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CHICKEN SOUP FOR THE SEMI-COMPATIBILIST SOUL:
REPLIES TO HAJI AND KANE

I want to thank both of my commentators. They have raised very good questions. I have learned a lot from them and I will have to think more about them. But I have some preliminary comments. Maybe I'll start with Bob Kane's because they are fresh in our minds. I thank him for his kind words.

It is fascinating how compatibilists have avoided this issue of history. I guess 'evaded' is the right word. Earlier on Ish [Haji] was talking about whether I could, or a semi-compatibilist could, "evade" the problem of alternative possibilities for the deontic notions. As with dealing with the IRS, there is a difference between avoidance and evasion, and, of course, I am into avoidance and not evasion! I think that there are evasive compatibilists with regard to the matter of history. Despite my tremendous admiration for Frankfurt's work in many respects, in this respect I think he has been evasive. Also, think for a minute about Susan Wolf's thesis that has gotten so much attention. Her thesis is that moral responsibility is based on, or issues from, the freedom to appreciate the true and the good. A problem with Wolf's view is that you can be manipulated into connecting up with the true and the good. In that kind of case you certainly would not be morally responsible *simply by being connected up with right reason*. That is not enough to be responsible; moral responsibility depends upon how you got that way. So this historical factor is a problem for compatibilists.

Mark Ravizza and I have tried to sketch out an appealing approach to try to deal with these problems, and I agree that the details are fuzzy and difficult. I like to invoke the methodology that to some degree Ish pointed to before. On this approach you take a theory as a package and you try to see how it fits together and whether it solves certain puzzles and illuminates certain phenomena. Then you judge it as a whole, even if it does in some instances lead to unintuitive results or even if there are some fuzzy components. The notion of mechanism-individuation is one of those components that admittedly is fuzzy and about which I have startlingly little to say. But what I want to do is just take a natural approach, an intuitive approach, to mechanism-individuation and then see how far



you can go with the theory, how much it illuminates, how many puzzles it resolves. I would also like to remind you that many theories, like reliabilist theories in epistemology, generalization theories in ethics, whether they be rule-utilitarianism or certain Kantian approaches, all implicitly rely upon certain ways of individuating action types. So maybe this is a *tu quoque* or, “so is *your* mama” type argument. Our theory is not the only theory that has this problem. If you are willing to take Kantian ethics seriously, perhaps, you could also at least give the theory presented by Mark Ravizza and me a chance.

I agree with Bob that, if you believe that responsibility is essentially historical, you do have to be very careful not to fall into the clutches of incompatibilism. But I have tried to be careful. By the way, I think that one reason why Harry Frankfurt has so frequently reiterated the view that responsibility is not a matter of history is precisely because he is afraid of falling into the clutches of incompatibilism. But I don't think that one needs to let one's fear dominate one here. One should boldly walk forward with semi-compatibilism. I think intuitively there is some difference between moral education of the sort that grounds responsibility and creates genuine moral agents, on the one hand, and Walden Two, on the other. There is some difference in the kinds of casual processes involved. It is very difficult to specify. But I think there is some sort of difference. I say that even though, it turns out, Bob, my wife Tina and I “home-school” our kids, and one reason is the kinds of practices that take place in public schools in Southern California: one practice is that they give M&M's out (I don't know about lollipops). So it is kind of similar to Walden Two. But I would say that there is some level of description at which we could distinguish indoctrination from mere education. Although it is difficult to make that discrimination – and admittedly it *is* difficult – we should not simply leap to the conclusion that there is no way to distinguish between mere causal determination and indoctrination.

Imagine an individual who has grown up in affluent circumstances with no psychological abuse, no physical abuse, etc. Let us also stipulate that there were all the advantages of living in an affluent suburb, let's say, or in a yuppie townhouse in the city. But suppose that the individual nevertheless commits a brutal crime. Let us further stipulate that determinism is true. I believe that there is an interesting difference between that kind of case and a kind of case in which the agent has been subject either to direct electronic stimulation of the brain or very significant emotional, physical or sexual abuse. It is very difficult to give an account of the distinction. But of course that is what I try to do. I try to do it in terms of reasons-responsiveness and mechanism ownership. I am not sure that the details

work. But that is my project. I would say that simply because it is difficult – and I admit that it is difficult – I would not just leap to the conclusion that there is no principled way of giving an account of the difference. I think that we ought to try and then see where the shortcomings are and what might be promising. I do think, though, that there is an intuitive distinction that we all would want to make between these two kinds of cases of the two criminals.

I want to emphasize that the bad old kind of compatibilist said that there is a difference in the casual sequences and therefore in the one case the agent could have done otherwise and in the other case he could not have done otherwise. I want to distance myself from that, and I agree that that is problematic. I think that part of what makes Bob so puzzled about how one can make this distinction is that he rightly thinks that if determinism is true no agent could do otherwise. But that is not the point. I think the compatibilists can succeed in making the pertinent distinctions by focusing on properties of the actual sequence. I see that there is much more to be said here. I admit that my sketch of a way of distinguishing between, let's say, the two criminals we were discussing, has various elements that are problematic and need further work. Maybe it will ultimately fail. But even if it did fail, I would not conclude that therefore we need indeterminism! I would conclude that we need a more fine-grained, a more illuminating account of the differences between the casual sequences.

I also really found Ish's comments very useful. Remember, I say that one makes a mechanism one's own by taking responsibility for it. One takes responsibility for it by forming certain beliefs, or having certain beliefs about oneself, seeing oneself in a certain way. I admit that this means that my theory is a subjective theory, like Galen Strawson's subjective theory of moral responsibility. I think I just have to bite the bullet. Ultimately if one does not see oneself as responsible, then one is not responsible. Now it is not a matter of what you say. Because you could always 'say' that you are not responsible. But it is a matter of what your beliefs really are. So I would say that about the case of Clara and Ivan. Clara and Ivan both move their bodies in the same way as a result of type-identical kinds of brain processes. But one of them believes that he or she is responsible and the other one doesn't. There is a difference in moral responsibility precisely because if you genuinely believe that you are not responsible, then you are not responsible. I do accept that result. It is like Harry Frankfurt's intuition that if you are an addict and you know that you are an addict and you therefore know that you can't resist a certain drug and you go ahead and take the drug only because you know that it will be futile to fight it, then you are not responsible. I think that if you actually

and sincerely and genuinely believe that you are not responsible, then you cannot be active in a certain way. You are like a sailor who believes that his rudder is broken and therefore allows the winds to buffet him. You are not an active agent. So I kind of bite the bullet on that.

Let me turn to Ish's other cases. There were the interesting cases of Ernie and Jenny. Both of them involve cases in which agents were manipulated in certain ways and yet it seemed to Ish that they met my conditions for taking responsibility. This brings up a delicate point. I know that Michael McKenna has written about it and has worried about the issue of mechanism-individuation. I agree that this is a very difficult part of the theory. But I am inclined to say that Ernie and Jenny have not taken responsibility for the kind of mechanism that issues in their respective actions. They have taken responsibility for practical reasoning, but not practical reasoning that involves covert electronic manipulation. So I would rely here, I think, on my idea that you take responsibility for a certain kind of mechanism. I am inclined to say that neither of these agents has actually taken responsibility for the kind of mechanism that issues in their action. That means that I distinguish between ordinary practical reasoning and practical reasoning that crucially involves direct electronic stimulation of the brain. But of course that is part of my theory from the beginning. That is not something that I am just sticking in here to reply to these cases.