true, exemplary UNDs in the rendering of the free-choice view do not exist. Apparently the correct interpretation of actions that seem to be UNDs is that of the no-blame view, which is to claim that only our judgment that free will or free choice forms the basis of the disagreement is mistaken. Even if our explanation of these disagreements were to be phrased without involving the notion of free will or free choices, people could still be said to truly disagree with one another, and some of these disagreements could still be unconditional because the no-blame view's account of them might be correct.

To establish the existence of true UNDs it is not enough, though, for the no-blame view's account of disagreements to be correct. We also need the existence of several distinct and possibly even opposing norms and values that are equally valid. Only if it is possible that several distinct (and perhaps even opposing) values are equally valid, is it intelligible that an UND is the expression of these radically different values. If such normative pluralism is impossible, we must admit that all seemingly UNDs are in the end based on a misunderstanding of one of the disagreeing participants, and that true UNDs do not exist, which need not undermine the persistent appearance of UNDs. From a human perspective we might be unable to judge which of the apparently disagreeing participants is mistaken. Most normative issues might be, by nature, so complex that UNDs are bound to arise very often, to be very persistent, and to be unsolvable for ordinary mortals.

This brings me to my second claim: Even if determinism (in combination with the falsity of normative pluralism) were to render unintelligible the existence of UNDs, it would still not tell us which of the disagreeing participants is the actual prototype of a normal human being. As a consequence, we would still have no clue about how to react to and deal with occurring ADNDs. Since we are a party to the UNDs occurring in our community, we will still perceive deviant and so-called wrong actions, and will still have to decide which of the disagreeing participants—the deviant agents or the agents whose normative expectations are breached—are the actual well-functioning ones.

For the participants of a normative community, a general thesis such as determinism does not change the moral phenomenology of ADNDs. Since we do not possess along with our actual perspective on the world an additional perspective from which to judge whether our perspective is in fact the right one, we cannot, as a general rule, but accept at face value the ADNDs that actually occur. As we have seen in section 4, this implies that if an action seems to disclose a disagreement with our normative expectations, we must be

very careful in our attempts to explain it (away) by looking for exceptional excusing or exempting circumstances. The obvious thing to do, rather, is to assume that the deviant action is an ADND, and to address and dispute the content of the conflict.

To claim that in relation to ADNDs the obvious thing to do is to assume that the deviant action is performed by a responsible human being, is not to claim that we never conclude or are never justified in concluding that those who seem or claim to disagree with some normative expectations are actually deviant human beings, suffering from some temporary and innocent or more permanent impairment of their abilities. We often explain normative disagreements in this way (for example, in the case of Teen Mary). Moreover, it is often justifiable to explain away apparent normative disagreements. We often exclude individual agents from participating in genuine normative disagreements because they suffer from so-called acknowledged mental diseases and because we believe them, for instance, to be ignorant, immature, blinded by love, or overworked.

Likewise—though much more questionable—we often exclude the actions and behavior of whole groups from possibly disclosing genuine normative conflicts that are relevant to our normative community. This happens to, for instance, very young children, the mentally ill, but also members of a group, religion, or culture completely alien to our own (past or present). Some actions or ways of life are so far beyond our understanding (and are sometimes so horrible that we are glad they are), that we are very disposed to presume that all reasons that might be provided for it must be the reasons of a deviant and malfunctioning individual. As we already saw, if something needs to be justified it is these exclusions, not the general rule of assuming people to possess the relevant abilities to a sufficient degree relative to the circumstances. We should not exclude people as informative of our shared normative community as soon as they act in undesired ways. This is true even if the no-blame view rendering of normative disagreements is correct.

Even if determinism is true and all agents, eventually, can be distinguished as either malfunctioning or well-functioning beings, we do not know—apart from the obvious cases—whether the well-functioning as we perceive it (consisting in the fulfillment of our normative expectations) is the only possible way to function well. Perhaps human beings who function in a way that deviates from our standards merely function differently. Although they function in a way that deviates from our standards, they function very well according to another set of standards. Even if the no-blame view rendering of normative disagreements is correct, what should be argued for is the inference that the individuals who act in a deviant manner are the malfunctioning individuals.

Think again of Teen Mary. That teenagers lack the abilities that go with adulthood (due to, for example, an instability of mood) in itself is not enough of an argument to exclude their disagreements as relevant to the normative domain as such. We should also explain why these abilities that go with adult-

hood are relevant to the normative domain that the teenager disagrees with. If this is not the case—for instance, if teenagers disagree with the way things are arranged in their family—it seems unjust to exclude them. In these cases, their deviant functioning cannot (without further argument) be excluded as a malfunctioning. We could argue that no reason can be found why children in their teens have any less to say about their home than their parents. I come back to this need to define “well-functioning” in section 4.C. Let me first return to blameworthiness.

If the no-blame view is correct no EBAs exist. In the next section, I argue that although the no-blame view might be correct, opting for the free-choice view has some important advantages.

### B. Normative Disagreements and AP

According to the no-blame view, an action that discloses an unconditional normative disagreement discloses the incompatibility of an agent’s views or values with the actual normative expectations that regulate our normative community. Although a deviant agent’s view or values might be as legitimate as our own, this will not easily lead to a reconsideration of the normative expectations breached, because the agent—in the no-blame view’s rendering of unconditional normative conflicts—remains a deviant individual. Although we do not hold this deviancy against the agent and might even come to appreciate it, it will not easily lead us to revise our own normative expectations of one another. It might lead us to revise or reconsider our normative expectations, but only in an indirect way comparable to the way in which teenagers or those who are unable to speak our language fluently might influence our expectations (see sec. 3.B above). According to the no-blame view, a deviant agent is a different being from most of us, perhaps no less of a being, but different nonetheless.

Even if deviant agents are regarded as morally superior, they are, in a way, excluded from our normative community. They will be treated as better functioning human beings, they might even become an example for us, but they will not co-determine the normative expectations that regulate the moral community in exactly the same way as other participants of that community do. We will not translate their behavior into the demands that regulate our day-to-day lives, although it might inspire us to better our ways.

In this sense, the behavior of those who are “too good to be true”—our moral exemplars—is like the behavior, actions, explanations, and justifications of those we regard as morally undeveloped, mentally retarded, or too young. We can learn from them what we ought and ought not to do, but they do not co-determine what is reasonable to expect of ourselves. We disregard agents’ actions, explanations, and justifications as informative of our normative expectations if we classify them as deviant individuals in the sense of “mal-functioning” and if we classify them as deviant agents in the sense of “different,” or even “better-functioning.”



On the other hand, the free-choice view's rendering of normative disagreements understands the disagreeing participants to be exactly the same (in relevant respects). Within the free-choice view it is much more natural to react to the transgression of our normative expectations with blame or praise. Crudely put, the free-choice view allows for an immediate evaluation of the agent, because it assumes the disagreeing agent to be in relevant respects the same, whereas the no-blame view assumes the deviant agent to be different and necessitates us first to try and understand how the deviant agents function in relation to their own abilities, circumstances, views, and values. According to the free-choice view, though, there might be nothing to understand, because people—relevantly similar ones—happen to make (diverging) choices all the time. Some of these choices result in actions, behavior, and forms of life we come to appreciate, while others do not.

The free-choice view's rendering of normative disagreements is preferable to the no-blame view in so far as it understands UNDs as a natural part of human society in which we make choices all the time. In understanding disagreements as a natural part of human societies, it understands them as disagreements between relevantly similar individuals in one and the same normative community. Understanding UNDs in this way enables us to re-evaluate our own normative expectations if someone unconditionally disagrees with them. Since the disagreeing agent is by stipulation in relevant respects just like us, such a re-evaluation is only natural. If we cannot explain the UND by referring to the fact that the agent is a different individual, we must assume that the agent's choice is at least an intelligible alternative to our own.

In comparison with the no-blame view, many reasons exist to recommend the free-choice view and the assumption that the alternative possibilities necessary for it exist. It precludes our own norms and values from remaining relatively immune to the actions that, and the agents who, deviate from them. Consequently, it precludes the norms and values of the majority of a normative community from going unchecked and unchanged. Whereas the no-blame view accommodates a great degree of tolerance toward those who act in a deviant manner, the free-choice view precludes indifference by necessitating us to take these people very seriously.

To elaborate on these political philosophical issues any further would be going far beyond the scope of this book. What I hope to have shown is in what way arguments that favor specific metaphysical assumptions might be of a moral or political character.

### C. Practical Semi-Compatibilism

To say of the concept of responsibility that it is a primitive one, can best be understood as the claim that as long as normative communities exist, people will be around who are the exemplary participants of these communities, people who inform and co-determine the normative expectations that constitute

and regulate them. This interpretation enables us to understand and affirm R. Jay Wallace's and Wolf's claim that a discussion about the condition of responsibility is a normative discussion. It is a discussion about the kind of community we want to live in, a discussion about who the normal well-functioning—responsible—human beings are. We must provide an answer to the question what the condition of responsibility is and who the responsible human beings are. As we have seen the practical compatibilist answer I favor is: Those who possess the power of reflective self-control (ch. 2, sec. 2).

Practical semi-compatibilism accepts this condition, provided that responsibility is understood as a primitive concept, in the above sense. On this understanding of the condition, it does not enable us to establish that our daily practices of responsibility are compatible with determinism. (1) Determinism and incompatibilism (F) might both be true, (2) the responsible human beings might be those who function well (in correspondence with our legitimate normative expectations) and (3) our ascriptions of responsibility for wrongdoings might be an unfortunate by-product of the inevitability of ascribing responsibility also to people who act in ways we believe to be wrong. Still, and this I consider to be the most important trait of practical semi-compatibilism, it does establish the legitimacy of our practices of responsibility.

The *prima facie* assumption that deviant agents are normal human beings just like us until we have specific reasons to assume otherwise, outweighs the opposite assumption that every deviant action discloses either the temporary or permanent impairment of the deviant agent's abilities or the exceptionality of the past or present circumstances. That our assumption in particular cases might be mistaken—that it might even be mistaken in every case if determinism and incompatibilism (F) are correct and normative pluralism false—does not make it any less legitimate provided that, as I argue next, we let our judgments of responsibility be guided by the vocabulary of normative disagreements, or in other words if we judge people to be deeply responsible only for those actions that can be understood as possible disagreements with the expectations breached. With this restriction in place, our day-to-day practices are immune to ultimacy pessimism.

First, the truth of determinism and incompatibilism (F) would only change our interpretation of what those things that appear to us as normative disagreements are. It would not undermine the appearance of normative disagreements—nor, for that matter, of EBAs. Second, were we to discover that UNDs do not truly exist because besides establishing the truth of determinism and the truth of incompatibilism (F) we also establish the falsity of normative pluralism, we would still not be able to prevent their appearance. This then is why I call my adapted version of practical compatibilism, “practical semi-compatibilism.” It is compatibilist *iff* determinism is true and blameworthy actions exist. It is “practical compatibilist” because it holds that the (in)compatibilist discussion is a normative one that cannot lead to the disappearance of the phenomenon of responsibility.

What remains to be argued for is the plausibility of the restriction of the

EBAs to those actions that can be understood as ADNDs (compare Hertzberg, 1975, p. 509). In the next section I show how close the acknowledgment of deviant behavior as a possible normative disagreement is to our actual practices of responsibility, in which we react to the transgression of our normative expectations with the moral sentiments of praise and blame. I argue that excuses and exemptions can best be understood as attempts to withdraw the deviant action as a possible normative disagreement. I take it to be a great advantage of this vocabulary of normative disagreements that it does justice to the importance we—as a rule—attach to “taking responsibility” for our actions.

As I said in chapter 2, I believe that the attraction of the hierarchical views on responsibility can be explained because of the importance we tend to attach to our ability to take responsibility for our actions (see ch. 2, sec. 3.B.ii), an importance the hierarchical view accommodates. In this sense the hierarchical view corresponds to what we experience in our day-to-day practices: Our ability to take responsibility for (some of) our actions and our annoyance with those who fail to take responsibility for their actions.

However, on the hierarchical view’s account taking responsibility and being responsible are one and the same thing. What make us responsible beings is our ability to take responsibility for some of our actions. As a consequence, according to the hierarchical view, we are responsible at least for all those actions that we take responsibility for, that we, in their vocabulary identify with, and do so wholeheartedly (Frankfurt, 1998). It is this equation that I find implausible and unsatisfying. As I will show next, the vocabulary of normative disagreements enables us to do justice to the importance we attach to taking responsibility without obscuring the distinction between taking responsibility and being responsible.

We can take responsibility for our actions, fail to take responsibility for them, but the important question remains whether we are responsible (regardless of whether we take it). It might be wrong to take responsibility if we are not responsible and, vice versa, it might be wrong not to take responsibility if we are responsible. The most suitable condition that defines our responsibility—that which accounts for the autonomy-related distinctions—is the practical compatibilist condition of reflective self-control.

Let me end this chapter with the relation between normative disagreements, the power of reflective self-control, our ability to take responsibility, and the moral sentiments.

## **5. Taking Responsibility and the Moral Sentiments**

On my account our susceptibility to some range of reactive attitudes and emotions involves two aspects: One that discloses our belief in the legitimacy of our specific normative expectations, and one that discloses our belief that the agent is a normal human being. The part of our negative moral sentiments related to the presumed legitimacy of our normative expectations discloses that

we believe the deviant action to be wrong and that we do not believe the circumstances to be excusing. With respect to this aspect of our moral sentiments, the more we are convinced of the legitimacy of our expectations—the more wrong we believe an action to be—the fewer circumstances will be accepted as excusing, probably up to the point that we no longer care whether our sentiments can be justified at all. If an action abhors us, the slightest resemblance of the wrongdoer to an agent who is “just like us” might be enough to allow ourselves to give our sentiments free rein. (This, I believe, is how we should understand our reaction to moral monster-like crimes. I discuss this below.) The part of our negative moral sentiments related to deviant agents’ status as able human beings, disclose that we believe them to possess all the abilities relevant to acting properly.

On this account of the moral sentiments, agents who are evaluated negatively can reinstate a situation of (normative) harmony by taking responsibility for what happened. People can take responsibility for what happened, basically, in two ways. They can:

- (1) (come to) accept the sentiments that are their due, thereby affirming the evaluator’s evaluation of their actions, or
- (2) they can dispute the evaluator’s evaluation of the action as wrong.

If they do the second, they take responsibility in the sense that they make an honest attempt to let their evaluation co-determine the normative community they participate in, and bear the consequences of it if their evaluation is rejected by the other participants.

If they do the first, they take responsibility in the sense that they admit to having acted wrongly, thereby running the risk of losing their status as a full-blown participant in the normative community concerned. Let me start with the second case.

Suppose people agree (or come to agree) with us that what they did was wrong. In that case their action might lead to a dismissal of them as full-blown participants in the normative community. After all, they acted in a way that deviated from the normative expectations with which they agree, they cannot justify why they acted as they did (at least the justification is insufficient to explain why they acted as they did; see ch. 3, sec. 2.D). Since they did not act as they should have done and, on top of that, claim that they know this, we—they included—might suspect that they are not capable of reflective self-control. Why else did they act contrary to the normative expectations they share with us?

To be sure, people are allowed many small lapses in their behavior and actions. Normally, one failure to live up to expectations will not be considered evidence of impaired abilities. Likewise, small failures to live up to expectations will not be considered evidence of the inability to act in accordance with normative expectations in general. It might even be argued that small lapses and occasional or partial failures to live up to our expectations tend to

contribute to people's credibility as equal, responsible human beings. As in the previous chapter, we need to imagine grave incidents or persistently deviant behavior, EBAs, in order to identify what is going on in these cases.

In the case of such a *prima facie* blameworthy action the agreeing but deviant agent's excuses, amends, and justifications will typically contain a mixture of the exceptionality of the circumstances (it was not that blameworthy), the agent's intentions and ability to change (it will not happen again), the agent's remorse about what happened (I am so sorry), and so on—a mixture that might even be slightly inconsistent (for instance, if we hurt someone unintentionally and excuse ourselves by claiming that it was “absolutely unintended and accidental” and then promise that “it will never happen again”). I think we need such a plea because people who are incapable of reflective self-control cannot be full-blown participants of a normative community and, therefore, risk being excluded. This is not to claim that a plea directed toward the continuation of your status as a participant in some community is not (or should not be) related to the deviant action that necessitated it in the first place. If the action is evidence of someone's impaired abilities or the exceptionality of the circumstances, we had better admit it, if only because it will enable us to take the appropriate measures in the future.

Suppose, for instance, that a volleyball player plays some practice match very badly and is blamed for this by the trainer. Let us call her Bad-Playing Mary. When Bad-Playing Mary agrees with her coach about the quality and evaluation of her play and wants to remain in the team, she must try to convince the coach that the reasons for her playing badly were related to, for instance, the exceptional circumstances of that moment, circumstances that will be different next time. Or she might, for instance, claim that she did not know (yet) that excellent play was required of her this time. She might even admit to some laziness, and insist that she has learned from the coach's criticism on this score and will invest more effort next time. And so on. In short: She might take full responsibility for her bad playing. However, she might be mistaken. Bad-Playing Mary's bad performance might have been caused by her lesser condition during the practice match, and her lesser condition might have been caused by, for instance, her age. In this case, Mary's bad playing was not her fault at all—she could not have played any better—and her coach would have been wiser to keep her on the bench. Mary took responsibility for an action she was not responsible for.

On the other hand, people can also fail to take responsibility even if they act exactly as they wanted to. This brings me to the second manner in which someone can take responsibility. If people disagree with the expectation that their action breaches, they can take responsibility by disputing the evaluator's evaluation of the action as wrong. The possible positive consequence of this might be that the disagreeing agents' evaluation comes to co-determine and change the normative community they participate in. The possible negative consequence is that they will be forced to bear the consequences of their disagreement if their evaluation is rejected.

Take again the example of the volleyball player, but this time imagine a player who played a bad game because she disagrees with her coach's expectation that you should play as well as you can even if the game is only for training purposes. Let us call her "Lazy Mary." When confronted with her coach's reproaches for letting the team down, Lazy Mary might not admit to her disagreement but instead make up excuses just like those of Bad-Playing Mary. The reason for this might be, for instance, that she is afraid that her disagreement with the coach will lead to her dismissal from the team. Unlike Bad-Playing Mary, Lazy Mary fails to take responsibility. Players who disagree with their coach about the normative expectations that regulate their community should admit to it and dispute the expectation that players should give their best even in a practice match or accept the trainer as an authority and admit they did not know of or share the expectation concerned.

Contrary to Bad-Playing Mary, Lazy Mary is insincere if she makes up the same excuses. Lazy Mary need not explain that her deviant behavior was not evidence of her lack of power of reflective self-control; she did what she did—played half-heartedly—because she disagreed with the expectation that you should always give your best.

In the vocabulary of normative disagreements excuses and exemptions are attempts to withdraw an action as an ADND. Some of these attempts are sincere, some are insincere, some are based on the facts, and others are not. All kinds of reasons exist not to take responsibility for your actions, and all kinds of reasons to take responsibility for your actions. The examples also show that all kinds of reasons exist to justify assumptions about an individual's responsibility independently of the truth of that assumption. As in the case of the player who plays badly because of her age (although she believes differently), we might still believe that she deserves another shot, even if we know that she could not have done otherwise because her deviant play was the first evidence of her lesser condition. However, whether an action should inform our normative community depends on whether the agent was responsible for it.

It is important to keep this in mind, especially because people have all kinds of interests in taking or not taking responsibility for ADNDs, interests independent of their responsibility for them. The conflation of taking responsibility and being responsible is potentially harmful: It might lead to the adaptation of our normative expectation for the wrong kind of reasons. We should not allow people whose actions express the impairment of their abilities but who are unable to admit it—people who are not responsible but nevertheless take responsibility—to inform our normative expectation, nor should we disregard people whose actions are ADNDs but who do not admit it—people who are responsible but fail to take responsibility.

This is why—viewed in relation to the notion of normative disagreements—the practical compatibilist's condition of reflective self-control is a fair and illuminating one and an immense improvement on the hierarchical authorization view's condition of decisive identification (see ch. 2, sec. 3.B.ii.). It denotes exactly those actions of human beings who disagree with the norma-

tive expectations their action breached, regardless of whether they admit to it. It excludes those actions the agents wrongly believe to express a disagreement with the expectations breached (even if the agents identify with them), and includes those actions that the agents, wrongly, do not admit (possibly even to themselves) express a normative disagreement (hence do not identify with). If agents possess the power of reflective self-control, and if their action is an expression of this power, then they are responsible for it. Note that this claim keeps the most valuable trait of the hierarchical authorization account intact: it does not ascribe responsibility on the basis of some counterfactual assumption. Agent *p* is responsible for action *a* regardless of the availability of alternate possibilities to *a*.

If we understand only those actions to be blameworthy that can be understood as a possible normative disagreement, then some immediate consequences follow for the category of agents of EBAs as we normally perceive of it. Let me explicate this restriction.

#### A. Moral Monsters and Weakness of Will

In order to minimize injustice if determinism and incompatibilism (F) are both true, we should limit the possible candidates for the category of blameworthy actions to those actions the motivation behind which we can understand but reject as illegitimate. This means, for instance, an exclusion of all moral monster-like actions that are beyond our comprehension. Or to put it more precisely, an exclusion of those aspects of moral monster-like crimes that are beyond our comprehension. Since we cannot understand the behavior of so-called moral monsters as the expression of a possible normative disagreement, the assumption that the agent is a normal human being serves no cause (such as the expression of a normative modesty), and the risk that we are mistaken is substantial enough to abandon it.

Compare this to Gary Watson, who criticizes the expressivist interpretation of Strawson's theory that counts "co-membership of the moral community" or the "significant possibility of dialogue" among its constraints for the autonomy-related distinctions because it would entail that "evil is its own exemption" (Watson, 1987b, p. 271). The argument endorsed in this book comes from the opposite direction. Co-membership of the moral community or the significant possibility of dialogue itself depends upon your actual possession of the ability to exercise reflective self-control. "Evil is its own exemption" only if it is impossible to commit horrible crimes while you are capable of reflective self-control, only if it is impossible to express a normative disagreement by actions that are extremely evil.

Likewise, we should disregard those explanations in terms of "weakness of will" or "laziness of mind" that do not serve to single out actions the motivation for which we understand, but reject as justifying reasons. Let me start by noting that often actions that we explain with weakness of will or laziness of

mind are actions of which we understand the motivation all too well. Think about, for instance, someone eating a whole box of chocolates, even though that person had promised to leave you some. Our blame in these cases is best defended as directed to the action as an expression of a normative disagreement, for instance, as an expression of the idea that it is not so bad, every now and then, to give in to what others resist (in case of weakness of will), or that it is no disaster to be slack and imprecise with regard to some matters that others treat with great care (laziness of mind). In that case the weak-willed or lazy-minded agents are understood to claim that their action is such an exception, whereas those who blame them dispute this.

On the other hand, the labels weakness of will or laziness of mind are also sometimes used as reproaches for actions that are completely beyond our comprehension. If you believe determinism and incompatibilism (F) to be true, these actions could better be excluded as possibly blameworthy. Our blame in these cases serves nothing like a normative modesty or an invitation for further explanation, and the risk that we are mistaken is considerable. A possible example of these cases is the failure to get good grades at school even though you do nothing but spend your time behind books. Or, for instance, someone's persistent self-destructive behavior that does not generate any (evident) benefits. If these people are capable of reflective self-control, if the circumstances were completely normal, and if the circumstances together with the agent's abilities inevitably produce some actions rather than others, then how can we blame them for acting as they do?

If people seem perfectly capable of reflective self-control but nevertheless act wrongly, the best thing we can do is to see what can be gained by their behavior and in what sense the action can be understood as an ADND. If we cannot find such reasons, we should conclude that they are not as able as we believed them to be, at least, not with regard to the behavior concerned. In this case, we cannot but exclude the deviant individuals—in so far as their deviant behavior is concerned—as being informative of our normative expectations.

These restrictions of the category of blameworthy actions seem reasonable to me. In the case of the above examples of moral monster-like crimes and weakness of will, our reactions of blame and moral indignation often seem lazy and motivated by frustration rather than convincing arguments. If we cannot express our annoyance with them in terms of an underlying normative disagreement and if we care about justifying our attitudes toward one another, we should not assume these people to have performed EBAs, unless we do not believe that determinism is true in the first place.

This completes my argument against ultimacy pessimism and in defense of practical semi-compatibilism. If we restrict ourselves to blaming only those actions that might be ADNDs, ultimacy pessimism loses every grip on us. Even if ultimacy pessimists are right in claiming that we do not originate our behavior and actions, our behavior and actions express how we function. Consequently, they express what a community or world would look like where people with our mental and moral make-up determine the norms and values.



Even in this case we need to determine which people among ourselves to regard and treat as the exemplars of well-functioning beings.

## **6. Conclusion**

In this chapter, I defended practical semi-compatibilism, a view that defends the condition of reflective self-control as a condition for the autonomy-related distinctions, on the interpretation of responsibility as a primitive concept. I argued that practical semi-compatibilists, just like practical compatibilists, believe human beings to be able to act in accordance with our normative expectations. Unlike practical compatibilists, though, practical semi-compatibilists do not believe that this amounts to a refutation of incompatibilism (R) or a proof of the existence of EBAs. But do we need such a refutation or proof?

I argued that we do not. Some, if not most, so-called wrong actions are ADNDs. Therefore, we should take care not to excuse or exempt the agents who perform deviant actions unless we have specific reason to excuse or exempt them. Determinism is no such specific reason. Although in the end not one single action might fit the description of an EBA, our daily practices of responsibility are morally required. We are, inevitably so, participants of the communities whose normative expectations are sometimes transgressed. As long as we have no particular reason to exclude other human beings from this community, we should not do so. Whenever someone acts in ways we disapprove of and these ways themselves are no indication of the impaired ability of reflective self-control, our blame is fully justified.