

Responsibility Regarding the Unthinkable

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Article:

Connie is walking down Main Street. From a distance, she sees a young child screaming for help, blood pouring from a gash in his head. There are many other pedestrians on the street but, to Connie's amazement and horror, they ignore the child's pleas and pass him by. She rushes up to the child, seeking to help him. Any other course of action would have been unthinkable to her, for Connie is a compassionate person.

Is Connie morally responsible for not ignoring the child's pleas for help? This is the question that I shall explore in this paper. But be forewarned: I shall not try to provide a definitive answer to this question.

1. THE UNTHINKABLE

The concept of the unthinkable has recently featured in a number of discussions in the philosophical literature. I know of no precise account of it, but perhaps the following few remarks, sketchy as they are, will help to clarify it a little.

'Unthinkable' might be taken to mean the same as 'cannot be thought of (as 'inconceivable' sometimes is).¹ But this is not how it is typically understood, and it is not how it is to be understood here. For clearly Connie can conceive of ignoring the child's pleas. Rather, I shall take the unthinkable to be that which is somehow out of the question. In some way it is off limits, out of bounds, beyond the pale. (Inconceivable' is sometimes used to mean this, too.)

Something may be unthinkable for a variety of reasons, not just moral.² It is presently unthinkable to me that I should torture my cat. Why this is so is not entirely clear to me. Presumably my not torturing my cat is motivated in part by moral concerns, but I doubt whether these play a predominant role; fondness for him and (nonmoral) disgust at the prospect play a large part.

I have said that my torturing my cat is presently unthinkable to me. I might just as well have said that I presently find it unthinkable. This suggests the possibility that something be unthinkable without my finding it so, that it be unthinkable without its being unthinkable to me. Is this possible? It would seem so. Many of Hitler's actions were unthinkable, although he presumably did not find them so. But what exactly is meant by this? I can think of two interpretations.

The first is this: many of Hitler's actions were in fact beyond the (moral) pale but he believed otherwise. That is, they were in fact (morally) outrageous, but he did not take them to be so. Here the 'able' in 'unthinkable' is normative, as in the term 'undesirable' (as normally understood).

The other interpretation is more complex but, I think, preferable, capturing more accurately what is usually meant. It involves—what may seem strange at first—understanding 'is unthinkable' in terms of 'finds unthinkable' (rather than, as on the first interpretation, the reverse). To say that someone finds an action unthinkable, on this interpretation, is to say that he cannot countenance it—as a serious option. (Just what this

amounts to is not clear; I shall discuss the matter further below.) Here the 'able'—the 'can(not)'—signifies some sort of (in)capacity. To go on then to say that something is unthinkable is to say that it is appropriate for someone to find it unthinkable. Here the 'able' in 'is unthinkable' is once again normative. The upshot of this second interpretation is that 'unthinkable' is to be understood in one way (descriptively) in the phrase 'finds unthinkable' and in another way (prescriptively) in the phrase 'is unthinkable.'

Two points should be noted about its being appropriate to find something unthinkable. First, I have moral appropriateness in mind. It is morally appropriate for someone to refuse, indeed to be in some sense unable, to countenance certain of Hitler's actions as serious options (should that person find himself in a situation where such actions are, or would otherwise be, performable by him). That is, such a person would not be subject to any form of moral criticism for failing to find such actions thinkable. This means that I must revise what I said earlier. I said that something may be unthinkable for a variety of reasons, not just moral. This is not so (given the second interpretation). What I should have said was that something may be found unthinkable for a variety of reasons, not just moral. The second point is this: while the distinction (as drawn on the second interpretation) between what is and what is found unthinkable clearly presupposes some sort of moral objectivism, it does not imply that, if one person finds some action unthinkable and another does not, then one of them must be mistaken. Of course the question arises whether the action is unthinkable but what this means is whether it is morally appropriate to find it unthinkable, and, as I am understanding appropriateness here, it might be that it is appropriate for someone to find the action unthinkable and also appropriate for someone not to find it so. ('Appropriate' thus has the force of 'may', not of 'must'. 'Must' would involve its being appropriate to find the action unthinkable and its being inappropriate to find it thinkable.) Perhaps it was appropriate for Connie to find ignoring the child's pleas unthinkable; but perhaps it would also have been appropriate for her to find this thinkable (which is not, of course, to say that it would have been appropriate for her actually to ignore the child's pleas).

A comprehensive discussion of moral responsibility regarding the unthinkable would address the following two mutually overlapping distinctions:

(A) responsibility for doing the unthinkable versus (B) responsibility for refraining from doing the unthinkable, and (1) responsibility regarding what is unthinkable versus (2) responsibility regarding what is found unthinkable. These distinctions combine to yield four main areas of inquiry: (A1), (A2), (B1), and (B2). Here I have the space to deal with only one of these: (B2).

2. RESPONSIBILITY FOR REFRAINING FROM DOING WHAT ONE FINDS UNTHINKABLE

It is sometimes claimed that people cannot do what they find unthinkable.³ If this is true, then Connie could not have ignored the child's pleas for help. Suppose, for the moment, that this is so. Then, I believe, we must conclude that Connie is not morally responsible for her behavior. At least, this is what I wish to claim initially.⁴

2.1. Responsibility and alternate possibilities

This judgment may appear to rely on what has come to be known as the Principle of Alternate Possibilities, namely,

(PAP) Person P is morally responsible for doing action A only if P could have not done A.

(Here, and in similar formulae to follow, the 'only if' expresses strict implication.) Harry Frankfurt has famously and persuasively argued that this principle is false.⁵ But in fact the judgment, if it relied on some such principle, would appear to rely not so much on (PAP) as on what Peter van Inwagen has called the Principle of Possible Action, namely,

(PPA) P is morally responsible for not doing A only if P could have done A; in particular, Connie is morally responsible for not doing what she found unthinkable (ignoring the child's pleas) only if she could have done this. Now, van Inwagen has argued that (PPA) is true even if (PAP) is false.⁶ John Martin Fischer has made a similar argument.⁷ What van Inwagen and Fischer each do is to produce a "Frankfurt-style" example—an example of the sort that appears to show (PAP) false—and claim that it fails to show (PPA) false. If, then, my judgment relies on (PPA) rather than (PAP), perhaps it is acceptable. Let us examine this issue.

A Frankfurt-style example is one where the agent is deliberating which of several apparent alternatives to choose. He makes his choice and successfully performs the action in question, oblivious to the fact that, had he chosen or (on some types of Frankfurt-style examples) been about to choose to act differently, something would have forced him nonetheless to act as he in fact did. Since he has acted "on his own," in that he was not in fact forced to act as he did (it is just that he would have been forced to do so if he had chosen or been about to choose to act differently), there would appear to be no barrier, at least in this respect, to holding him morally responsible for what he did.

Both van Inwagen and Fischer accept that there are cases of this sort that undermine (PAP). I do too. Frankfurt's own description of such a case will do:

Suppose someone—Black, let us say—wants Jones to perform a certain action. Black is prepared to go to considerable lengths to get his way, but he prefers to avoid showing his hand unnecessarily. So he waits until Jones is about to make up his mind what to do, and he does nothing unless it is clear to him (Black is an excellent judge of such things) that Jones is going to choose to do something other than what he wants him to do. If it does become clear that Jones is going to decide to do something else, Black takes effective steps to ensure that Jones decides to do, and that he does do, what he wants him to do. Whatever Jones's initial preferences and inclinations, then, Black will have his way. . . . Now suppose that Black never has to show his hand because Jones, for reasons of his own, decides to perform and does perform the very action Black wants him to perform. In that case, it seems clear, Jones will bear precisely the same moral responsibility for what he does as he would have borne had Black not been ready to take steps to ensure that he do it.⁸

Frankfurt concludes from this case that (PAP) is false. This seems to me correct. (Indeed, the case seems also to show false this related principle:

[PAP*] P is morally responsible for deciding to do A only if P could have not decided to do A.

Just why this conclusion is correct needs to be spelled out, though, for it has recently been suggested that the underlying reasoning is fallacious.

James Lamb has speculated that the core argument in Frankfurt's case has this form (where 'the triggering event' refers to that event which would prompt Black's intervention):

- (1) If the triggering event does not occur, then Jones performs the action in question.
- (2) If the triggering event does occur, then Jones cannot avoid performing the action in question.

Hence (3) Jones cannot avoid performing the action in question.⁹

Lamb claims that such reasoning is fallacious, being analogous to the following modal inference:

(1') $\sim T \rightarrow J$
 (2') $Y \rightarrow \Box J$
 Hence (3') $\Box J$

Of course, such reasoning is fallacious, but it seems to me not to be the sort of reasoning that underlies Frankfurt's example. On the contrary, the example would appear to rely on its being the case that Jones cannot avoid performing the action in question without giving some prior indication to Black that this is what he is going to do, such indication being the event that would trigger Black's intervention. Granted the coherence of such a scenario—and I know of no reason not to grant this—Frankfurt's conclusion seems to follow. For the reasoning has this form.

(4) Jones cannot avoid its being the case that, if the triggering event does not occur, then he performs the action in question.¹⁰

(5) Jones cannot avoid its being the case that, if the triggering event does occur, then he performs the action in question.

Hence (3) Jones cannot avoid performing the action in question.

This is analogous to the following valid modal inference:

(4') $\Box (\sim T \rightarrow J)$
 (5') $\Box (T \rightarrow J)$
 Hence (3') $\rightarrow J$ ¹¹

If (PAP) is indeed false, however, why think that (PPA) is nonetheless true? Van Inwagen considers this case: he looks out his window and sees a man being mugged; he refrains from calling the police because for various reasons he does not want to get involved; unbeknownst to him, his telephone is out of order, and so he could not have called the police anyway.¹² Here, van Inwagen claims, his inability to call the police implies that he is not morally responsible for not doing so. (Of course, he might well be morally responsible for not trying to do so, but this is something that he could have done.) Fischer presents this and other such cases in a similar attempt to show that (PPA) is immune to Frankfurt-style examples.

Van Inwagen's and Fischer's assessments of their cases have some plausibility, I think, but this is because they contain a feature that is not essential to all Frankfurt-style cases. All Frankfurt-style cases involve overdetermination of some sort, but the sort may vary. In Frankfurt's case of Jones and Black, the "ensuring condition" (Black's intervention) operates only in the "alternate sequence" and not in the "actual sequence." Such overdetermination may be called "latent." In van Inwagen's case, the ensuring condition (the telephone's being out of order) operates in the actual sequence (so that the overdetermination may be said to be "overt" rather than latent), and it is this feature of the case, I believe, that moves van Inwagen and Fischer to deny that van Inwagen is morally responsible for not calling the police.¹³

Two points should be noted here. First, even if van Inwagen's and Fischer's assessments of their cases are plausible, they seem to me nonetheless mistaken; for even though in their cases the ensuring condition is actually operative, the agent acts independently of it, in that he would have acted in the same way even if the ensuring condition had not been present. This independence of action is common to both cases of latent overdetermination and cases of overt overdetermination and would seem to suffice, under the circumstances, for the agent's being morally responsible for his behavior.¹⁴ Second, cases can be concocted against (PPA) that involve latent, and not overt, overdetermination. Simply consider, for instance, a variation on the Jones-and-Black case where what Jones does, and what Black wants him to do, is to refrain from performing a certain action. Precisely the same sort of reasoning would appear applicable to this case as was applicable to the original case, and (PPA) must thus be rejected along with (PAP).¹⁵ Indeed, it should be noted, as Frankfurt says, that it is often a rather arbitrary matter whether what a person does is described as refraining from performing an action or as performing one.¹⁶ I have said that Connie refrained from ignoring the child's pleas for help because she found ignoring them unthinkable. I think I could equally well have said that she sought to help the child because she found not doing so unthinkable.

2.2. *Freedom and being forced to behave as one does*

Thus I must not rely on (PPA) in the attempt to justify the (initial) claim that Connie is not morally responsible for not ignoring the child's pleas, if she could not have ignored them. And I do not. What I believe justifies this claim is not (PPA) but two other principles. These are (I have no catchy names for them):

- (6) P is morally responsible for doing A [or not doing A] only if P freely did A [or freely did not do A];¹⁷
- (7) P freely did A [or freely did not do A] only if P was not forced to do A [or not to do A].

Conjoined these principles of course yield the following:

- (8) P is morally responsible for doing A [or not doing A] only if P was not forced to do A [or not to do A].

In the cases that Frankfurt gives against (PAP) and (PPA), the agent is not forced to behave as he does, since he behaves as he does completely independently of the ensuring condition. It is for this reason that the agent can act (or not act) freely, despite not being able to behave differently, and can be morally responsible for his behavior.

What I wish to claim (initially), of course, is that, if Connie's finding ignoring the child's pleas unthinkable rendered her unable to do this, this is because her finding it unthinkable forced her not to do it; thus she is not morally responsible for not doing it. But why think that her (alleged) inability was (or would have been) due to her being so forced? This of course depends on just how such an inability is supposed to arise. Here I must rely on the claims of those who assert that there is such an inability.

There is certainly a sense in which people can at least sometimes do what they find unthinkable; after all, they might get themselves to find it thinkable and then do it.¹⁸ But this is no threat to the thesis that what is found unthinkable is unperformable; for this thesis is surely to be understood as claiming that what is presently found unthinkable is presently unperformable. To put the matter somewhat more precisely: the time of 'can' may or may not be distinct from the time of that item on which it operates, and this can affect the truth value of 'can' statements. Thus it may be that I cannot now speak Swahili now, and yet I now have it in my power to speak Swahili later (since I can now set about taking lessons soon in Swahili). Similarly, it may be that Connie cannot now seriously countenance at this moment ignoring such pleas as the child's, and yet she now has it in her power to do so later (since she can now set about steeling herself soon against such appeals). The question then would be, not whether Connie now has it in her power to ignore such pleas later, but whether she now has it in her power to ignore such pleas now, given her inability now to countenance seriously at this moment ignoring such pleas. The proponents of the thesis in question would claim that the answer to this question is no.

Notice that I have not committed myself to this thesis. I have merely said that Connie cannot (now) seriously countenance (at this moment) ignoring such pleas; I have not also said that she cannot (now) ignore such pleas (now). Nonetheless, it may well be thought that the former inability somehow brings the latter along with it, and this appears to be just what advocates of the thesis have in mind. Thus Frankfurt says of people like Connie that they cannot bring themselves to will, and so to do, the relevant action, because of their aversion to the action that is constituted by their finding it unthinkable.¹⁹ Susan Wolf has similarly said, of a swimmer who finds not saving a drowning child unthinkable, that he is "urged by Reason" to save the child and hence lacks the ability to choose to refrain, and so to refrain, from doing so.²⁰ And Eleonore Stump has claimed that, in one version of the biblical story, Ruth cannot abandon Naomi because, in finding such abandonment unthinkable, "her intellect can find no way of presenting [it] as a good to be pursued," and one can will and so do an act only if one's intellect can present it as a good to be pursued.²¹ Let us suppose for the moment that some such account is correct—that, in finding ignoring the child's pleas unthinkable, Connie

was rendered impotent to will to do this, and so to do it, by an aversion or Reason or her intellect. This would appear tantamount to saying that her compassion (acting by way of an aversion, Reason, or her intellect) forced her not to ignore the child's pleas. Certainly we are not here concerned with latent overdetermination, for the compassion operates in the actual sequence. Nor are we dealing with overt overdetermination, for her behavior does not occur independently of her compassion. Connie's case thus appears not to be a Frankfurt-style case of any sort. For this reason I would (initially) hold her not morally responsible for not ignoring the child's pleas.

2.3. Freedom and identification with one's impulses

It is interesting to note that Frankfurt, Wolf, and Stump would all say that Connie is morally responsible for not ignoring the child's pleas. Therefore they must deny either (6) (the claim that responsibility requires freedom), or (7) (the claim that freedom requires that one not be forced), or the claim that Connie was forced to behave as she did. It seems safe to say that none of these authors would deny (6).²² Frankfurt accounts for freedom in terms of acting as one wills and willing as one wants, and Connie seems to satisfy this account; for she willed not to ignore the child's pleas, and her so willing was in keeping with, indeed prompted by, her finding ignoring them unthinkable.²³ Moreover, I know of no passage in Frankfurt's writings where he ascribes moral responsibility to someone who has not acted and willed freely. Wolf would admit that Connie lacked autonomy (which Wolf takes to involve both the freedom to act as one does and the freedom to act otherwise), but she says that responsibility does not require autonomy but merely the "freedom" to act on choices "formed . . . in the presence of Reason."²⁴ Stump explicitly states that Ruth acted freely and appears to take this as a necessary condition of her being morally responsible for not abandoning Naomi.²⁵

It is not clear to me whether it is (7) or the claim that Connie was forced not to ignore the child's pleas that these authors would wish to reject. I suspect that it is the latter, but whether or not this is so would of course depend on just what being forced to do something consists in, and I have offered no precise account of this. Perhaps in this context it does not matter; what matters is that, in holding Connie morally responsible for her behavior, the authors are committed to saying that she acted freely, despite her being unable to behave differently. But, as just noted, Connie's case does not seem to be a Frankfurt-style case. What, then, can justify the claim that Connie acted freely? Does it not seem that, on the contrary, Connie's behavior is attributable to an irresistible urge or impulse that robbed her of her freedom?

The authors repudiate this conclusion, and they do so by distinguishing between irresistible impulses with which the agent does not identify (to use a term of Frankfurt's) and those with which the agent does identify.²⁶ An extreme agoraphobe, for example, will typically not identify with the desire that moves him, irresistibly we may suppose, not to step outside his house. But Connie is not like that; what moved her not to ignore the child's pleas was something that she welcomed wholeheartedly, namely, her inability to countenance doing so as a serious option. This, it is alleged, rendered her behavior free despite the irresistibility of the impulse not to ignore the child's pleas.

This distinction between Connie and the typical agoraphobe is surely an important one, yet it is hard to see how it suffices for the former's acting freely while the latter does not. Connie was willing to yield to the impulse in question, the agoraphobe was not. How can such willingness itself have rendered Connie's behavior free when, in the absence of such willingness, it is granted by all that the irresistibility of the impulse rendered the agoraphobe's behavior, and would have rendered Connie's behavior, unfree? After all, the forcefulness involved in the irresistibility of an impulse would appear undiminished by the fact that the impulse is welcomed. But perhaps what Frankfurt, Wolf, and Stump have in mind is this: Because the agoraphobe remained indoors reluctantly, his doing so is explainable only by reference to the irresistibility of his desire to do so. Connie, on the other hand, did not reluctantly seek to help the child. Had her desire to help him been resistible, she still would not have ignored his pleas. Thus, while her not ignoring his pleas is to be explained by reference to this desire, it is not to be explained by reference to its irresistibility (although it was, in fact, irresistible).²⁷

This is an intriguing proposal. The idea would appear to be that it is possible that a feature (Connie's compassion) operate not merely (as in cases of latent overdetermination) in the alternate sequence, and that the agent's behavior not occur (as in cases of overt overdetermination) independently of this feature, but that the agent's behavior nonetheless occur independently of the fact that this feature is an ensuring condition. Such a case can be called a case of "quasi-overdetermination." If this is the suggestion, and if it is coherent, then I am prepared to accept that Connie was not forced to behave as she did and thus, under the circumstances, freely refrained from ignoring the child's pleas and is morally responsible for this. On this understanding, her case would be a (new) type of Frankfurt-style case after all.

But I am not sure that this proposal is coherent. This is simply because it is not clear to me that it is possible that a feature play an indispensable role in the genesis of some item of behavior, that it be irresistible, but that it not play its role at least in part in virtue of its irresistibility. (If a certain desire serves to explain a certain item of behavior, must not its strength feature in this explanation? If it is irresistible, must this not be a reflection of its strength?) But even if this is possible, there is an ironic point to be made, and that is that it would appear possible only if the agent in question is unaware of the irresistibility of the feature. My reason for saying this is that the following appears to be true:

(9) P does A [or does not do A] intentionally only if P does not believe that he cannot avoid doing A [or not doing A];

for one cannot decide to do A, and so do A intentionally, if one believes that one must do it. (Imagine a prisoner, who knows that he has no means of escape, "deciding" to remain where he is.) This being the case, Connie did not act intentionally, let alone freely, in not ignoring the child's pleas, if she believed that her finding ignoring them unthinkable rendered her unfree to ignore them. Thus it appears that Frankfurt, Wolf, and Stump have, ironically, undermined their case by bringing it to our—and their own—attention; for, even if they are correct, no one can consciously accept this and, while accepting it, freely do what he finds unthinkable.

But this does not prove their general thesis false, and so I am prepared, despite my doubts, to accept it out of caution. Thus I can at last explain why I referred to the claim made at the outset of this section as being an "initial" one. Given the remarks just made, I must modify this claim. What I want now to assert is this: if one cannot do what one finds unthinkable, then one is not morally responsible for not doing what one finds unthinkable, unless one's inability involves quasi-overdetermination. (I am assuming that no such case will be a case of either latent or overt overdetermination.) Thus, with respect to Connie in particular: she is not morally responsible for not ignoring the child's pleas, given that she found doing so unthinkable, unless her inability to ignore the child's pleas involved quasi-overdetermination due to her finding it unthinkable to ignore them.

2.4. Responsibility and freedom

This claim can still be resisted, of course, for it relies on (6) as well as (7). Let us focus now on (6) namely, the proposition that responsibility requires freedom. Even though many philosophers (including Frankfurt, Wolf, and Stump) accept this proposition, some reject it; and if it is false, then Connie may still be morally responsible for not ignoring the child's pleas, even if her finding ignoring them unthinkable forced her not to ignore them.

One philosopher who has recently argued at length for the rejection of (6) is Eugene Schlossberger. He has claimed that moral responsibility, properly understood, is simply a matter of moral evaluability, which is not essentially a function of the agent's being free or acting freely. People, he says, may be properly morally evaluated, positively or negatively, in light of not just their actions but also their beliefs, emotions, and other "items," regardless of whether they enjoy freedom with respect to these items.²⁸ In saying this, Schlossberger echoes such writers as Robert Adams, who says that the graduate of the Hitler Jugend is to be blamed for his vile beliefs, no matter how he came by them.²⁹ Others have made similar claims.³⁰ And there is surely

something right about this. We find the Nazi's beliefs and actions reprehensible, and we condemn him for them, regardless of whether he exercised freedom with respect to either the acquisition of these beliefs or his acting on them.

The lesson to be learned from this, though, is not that (6) is to be rejected. It is rather that there are a variety of ways in which a person is open to moral evaluation; attributions of moral responsibility constitute only one such way. Thus we may indeed say that the beliefs and actions of the youthful Nazi are morally reprehensible, and even that he is morally reprehensible in light of them, without saying that he is morally responsible for them. We might condemn him or blame him, but such condemnation or blame is not, or at least should not be, tantamount to holding him morally responsible (culpable) for his beliefs and actions—not, that is, unless he exercised freedom with respect to them. Similarly, someone who, like Connie perhaps, cannot resist the impulse to help someone else and as a result does so unfreely, is surely morally admirable, in some way, both for having the impulse and for acting on it; but we need not infer that this person is morally responsible (laudable) for these things. We should assess quite differently someone who has such an impulse but who can resist it and yet acts on it anyhow (or, at least, acts on it freely despite its irresistibility).³¹ For he is acting "on his own," independently, and this makes a world of difference; it makes him morally responsible for his action.³²

I do not distinguish between types of moral evaluation solely in order to save (6). This would be to beg the question. The fact is that, regardless of what position we take on moral responsibility, it must be admitted that morality is complex, involving a multiplicity of items to be evaluated and ways to evaluate them. Agents, their traits, characters, beliefs, actions, and so on are all items that are candidates for some type of moral evaluation; and such terms as 'good' and 'bad', 'right' and 'wrong', 'praiseworthy' and 'blameworthy', 'admirable' and 'reprehensible', and so on, can be variously applied, sometimes some more aptly than others, to such items. This of course does not prove that the sort of reprehensibility displayed by the youthful Nazi is not culpability; but it does point to the need to support such homogenization of moral evaluation with argument, especially since there would appear to be something quite different, qualitatively, about our moral evaluation, for example, of someone who acts on Nazi beliefs that he has had no opportunity or reason to question compared with our moral evaluation of someone who acts on such beliefs having had such opportunity and reason.³³

To his credit (which is not to say that he is laudable for this), Schlossberger acknowledges the need to support his rejection of (6) with argument. In particular, he attempts to show that his account of responsibility is just as successful as the traditional account (according to which [6] is true) in grounding the various "reactive attitudes" having to do with gratitude, resentment, reward, punishment, and so on.³⁴ Let us briefly examine this claim, with specific reference to reward and punishment.

It is often claimed, somewhat controversially, that the culpable deserve to be punished and also, less controversially, that the inculpable deserve not to be punished. Schlossberger claims that this holds even on his account of responsibility. In particular, he claims that retribution is to be understood in terms of what he calls "abstract justice" and that such justice need invoke only moral evaluability and need not concern freedom.³⁵ It is abstractly just, he claims, that those who are negatively morally evaluable fare less well than those who are positively morally evaluable; for one's "life situation" should match or fit one's "moral situation."³⁶ This is perhaps plausible, but I do not agree that it affords a satisfactory account of the (in)justice of punishment. For consider someone who is morally reprehensible (he is a cruel sadist, say, and often acts on his sadistic impulses) but uncontrollably so. I submit that the uncontrollability of his impulses and (I am assuming) of his acting on them makes him not culpable for acting on them, and such inculpability means that he deserves not to be punished. Perhaps there is something to be said for the view that an uncontrollable sadist deserves to fare less well than an uncontrollable altruist. But whether or not this is so, surely an uncontrollable sadist is innocent in a way in which a sadist in control of his sadistic actions is not, and such innocence means that he deserves not to be punished. He is a moral monster, perhaps, and he, his

character, and his actions are to be deplored (though perhaps he is not to be deplored to his face—that might be cruel, and controllably so). Perhaps his liberty of action should be curtailed despite his inculpability, in order to prevent his harming others; but this does not mean that he deserves to be punished.³⁷

It could still be argued, I suppose, that even if homogenization with regard to culpability and other types of reprehensibility is to be avoided, still homogenization with regard to laudability and admirability is not.³⁸ For, while there is force to the observation that those who are inculpable (even if reprehensible) deserve not to be punished, is there analogous force to the claim that those who are "unlaudable" (even if admirable) deserve not to be rewarded? Surely such reward does not constitute an injustice in the way that punishment of the inculpable does, for it involves no unwelcome imposition. But even if this is so, such reward does not constitute justice either. Just as punishment involves a particular sort of condemnation, so too the reward that is analogous to punishment involves a particular sort of recognition. Moreover, just as (it might be claimed) those who are culpable deserve to be punished, so too those who are laudable deserve to be rewarded (in the analogous manner). Someone who is admirable but not laudable would be lacking in such desert.

2.5. *Can one do what one finds indefensible?*

My contention has been that, if Connie could not ignore the child's pleas because her finding doing so unthinkable rendered her unable to do so, then (unless this is a matter of quasi-overdetermination) she is not morally responsible for not ignoring them. Perhaps we can agree, with Frankfurt and others, that finding something unthinkable can render one impotent, but must it? Consider Augustine, who famously confessed to stealing pears even though, indeed because, he found doing so wholly indefensible.³⁹ Is there any reason to believe that he misreported what took place? If not, then is this not a clear example of someone doing something that he find unthinkable?

One might answer that it is not, in that what Augustine's case shows is that what is found wholly indefensible might nonetheless be found all too thinkable; if Augustine had found such theft unthinkable, as opposed to merely finding it indefensible, then he would not have been able to engage in it.⁴⁰ But can such a sharp distinction between what is found unthinkable and what is "merely" found indefensible be sustained? How is it that the former is supposed to be unperformable but the latter not?

One answer is that, being strongly attracted by (what he took to be) indefensible, Augustine had a desire to do wrong that overrode any misgivings he might have had. Certain types of so-called "internalists," who hold that taking an action to be wrong is, or involves, having some sort of unoverridden con- attitude towards it, might have a hard time making sense of such a case, but, such concerns aside, this description of the case would appear to render Augustine's action intelligible. What, though, of a case where the agent finds the action wholly indefensible and, in addition, has no desire to perform it? Would he then find it unthinkable and would it then be unperformable?

It has recently been argued that the agent would indeed be unable to perform such an action. In his well-known argument for the incompatibility of determinism and the freedom to do otherwise, van Inwagen invokes this rule of inference:

(β) From Np and $N(p \supset q)$ deduce Nq ,

where " Np " stands for "p and no one has, or ever had, any choice about whether p."⁴¹ He ventures to say that anyone who accepts incompatibilism ought to accept this rule, and anyone who accepts this rule ought to accept incompatibilism.⁴² Whether or not this is so, (Beta) is surely very plausible, and van Inwagen claims that anyone who accepts it should concede that people are rarely, if ever, able to do otherwise than they do. He begins by considering this conditional statement:

(C) If X regards A as an indefensible act, given the totality of relevant information available to him, and if he has no way of getting further relevant information, and if he lacks any positive desire to do A, and if he sees no objection to not doing A (again, given the totality of relevant information available to him), then X is not going to do A.⁴³

Van Inwagen says that (C) seems to him to be a necessary truth. As such, no one has, or ever had, any choice as to whether it is true. Moreover, if someone considers an act A to be indefensible (given the totality of relevant information available to him, etc.), he has (right then) no choice about whether this is so. Given (fi), we may then conclude that no one has a choice whether he is (not) going to do A, when he finds A indefensible (given the totality of relevant information available to him, etc.).

We might ask why van Inwagen regards (C) as a necessary truth. His response is to ask us to imagine that X does do A, and he says:

We ask him, "Why did you do A? I thought you said a moment ago that it was reprehensible." He replies:

Yes. I did think that. I still think it. I thought that at every moment up to the time at which I performed A; I thought that while I was performing A; I thought it immediately afterward. I never wavered in my conviction that A was an irremediably reprehensible act. . . . I didn't want to do A. I never had the least desire to do A. . . [Nonetheless, it] is true without qualification that I did A, and it is true without qualification that I did A.

This strikes me as absolutely impossible.⁴⁴

Van Inwagen then proceeds to argue similarly for the impossibility of doing something other than A, when A is something that one wants very much to do and one has no countervailing desires. He eventually broadens this to accommodate all actions that seem to be "the obvious things to do in the circumstances."⁴⁵ He then concludes, in a manner strikingly reminiscent of C. A. Campbell's own incompatibilist account,⁴⁶ that at best we enjoy freedom of will only in cases where duty conflicts with inclination and cases where one's alternatives are either evenly balanced or incommensurable; for only in these cases is it not obvious what to do.⁴⁷

This is a startling conclusion. Most of us are surely inclined to think that our freedom of will and action is far more extensive than van Inwagen allows. One way to resist the conclusion that van Inwagen does not consider is to note the possibility that one act freely even in the absence of alternate possibilities and then declare that, even if van Inwagen is right about the limit on our freedom to do other than we do, there is no corresponding limit on the freedom to do what we do. This would require that our inability, for example, to resist forgoing what we find indefensible (given the totality of relevant information available to us, etc.) does not force us to forgo it, in that our forgoing it is entirely willing. But, while this position can perhaps be sustained, I have noted above my doubts as to its coherence and I do not wish to rely on it here. For van Inwagen's conclusion is still startling—we are surely inclined to think that our freedom to do otherwise is far more extensive than van Inwagen allows—and it can of course be resisted in other ways. One could, for example, question (Beta), or the claim that we have (right now) no choice about whether we find an act indefensible (etc.), or (C). It is (C) that I think is most vulnerable to criticism.

In a discussion of van Inwagen's argument, John Fischer and Mark Ravizza provide this criticism of (C). They claim that (C) is not necessarily true, because it may be that X can generate a desire to do A and then act on this desire, even if he presently finds A indefensible (etc.) and in fact will not generate a countervailing desire and will not do A.⁴⁸ (Here "desire" is to be understood liberally, to cover all pro-attitudes, including X's taking himself to have a reason to do A in the absence of a desire, in some more restrictive sense, to do A.) But while it is correct to point out this lacuna in van Inwagen's argument, I do not think that this constitutes the most important or telling criticism of it. For one thing, if this criticism is itself to reinstate our common belief that our freedom to do otherwise is extensive, it must be that our ability to

generate desires that we do not presently have is itself extensive, and this seems quite doubtful (for reasons that cannot be discussed here⁴⁹). Secondly, and more importantly, I should think that van Inwagen might well plug the lacuna simply by restricting (C)'s application to X's immediate options.⁵⁰ Here even Fischer and Ravizza would appear to be committed to conceding that one cannot do what one finds indefensible (etc.). I think that we should hesitate to concede this.

It might seem that we must concede this if we accept, as Fischer and Ravizza are prepared to do,⁵¹ the following:

(10) P does [or does not do] A intentionally only if P wants to do A [or not to do A].

For (C)'s antecedent specifies that X has no desire to do what he finds indefensible. But we must be very careful how we construe (10). It is safe to accept it, I think, only if we understand the relevant desire or want as something that is constituted by the intention and decision to do A. In this sense, the intention or decision to do A automatically brings with it the desire to do it. But we should hesitate to accept (10) if we take the relevant desire to be something that grounds the intention and decision to do A. If we were to say that no one can do A intentionally without having some such antecedent (or, at least, independent) desire to do A upon which the intention and decision to do A is based, then perhaps Fischer and Ravizza's way of trying to undermine (C) is the best that can be done. But I do not see why we should say this. Certainly doing A intentionally in the absence of any desire (broadly construed, and other than that which is simply constituted by the intention and decision to do A) is very puzzling; for it constitutes acting irrationally. As such, it is rationally inexplicable. But why should what is rationally inexplicable be thought impossible? Much of the existentialists' writings would appear to be evidence that it is certainly conceivable.⁵²

One might at this point ask, with Wolf,⁵³ why anyone would want to act irrationally, but that is not really the apposite question. The question is why anyone would want the ability to act irrationally, that is, want to have this ability even in the absence of wanting to exercise it. Wolf indeed recognizes that this is the issue but professes herself unable to see why anyone should value such freedom. But the point surely is that it is freedom, so that, when one does act rationally, one is not forced to do so. It is this that grounds ascriptions of moral responsibility as opposed to moral evaluability of some other sort. Again, I grant that it is perhaps possible to act on the basis of a rational impulse that is irresistible and still act freely. But this is at best so only if the irresistibility of the impulse plays no role in the production of the action, so that it does not force the agent to act as he does. Moreover, as mentioned above, there is reason to think that this is so only if the agent does not himself regard the impulse as irresistible. Jeffrie Murphy has asked:

Does not each person want to believe of himself, as part of his pride in his human dignity, that he is capable of performing, freely and responsibly performing, evil acts that would quite properly earn for him the retributive hatred of others? And should he not at least sometimes extend this compliment to them?⁵⁴

Murphy raises these questions rhetorically. We have seen that he is apparently mistaken in counting on his readers to share his view as to how these questions are to be answered, but I submit that there is good reason to answer them as he does.

2.6. *Can one do what one finds unthinkable?*

Even if van Inwagen is mistaken and one can do what one finds indefensible (etc.), still it might be that one cannot do what one finds unthinkable. But why? To say that one cannot countenance a certain action as a serious option is not to say that it is not an option. So why should the former be thought to imply the latter?

The following counterpart to (9)—the proposition that doing something intentionally requires that one not believe that one cannot avoid doing it—seems to me to be true:

(11) P does A [or does not do A] intentionally only if P does not believe that he cannot do A [or do other than A];

for one cannot decide to do A, and so do A intentionally, if one believes that one cannot do it.⁵⁵ Furthermore, people often report that they cannot do what they find unthinkable. Consider Luther's famous words ("Here I stand. I can do no other.") or Ruth's, as imagined by Stump:

I'm sorry, but it's unthinkable for me to abandon [Naomi] now. She was always good to me, and it would be heartlessly cruel to repay all her past kindnesses by deserting her just when she needs me most. I know all the prudential arguments in favor of leaving her, and I've thought and thought about them. But in the end it is plain to me that I just couldn't do such a thing. I must go with her.⁵⁶

Given that these people really believe what they say, and given (11), it follows that they indeed cannot do what they find unthinkable.

But I am doubtful that these people really mean what they say; or, to put it more charitably, I am doubtful that they mean that they cannot do their respective actions in the sense of 'cannot' that is presently at issue. The statements of Luther and Ruth that use 'cannot' would seem to be what van Inwagen has called "can't without" statements. They are, he says,

the kind [of statement] the loan officer delivers to you when he tells you that he can't approve your request for a loan. . . . [Y]ou and I know that his statement is short for something like 'I can't approve your request without violating the bank's very strict guidelines'.⁵⁷

It is not that the loan officer literally cannot approve your request; clearly he can. It is that he cannot do this without some untoward result occurring, a result that he is not willing to have occur. So too with Luther. He could recant; he was just quite unwilling to do so. And so too with Ruth. She could abandon Naomi; she was just quite unwilling to do so. Her 'must' is not the 'must' of 'cannot' so much as the must of 'really ought not'.

Or so I suspect, but clearly I have no proof of this. One might be inclined to accept van Inwagen's and my diagnosis of the loan officer's statement but be disinclined to extend it to the statements of Luther and Ruth. They found their respective actions unthinkable, after all; it is hardly to be expected that the loan officer found it unthinkable to approve your request. For Luther and Ruth, it was out of the question that they should act in certain ways; if they had put matters this way, they would not have been exaggerating, whereas the loan officer would have been. But what does this really amount to? Perhaps the idea is that, among certain apparent alternatives with which one is faced, sometimes only some will present themselves as being seriously "in question," that is, as being candidates for deliberation. We might also say that

(12) P does A [or does not do A] intentionally only if his doing A [or his not doing A] presents itself to P as being in question;

for one cannot decide to do A, and so do A intentionally, if A is not in the pool of items about which one deliberates. From this it would follow that what is (presently) found unthinkable is indeed (presently) unperformable.

I think that (12) may well be true but I find two problems with this proposal. First, for the proposal to succeed, some distinction must be drawn between what is contemplated and what is in question, that is, a candidate for deliberation. For clearly Luther and Ruth contemplated doing what they declared unthinkable. How, then, could these actions fail to be candidates for deliberation? I am not sure. Furthermore, even if some such distinction can be drawn, I am doubtful that it can do the job required. For clearly Ruth, as depicted by Stump, not only contemplated but deliberated about abandoning Naomi. Stump characterizes what is unthinkable as that which the intellect "can find no way of presenting . . . as a good to be pursued."⁵⁸ By 'good' must be meant 'good, all things considered, under the present circumstances'; for Ruth was clearly

able to see some advantage to abandoning Naomi. But why should an inability to see an (apparent) option in this light render it unperformable? Presently, under the circumstances, all things considered, I (or my intellect) cannot find a way of presenting my consuming a six-pack of beer as a good to be pursued. Is such consumption unthinkable to me? That strikes me as hyperbole. Is it unperformable? Surely not.

3. CONCLUSION

It seems clear that an action that is properly said to be found unthinkable is one to which the person in question has a very strong aversion of some sort (an aversion that he is perhaps quite willing to have). Generally, it seems to me, one can do what one is averse to doing. Whether what is found unthinkable is such that one's aversion to it is so strong, or of such a sort that it renders one unable to will and so to do the action would appear—despite the pronouncements of some philosophers—to remain an open question. The position that I have sought to defend in this paper is that if what is found unthinkable is indeed unperformable, then (unless this is a matter of quasi-overdetermination, and perhaps even then) one is not morally responsible for not performing it. I should add, though, that if what is found unthinkable is performable, then one may indeed be a candidate for being properly held laudable for not performing it. If such is the case, then, it may be that Connie is indeed laudable for not ignoring the child's pleas. Note: she may be laudable. It may still be that she is not laudable for her behavior. Even if she acted freely, if her motive for not ignoring the child's pleas was not that she believed ignoring them to be morally wrong, then I do not see why she should be held morally laudable for not ignoring them. And even if this had been her motive, it might be that she merely managed thereby to avoid incurring culpability than to incur laudability. But this must remain the subject of a separate inquiry.⁵⁹

NOTES

1. This is how it is understood in Wolf (1990), 59.
2. See Frankfurt (1988), 182.
3. See Frankfurt (1988), 181; Stump (1990), 246-47.
4. In saying this, I mean to rule out the possibility that Connie, through a series of past actions, has deliberately and freely brought it about that she now finds ignoring such pleas for help unthinkable. Had this been the case, she might indeed be (indirectly) morally responsible for her present behavior.
5. Frankfurt (1988), Ch. 1.
6. Van Inwagen (1983), 165-66.
7. Fischer (1985-6), 253-55.
8. Frankfurt (1988), 6-7. I have changed "Jones⁴" to "Jones."
9. Lamb (1993), 522, slightly reworded.
10. This is equivalent to saying that it is not possible for Jones that he not perform the action and the triggering event not occur.
11. Compare the commentary on Lamb's paper in Fischer and Hoffman (1994).
12. Van Inwagen (1983), 165-66.
13. I borrow the terms 'alternate sequence' and 'actual sequence' from Fischer (1982), 33— 34. I borrow the term 'ensuring condition' from Ravizza (1994), 74. I prefer the term 'latent' to Ravizza's 'pre-emptive' and the term 'overt' to Ravizza's 'simultaneous'.
14. Cf. Zimmerman (1988), 97; Ravizza (1994), 77.
15. Cf. Frankfurt (1994), 621.
16. *Ibid.*, 620.
17. Here, for the sake of simplicity, I am ignoring the possibility that P's freedom with respect to doing A [or not doing A] was indirect. See note 4 above.
18. Cf. Dennett (1984), 134-35.
19. Frankfurt (1988), 181-82.
20. Wolf (1990), 55 ff.
21. Stump (1990), 246-47.
22. Again, I am here ignoring the issue of indirect freedom. See note 17 above.
23. Frankfurt (1988), 20 ff.

24. At least, this is what Wolf says with respect to laudability, which is presumably the type of responsibility at issue in Connie's case. She believes (wrongly, in my estimation) that culpability requires autonomy. See Wolf (1990), 55 ff. and 93. Her thesis regarding laudability is reminiscent of Spinoza (1677), Part IV, Proposition 66. Cf. also Dennett (1984), 133-34.
25. Stump (1990), 247-49.
26. See Frankfurt (1988), Chs. 2,5, and 12; Wolf (1990), 61; and Stump (1988), 218 ff. Cf. also Fischer and Ravizza (1994), 18, with respect to "taking responsibility" for acting on irresistible urges.
27. Cf. Fischer (1982), 27.
28. Schlossberger (1992), 4-7,79,101,112, and 117-18.
29. Adams (1985), 19.
30. See, e.g., Brandt (1956), 470-73; and Milo (1984), 41 ff.
31. Cf. Mark Twain, as reported in van Inwagen (1983), 63-64: "I am morally superior to George Washington. He couldn't tell a lie. I can and I don't."
32. To put the point more cautiously: it makes him morally responsible for his action if he also satisfies certain cognitive conditions that appear necessary for moral responsibility. See Zimmerman (1988), Ch. 3.
33. I do not mean to be advocating extreme heterogenization of moral evaluation. Sometimes the moral differences between two things will be quantitative rather than qualitative. What I am suggesting is that homogenizers bear the burden of proof.
34. Schlossberger (1992), 6-7.
35. Ibid., 166.
36. Ibid., 168 ff.
37. Cf. Frankfurt (1988), 40-41, on the distinction between blame and contempt. Cf. also Frankfurt (1988), 185; Wolf (1987), 53-55.
38. This would constitute an asymmetry related to the one that Wolf advocates in Wolf (1980). See note 24 above.
39. Augustine (1949), Book II. This case is discussed in Fischer and Ravizza (1992), 437.
40. Cf. Fischer and Ravizza (1992), 450, n. 37. Cf. also van Inwagen (1994), 112, n. 11.
41. Van Inwagen (1983), 93-94.
42. Van Inwagen (1989), 405.
43. Ibid., 407.
44. Ibid., 407-08.
45. Ibid., 412.
46. Campbell (1951).
47. Van Inwagen (1989), 415-17.
48. Fischer and Ravizza (1992), 432-34. Cf. Stump (1990), 248, n. 19.
49. However, see Zimmerman (1990) and van Inwagen (1994), Section II.
50. Interestingly, van Inwagen overlooks this move in his reply to Fischer and Ravizza in van Inwagen (1994).
51. Fischer and Ravizza (1992), 432.
52. See, e.g., Camus (1946); Sartre (1953), 617-18. Contrast Velleman (1992), 207-08. Contrast also van Inwagen (1994), 102, where the presupposition appears to be that even an existentialist *acte gratuit* must be grounded in some antecedent desire to perform an *acte gratuit*. While such an antecedent desire is of course possible, I do not see why we should accept it as necessary.
53. Wolf (1990), 56.
54. Murphy and Hampton (1988), 102.
55. This is not to say that one must believe that one will do it.
56. Stump (1990), 247.
57. Van Inwagen (1984), 10.
58. Stump (1990), 247.
59. Such an inquiry has been undertaken in part in Zimmerman (1988), Section 3.2.

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