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ORDINARY WRONGDOING AND RESPONSIBILITY WORTH WANTING

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ABSTRACT

In this paper it is argued that we can have defensible attributions of responsibility without *first* answering the question whether determinism and free will are compatible. The key to such a defense is a focus on the fact that most actions for which we hold one another responsible are quite ordinary—trespassing traffic regulations, tardiness, or breaking a promise. As we will show, unlike actions that problematize our moral competence — e.g. akratic and 'moral monster'-like ones—ordinary 'wrong' actions often disclose this competence. Hence, no counterfactual assumption is needed to establish that some of us are sometimes responsible for some of the actions we perform.

Key words: determinism, free will, moral/normative competence, responsibility, wrongdoing.

Introduction

A familiar argument in the philosophical discussion about moral responsibility and the metaphysical issue of free will and determinism is the following. If a certain agent could not have done otherwise than perform action *A*, the agent is not morally responsible for *A*. If the thesis of determinism is true we are never able to do otherwise. Hence, if determinism is true we are never morally responsible for any of the actions we perform.

Since many philosophers believe that the thesis of determinism is more than likely to be true, many have developed arguments to avoid this unwelcome conclusion or invalidate the steps leading to it. Among these closely intertwined arguments P. F. Strawson made influential the idea that we are mistaken from the start when we believe that our practices of moral responsibility 'as a whole' stand in need of an argument (Strawson 1962). According to him, our practices of moral responsibility are part and parcel of our natural and indispensable inter-personal

relationships with one another, in which we view one another as full-blown subjects eligible for such reactive attitudes and emotions as resentment, blame, and moral indignation (hereafter also referred to as: 'the negative moral sentiments').[1] To abandon these attitudes and emotions, Strawson argues, if possible at all, would only impoverish our practices and hence would not be rational (Strawson 1962, pp. 68-70).

Many people have criticized this popular and highly influential argument, especially its success in preventing the slide from the possibility of legitimate criticism within our practices of responsibility to the possibility of legitimate criticism of our practices as a whole (Russell 1992; Nagel 1986, p. 174; Benson 1990, p. 8). The general idea behind this criticism is that once we allow that our blame and resentment in particular cases can be mistaken, it can also be argued that none of our particular ascriptions of responsibility are fair, if determinism is true. This would mean that we might find ourselves as moral beings in a tragic position: though natural, inevitable, and rational, our practices of responsibility would not be fair.

In recent years Strawsonian compatibilists have argued that although it is possible that we are in a tragic position, it can be shown that in fact we are not. The core of their argument is that the condition of responsibility that is efficacious in our daily practices is one that refers to our moral and/or normative competence (hereafter: NoM competence),[2] i.e., to our general "powers of reflective self-control" (Wallace, 1994) or our ability "to act in accordance with Reason" (Wolf, 1990). Understood in these terms, these philosophers argue, it would be absurd to assert that none of us is morally responsible, for this would mean that none of us is NoM competent.

Be this as it may, this view is not without its problems. Even though it might establish that most of us are NoM competent it does not alter the fact that 'moral monster'-like crimes and *akratic* actions, actions for which we typically hold one another responsible, can be described as examples of NoM *in*competent actions. Hence, as I have argued elsewhere, one could wonder whether the claim that the agent was responsible (NoM competent) at the time of the 'moral monster'-like crime and/or *akratic* action does not

[1] See Wallace 1994, Ch. 2. Strawson speaks of 'reactive attitudes and emotions' and refers to a class much wider than that of the moral emotions of blame, resentment, and moral indignation. Following Jay Wallace, I will restrict myself to the moral sentiments because I believe these to be most typical of our practices of moral responsibility. Moreover, as will become clear next, since I focus on our responsibility for actions that are perceived as wrongdoings I will restrict myself to the negative moral sentiments, excluding, e.g., praise. However, unlike, e.g., Susan Wolf's Reason View, I do not believe that the view that will be expounded here is fundamentally asymmetrical, Wolf 1990, pp. 79-81. The reason for restricting myself to negative transgressions of normative expectations is that I believe the need to justify our practices of moral responsibility with regard to these actions to be more urgent. Praising someone undeservedly clearly does less harm than blaming him or her would.

[2] I do not distinguish between moral and normative competence. The reason for this is that it is not essential to this paper to commit ourselves to either a broad or a more narrowly conceived conception of morality. NoM competence refers to our competence in fulfilling normative expectations in general, regardless of how one exactly perceives the relation between normative and moral expectations.

boil down to the claim that the agent could have done otherwise than she or he did, and could have done so in exactly the same circumstances (Cf. Fisher & Ravizza, 1992).[3]

In this paper I will not go into this specific worry, but concentrate on a related topic. I will argue that most actions for which we hold one another responsible on an everyday basis are not exceptional or extra-ordinary — as akratic and 'moral monster'-like actions, to my mind, are; on the contrary, they are quite ordinary actions every one of us performs every now and then (§ 1). I will show that it would morally impoverish our practices if we did not ascribe responsibility to one another for those actions (§ 2) and will explain that compatibilists such as Wolf and Wallace are right in claiming that it is some condition of NoM competence that justifies these ascriptions (§ 3). Contrary to those compatibilists, however, I will conclude that this does not tell us anything about the problem of free will and our responsibility for extra-ordinary wrongdoings such as 'moral monster'-like crimes and actions from which we feel alienated. (§ 4)

I will conclude that it might be quite fruitful to distinguish the question of the justification of our everyday practices of responsibility — meaning the framework of our practices of responsibility that Strawson held to be deeply ingrained in our relationships with one another — from the notoriously difficult question of free will. Incompatibilism, on the view put forward in this paper, does not necessarily undermine our everyday practices of responsibility. It might change our thinking about 'moral monster'-like crimes and *akratic* actions, but this might be a good thing, for we may ask ourselves whether responsibility for such actions is worth wanting in the first place.

1. Ordinary wrongdoings

Consider some of the behavior that is habitually considered blameworthy: rudeness and impoliteness (not waiting one's turn), carelessness (forgetting a birthday), selfish and anti-social behavior (hogging the bathroom while others are waiting, cycling on the sidewalk), insensitivity (smoking in the presence of one's first-born grandson), dishonesty (lying), or committing minor misdemeanors (shoplifting, violating traffic regulations).

Although wide disagreement is possible (and exists) about what kind of actions belong to these categories and how important it is not to perform them, it is not difficult to explain their occurrence. Every one of us performs such actions every now and then. Sometimes we are in a bad mood, do not think straight or do not think at all; also, some of us believe that we have good reasons to act as others think we should not; or believe that we are allowed, sometimes, to make an exception for ourselves. When we are in a hurry or a bad mood, we might not wait our turn because we want to get out of the shop as soon as possible. When we are too preoccupied with our families and work we

[3] See Sie 2005, Chapter 3.

might forget the birthday of a good friend, a friend who we know attaches great value to receiving a birthday card. When we are convinced that cycling is a very good and friendly way to move around we might think that it does not matter if, every once in a while, one cycles in places where it may hinder and annoy other people. And so on.

Ordinary wrong actions like this leave little room for philosophical wonder. Human action and interaction, most of the time, is a sloppy and inarticulate affair. Besides the fact that we do not always care to act appropriately, we also often lack the time to think extensively about the best way to act and have to act without much forethought. Also, situations are often complicated and complex and slight judgmental errors are bound to occur. Therefore, it is important constantly to communicate about what exactly we expect of one another, what kinds of behavior and actions we condone, and what kinds we reject. We could reformulate the Strawsonian insight into our practices slightly, as follows. Ordinary wrongdoings—our labeling actions as 'wrong' — and our ascriptions of moral responsibility for them are part and parcel of our ordinary interpersonal relationships. Our negative moral sentiments express our disapprovement of certain kinds of character-traits, life-styles, behavior, and actions; our excuses, apologies, refusal to excuse and/or apologize in return express our agreement or agreement or disagreement with the disapprovement and the labeling of the things disapproved as 'wrong'.

To my mind, what is vital to this exchange of moral sentiments is that the wrongdoings to which we react disclose what I will call 'a potential normative disagreement' with the normative expectations transgressed. When we are confronted with such actions we might suspect that the agent who performs it disagrees with our evaluation of the action as wrong. Before explaining this claim let me make two preliminary remarks.

First, I say 'might' and call these normative disagreements 'potential,' because a transgressing agent not always disagrees with the normative expectations her action transgresses. This is easy to extrapolate from our experience. We sometimes act wrongfully despite ourselves or because certain exceptional excusing or exempting conditions obtain. In those cases we agree with those who hold us responsible (blame and/or resent us) that we did wrong (or that the action was wrong even though we can be excused/exempted) and feel awful for having done so.

Secondly, there are many individual differences between people concerning how and why they blame one another. Their relation with the wrongdoer is relevant, their psychological make up, their ability to understand why the other acted as she or he did. I leave all these psychological complications aside. For the purposes of this paper it suffices that people blame one another whenever they suspect the action discloses a deliberate transgression of their norms and values. There is a connection between the suspicion of a normative disagreement and the inclination to blame and/or resent the perpetrator.

Take three examples:

(1) A colleague suddenly falls asleep in the middle of an important meeting;

(2) a colleague suddenly starts swearing in the middle of an important meeting; and

(3) a colleague is extremely late for an important meeting.

If nothing extra-ordinary is the matter and we work in a healthy environment our reaction to the first two colleagues will primarily be one of wonder. Why does our colleague suddenly fall asleep/start swearing in the middle of an important meeting? Absent an adequate explanation we will advise our colleague to take a long good holiday, and, if it continues to happen, to visit a specialist. The colleague of the third example awaits a different reaction: Blame and perhaps even resentment for her tardy behavior. How should we understand this difference?[4]

My claim boils down to this: The reason why we are inclined to blame or resent only in the case of the tardy colleague is that only in this case the agent might have transgressed our normative expectation — that 'she should be in time for important meetings' — because she disagrees with them or, perhaps more adequately put, disagrees about the degree in which she should care about fulfilling it. In the case of the swearing and sleeping, little sense can be made of the idea that the colleague did so because she disagrees with certain normative expectations. Not that no normative expectations are transgressed in these examples — there are! Surely one is expected not to disturb important meetings, not to fall asleep during daytime or to swear without an adequate cause. It is because suddenly falling asleep or starting to swear in the context of a meeting is too absurd to be understood as potentially disclosing a normative disagreement, that blame and resentment are not our immediate reactions.

If you are not convinced, consider in what way the example of the tardy person needs to be adapted to resemble the swearing and sleeping examples. Suppose that the meeting was important, but only to the person who was late herself. Moreover, suppose that we know the colleague to be an extremely punctual person who attaches great value to punctuality. In this case, neither blame nor resentment is very likely to occur or, for that matter, to seem appropriate. We will assume that our colleague has a very good reason (a valid excuse) for being late. Or, to put it in the terms of the view I want to defend, we will assume that our colleague did not transgress our expectations because she disagrees with them or their legitimacy in this situation. Her action does not disclose a potential disagreement with the normative expectations transgressed. As a consequence it will not be labeled 'wrong' and will not trigger any blame or moral indignation. Let us call this view on the ascription of responsibility — our reaction with the negative moral sentiments — corresponding to our suspicion of an agent's disagreement with the normative expectations transgressed, the normative disagreement view (hereafter: NDV) on responsibility.

[4] If your inclination is to blame one or both of the other colleagues too, try to adjust the example in such a way that the action does not trigger blame, but only wonder.

To point out the importance of the (suspected) motives of the wrong-making agents is all but new. Strawson already argued that it is the good and ill will of other people that occupy a central place in our practices of responsibility (not to be confused with the Kantian concept of a good will). According to him the actions and behavior that we blame and resent primarily disclose, or seem to disclose, a lack of goodwill toward us (Strawson 1962, pp. 63-64, 67-68). Also, Harry G. Frankfurt famously argued against the principle of alternate possibilities by pointing out that what we care about is a person's actual reasons for acting in the ways she does, not the alternatives available to her at the time of the action (Frankfurt 1969). If someone does not phone us on our birthday because she did not think it important enough, the fact that her phone does not work is irrelevant. It played no role whatsoever in her not phoning us, hence, it does not alter her responsibility for inattentive action even though she could not have phoned me had she wanted to do so. What is crucial to our moral evaluation of the Frankfurtian views is that she did not phone us because she did not believe it important enough.

I prefer to put this point in terms of normative disagreements because it enables us to make clear why exactly responsibility ascriptions are indispensable. They are indispensable because sometimes people do actually disagree with the appropriateness of some normative expectations and this disagreement is exactly their reason for transgressing them. For example, in the original example of our tardy colleague, the colleague might be late for the meeting because she does not believe that it is all that important to be in time for meetings at work. She might have left her house in time, but upon meeting a friend on her way to work considered it perfectly natural to stop and chat with her. She might believe this the right thing to do: 'More important things exist in life than being on time!' If this is the case, she disagrees with us that her action should be classified as a 'wrongdoing.' She will experience blame as inappropriate, and, if she is sincere, will not be prepared to apologize and explain her action in such a way that she is excused, nor allow us to make up excuses on her behalf. Her action discloses a normative disagreement with the normative expectations she transgressed and the reason why we care is not necessarily that we believe she meant ill. Even if we are convinced of her considerate nature and of the fact that her action discloses no lack of goodwill toward ourselves we might still believe that she should have been on time.

The NDV claims that we hold one another responsible primarily for actions that disclose a so-called potential normative disagreement. Most of the time these actions are quite ordinary wrongdoings every one of us performs every now and then — wrongdoings we are quite willing to apologize for and quite able to explain. Although the phrasing of it may be new, the underlying claims of the NDV are widely defended by post-Frankfurtian and post-Strawsonian views: Alternate possibilities are not immediately relevant to our moral assessment of an agent, the reasons for which the agent acted are. The rephrasing in terms of potential normative disagreements is not trivial. Talk in terms of normative disagreements makes clear that we have a good moral reason to hold one another responsible, regardless of the metaphysical problems that might bring us. Let me explain.

2. Default ascriptions of responsibility

According to the NDV on responsibility, assuming one another to be responsible unless we have specific reason to assume otherwise (i.e., by default) is indispensable because it is the only way to bring existing and possible normative disagreements to the surface. When our colleague is late, it is unclear whether she agrees or disagrees with us that what she did was wrong. It might not even be clear to herself. This is what makes it vital to react to one another in such a way that our mutual expectations regarding punctuality become clear. Many if not most of the actions we perform, we perform without much reflection. Often we go on performing the same kind of unscrutinized actions until someone asks us why we did something (or blames us). It is in those moments that the need to evaluate our own actions in moral terms becomes urgent. Negative moral sentiments or explicit ascriptions of responsibility invite, if not necessitate, a response, an explanation, apologies, or else a justification of the action perceived to be wrong.

The evaluations of our actions, the articulations of our moral outlook, are co-dependent on the way others evaluate and articulate them. If nobody minds that I am sometimes late for meetings because, e.g., they appreciate me being a mother and understand that it is vital to being a mother to let one's children prevail every now and then, then there is little reason for me to take a stand on that issue. On the other hand, if my colleagues are all parents and themselves on time every time, their persistent frowning upon my tardy behavior (communicating their moral disapproval) invites, if not forces, me to evaluate my lack of punctuality in a different manner.

To get clear on these issues nothing less than ascriptions of full-blown responsibility will do. Would they restrict themselves to asking me why I was late, I could adequately respond with, e.g., 'my daughter wanted me to listen to a story she had to tell'. That question — and its answer — do not make clear whether we do or do not expect one another to be on time. When they add that they believe that I should have been on time, I could still adequately respond by explaining my action a bit more elaborately: 'My daughter wanted me to listen to a story she had to tell, and I believe it very important to take time for my children.' However, people might have no quarrel with the idea that it is important to take time for one's children in general, while at the same time expecting me not to take that time at their expense. It is only when people hold me responsible for the behavior they qualify as 'tardy' that I will have to take a stand on the specific normative expectations I transgressed and determine and communicate my agreement or disagreement with them.[5]

Ascribing responsibility to others, and the negative moral sentiments that may result from this act, play an indispensable role in bringing to the surface all potential and actual nor-

[5] See for an excellent view on the meaning of responsibility as holding one another to normative expectations, Wallace 1994, chapter 2 and 3.

mative disagreements of importance. Communicating the normative expectations that regulate normative communities is vital because it enables people to participate in these communities.[6] It is also the only way to allow them to codetermine these communities by explaining their view on matters. Two things must be observed about this.

Firstly, when a normative disagreement surfaces this alone does not ensure the agent's influence on the normative expectations disagreed with. With regard to the tardiness, for example, it is more likely that once my colleagues have made explicit/communicated their dissatisfaction with my behavior, next time they will expect me to be on time. A certain risk is involved in admitting to, and explicating, one's moral or normative disagreements. Once the normative expectations of a certain community are explicated, one cannot go on acting as before. It is now clear that others expect you to be on time for meetings, regardless of the reason you had for coming late.

People have ample reason to keep certain normative disagreements to themselves, or to prefer not to be too explicit about them. Were they to admit to certain disagreements, they might be expelled from the shared community or face other measures. In case of a tardy person, e.g., we might decide to manipulate her into being on time by telling her the meeting starts an hour earlier than it in fact does. Sometimes people have more to gain by not owning up to a disagreement than by taking or accepting responsibility for it. Therefore, we have reason not to accept excuses and exemptions others have to offer too hastily, let alone make them up for them.

Secondly, not all actions disclosing a possible normative disagreement are worth explicating. In a different setting — e.g., if I am not a colleague but a good friend — my tardiness might not be annoying. It is only when normative expectations are important or even central to the normative community we share that it is vital to hold one another responsible. Also it is vital to do so by default. The reason for this is the following.

The more central and important to our moral practice certain 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 — i.e., reasons that make the action understandable, though not morally admissible. The more central and important certain transgressed norms and values are to a certain community the less likely the participants of this community will be able to see the action as a potential normative disagreement. For them the reasons for which such an action is performed lack all intelligibility. Our firm adherence to certain norms and values might make us blind to the reasons an agent actually has for his or her deviant behavior. Hence, we risk making up excuses or exemptions that explain the so-called wrongdoing in our view, but that are inappropriate because they do not correspond to the reasons for which the agent acted.[7]

[6] There are many more philosophers who, in the footsteps of Strawson (Strawson 1962), have emphasized the central role of our negative moral sentiments to our moral practices. See, for example, Hertzberg 1984, p. 501.

[7] This distinction between exemptions and excuses derives from Strawson's essay and is elaborated on by Wallace, Strawson 1962, pp. 64-5; Wallace 1994, chapter 5 and 6. Susan Wolf also accepts Strawson's distinction but

As one can imagine, making up examples in this area is not easy. The example needs to be about behavior we find difficult, if not impossible, to understand. Let us try anyway. Perhaps we can imagine a nice sweet lady, who is absolutely convinced that no one in her or his right mind would drive too fast unless it is absolutely necessary. She herself is a law-abiding citizen and terrified of high speed. Also, she is convinced that people who own an expensive car do important necessary work. As a consequence of these ideas and her personal character-traits she regards all fast-driving devils in expensive cars as poor souls who are in a hurry because they have important matters to attend to. She is so convinced that no one in his or her right mind would drive too fast, that she assumes that those who do drive too fast (and do so in expensive cars) must have a good excuse (important matters to attend to). We, who make up this example, 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.' Abiding by traffic-regulations is not important to them and in their book every minute counts. The point is we might resemble this old lady: Certain of the expectations we take to be legitimate beyond doubt, might not be evident to others. That fact provides us with a very good reason to hold one another responsible and do so by default.

Some behavior might qualify as 'wrong beyond doubt' — stealing, perhaps. Moreover, our 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 with society — we must realize that the risk involved in this attitude toward them is that we deprive those of them who disagree with us about the normative expectations in question (under no circumstances should one steal) to have a voice in the matter. We literally silence them and the arguments they might have for stealing.

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 actually regulate our shared practices. All that is taken for granted in the overall argument in favor of these default ascriptions of responsibility are the assumptions that:

(1) actions disclosing normative disagreement exist, and

(2) we cannot always get rid of the normative disagreements disclosed in those actions by a clear procedure that enables us to establish which of two disagreeing factions is right.

Pluralism, no matter how difficult to understand at a theoretical level, still is a fact of life that we have to deal with.

focuses on the class of exemptions and its underlying condition, i.e. the condition of sanity, Wolf 1990, ch. 4.

Surely, the fact of pluralism itself generates complicated meta-ethical issues. For one thing, it is not immediately clear that the idea that there is a plurality of incompatible norms and values that are equally legitimate is an intelligible option.[8] Therefore, some people might want to argue that true normative disagreements are impossible. On some theories of human agency, for instance, it is difficult to conceive of agents acting for equally good, though conflicting, reasons. However, even if these theories are true, we should be careful all the same not to risk misunderstanding actions that disclose a normative disagreement as actions betokening incompetence. All these theories tell us is that either the one who transgresses certain normative expectations because he or she does not believe them to be legitimate, or the one who believes them to be legitimate, is right. They do not tell us which of the two is right. If it turns out that of two disagreeing factions always one has to be right the other mistaken, in our daily practices we still have no choice than to hold one another responsible and to do so by default because we do not know which of the two is mistaken.

Does this make our ascriptions of responsibility for wrongdoings also philosophically defensible in relation to the difficult issue of free will and its compatibility with determinism? I believe that it does. For this, let us turn to the discussion about the conditions of responsibility.

3. Conditions of responsibility

Suppose that we accept the NDV on our ascriptions of responsibility developed in the first two sections. What condition of responsibility fits this view best? What condition should an agent meet in order to be the kind of agent whose agreement or disagreement with the norms and values that regulate our shared practices matters to the extent that it should co-determine these expectations? Clearly, the agent in question should be able "to grasp the relevant norms and values in a certain situation and be able to make competent critical evaluations, in light of those norms and values, of open courses of action" (Benson 1987, pp. 476; Cf. Wolf 1990; and Wallace 1994). Clearly, we can call the agent who possesses these abilities a NoM competent being.

According to such a condition of NoM competence, we are morally responsible for our actions if we are able to grasp norms and values and act in accordance with them. This ability should not be confused with the ability that, for instance, very small children have to act in a sweet and obedient way. Small children can recognize that some actions are good and others are wrong. They can transgress these norms and values, and they sometimes do so intentionally. However, when little children are naughty and disobedi-

[8] This might not be a problem for the NDV since we have understood the disagreements primarily to be about normative expectations, i.e., the way certain norms and values are translated in concrete 'ought to do's' and 'ought not to do's.' Hence, even though two people might agree on certain norms and values there is still ample room to disagree about the specific behavior that should result from this.

ent we do not hold them responsible in the full-blown sense that we hold adult human beings responsible (except perhaps for pedagogical reasons).

This example, like the NoM competence condition explicated above, derives from Paul Benson (Benson 1987, pp. 465-86). According to him, we sometimes feel more intimately related to some actions than to others. For these actions, he points out, we do not want to be excused; on the contrary, we feel the urgent need to explain and justify them because we want to be evaluated "in the same terms as the act is evaluated". This certainly holds for actions that disclose an actual normative disagreement. If sincere, the agent will dispute the qualification of the action as 'wrong' and will not be prepared to safeguard a positive moral evaluation of herself by distancing herself from her act. It seems clear that unlike little children, we sometimes have such a relation to our actions. We sometimes refuse to allow for excuses or exemptions to avoid being held responsible for our actions because we believe that what we did is *right*. How does this idea cohere with the metaphysical assumptions usually discussed in relation to responsibility? How does this cohere with determinism?

Note that nothing argued for hitherto shows the condition of NoM competence to be either incompatible or compatible with determinism. All that has been claimed is that it is morally indispensable to assume one another to be responsible for the ordinary wrongdoings we perform because some of these wrongdoings possibly disclose a normative disagreement of the agent with the norms and values transgressed. This fact discloses only one necessary assumption: That at least some of us are NoM competent, and that some of our actions disclose this NoM competence. And this assumption is not counterfactual: We act in accordance with norms and values virtually all the time. We play difficult games such as chess and Go, we manage to participate in such complex enterprises as traffic, and we also often manage to take into consideration one another's feelings. Moreover, even in cases where things go wrong, we often prove ourselves able to provide for just about the right amount of apologies and explanations. Hence, even though we do not know or agree about which abilities will turn out to constitute our NoM competence, it is inconceivable that they will turn out to be the kind of abilities none of us possess.[9]

The validity of our ascriptions of responsibility to one another for actions that disclose our NoM competence — actions that correspond to certain norms — cannot be undermined by any general thesis. Every general thesis that is in tension with the assumption of NoM competence — including the thesis of determinism — confronts us with a theoretical problem, but not one likely to unsettle our daily ways.

With regard to the philosophical problem of responsibility, the issue of free will, the important point is that one should first consider what is to be gained by a solution

[9] Cf. Wolf's Reason View, especially where she claims that people are generally 'able to do the right thing for the right reasons', Wolf 1990, pp. 88-9; and also Wallace's reactive account of responsibility, especially where he claims that it is highly unlikely that determinism could undermine our general possession of 'rational powers', Wallace 1994, § 6.3, pp. 180-86.

to this problem. Many philosophers, incompatibilists as well as compatibilists, seem to believe that it is nothing less than the legitimacy of our day-to-day practices of responsibility that is in jeopardy if we fail to develop a satisfying account of responsibility, free will, and (in)determinism. As might be clear by now, this is not the case. Our practices of responsibility are regulated by conditions of (NoM) competence. Incompatibilists might give a different account of what makes us normatively or morally competent than compatibilists. Whatever the outcome of their dispute, we cannot but hold one another responsible for wrongdoings, because some of these actions disclose a potential normative disagreement of the agent with the normative expectations transgressed.

What remains to be addressed is a class of wrongdoings that has been excluded from our paper hitherto, the class of extra-ordinary wrongdoings. The most prominently discussed examples of extra-ordinary wrongdoings are 'moral monster'-like crimes. What is typical about such actions, for the purposes of this paper, is that they lack room for disagreement. Ironically this is exactly what makes it understandable that they are favored in discussions about the metaphysical problem of responsibility. If one primarily wants to discuss whether we can rightfully be said to be responsible human beings against the background of certain metaphysical assumptions (free will, determinism), one does not first want to waste time deciding on an example that is regarded by all as a genuine example of a wrongdoing. Understandable as this is, it provides 'moral monster'-like crimes with a far too prominent role in considerations pertaining to the legitimacy of our daily practices of moral responsibility. After all, moral monster-like crimes occur seldomly and, if they do, we are — fortunately enough — most of the time not personally affected by the horror of them, or ourselves the perpetrators. Our negative moral sentiments with regard to them can hardly be claimed to be the most proto-typical of our negative moral sentiments in general. Also, and contrary to what is often assumed in a good deal of the responsibility literature, our daily practices are hardly equivocal regarding these actions. Let us conclude with this.

4. Extra-ordinary wrongdoings

To most people, e.g., cold-blooded murder is not the kind of action one can begin to imagine having reasons for. This is not to say that 'moral monster'-like crimes cannot disclose a potential normative disagreement. Perhaps NoM competent agents can have reasons to murder in cold blood. In order not to complicate the issue of the legitimacy of our ascriptions of responsibility with possible stands on that issue, I prefer to discuss examples of extra-ordinary actions that, though rarely, occur more often than horrible crimes such as murder, and are also closer to our experience. To my mind 'moral monster'-like actions are, firstly, too unsettling to our moral practices, and secondly, too far removed from what most of us can even begin to understand, to be of much help to the

in itself already complicated issue of responsibility. Therefore, let us look at less upsetting examples of extra-ordinary actions. Are there any?

Here are a few that might sound plausible: Stealing a useless piece of clothing one dislikes; failing an exam despite hours of study (and one's apparent intelligence); lighting a cigarette despite one's repeated wish and efforts to quit; losing one's temper with one's loved ones even though these are the ones you love and not to blame for your frustration in the first place.

If so-called extra-ordinary wrongdoings like this occur, our daily practices of responsibility are equivocal with regard to our responsibility for them. Consider the actions/behavior mentioned above. With regard to some of these, we clearly seem to believe it most plausible that they problematize our NoM competence, at least with regard to the action and/or at the time of the action. For example, we call stealing a useless piece of clothing one dislikes, 'kleptomania'. Also we are inclined to classify failing an exam despite hours of study (and one's apparent intelligence), as a case of 'fear of failure'. This is easy to understand on the account of the phenomenon of responsibility put forward in this paper. Since it is difficult to understand these actions as disclosing a potential normative disagreement, there does not seem to be good reason to hold the agent responsible for them.

With regard to the other two of these actions — lighting another cigarette and losing one's temper — things are less clear. Some might wish to qualify lighting a cigarette despite one's repeated wish and efforts to quit, as 'addictive behavior'. Others, though, might prefer to call it a lack of will-power which — by our common standards — does not problematize our NoM competence. In the latter case one might describe the lighting of another cigarette as disclosing a possible normative disagreement. To the addict the taste of cigarettes is wonderful, hence, she might on balance believe the reasons for quitting to be outweighed by the reasons for smoking. Likewise, losing one's temper with your loved ones also has a chance of being classified as a wrong for which we are responsible. One can imagine, e.g., that it is less of an effort not to restrain oneself on the assumption that one will be forgiven anyway and that, therefore, not restraining oneself discloses the agent's evaluation that the hurt she is causing her loved ones is outweighed by the difficulty it would cost her to better her behavior.

Within the NDV view on the phenomenon of responsibility elaborated on in this paper, it is only after we have made sure that these actions are to be classified as extra-ordinary wrongdoing (and not as one that discloses a potential normative disagreement), free will's possible incompatibility with determinism becomes an issue.[10] True, lighting that cigarette despite one's explicit determination to quit and losing one's temper for no rea-

[10] In case one believes that free will is necessary to understand that we are 'NoM competent,' free will's compatibility with determinism is already an issue. However, also note that even in that case it is no issue that might undermine our practices of responsibility. As I argued in the previous section it is safe to assume that at least some of us are deserving of the label 'NoM competent beings'.

son, at least from the agent's first-person perspective, seem to be genuine examples of one's failure to do otherwise. In this sense, they are much like Austin's example in which a golfer misses a very short put which he is sure he could have holed, not had conditions been different, but under precisely the same conditions (Austin 1956: p. 218). Examples like these are food for incompatibilist sentiments. On the NDV account of the phenomenon of responsibility put forward in this paper, the need to refute these incompatibilist sentiments is no longer of a practical urgency. Perhaps we are indeed only responsible for extra-ordinary wrongdoings if determinism is false or compatibilism true. To leave room for this possibility as well as the ongoing philosophical discussion of it becomes a lot easier once we realize that it does not affect our day-to-day practices as a whole. As shown, the overall structure and framework of our practices of responsibility can be accounted for fully in terms of the existence of ordinary wrongdoings alone.

Before concluding, let me mention one outcome of the view expounded here that might sound paradoxical to some: Ascribing responsibility to someone for being late at a meeting is easier to justify than ascribing responsibility to someone for a 'moral monster'-like crime such as cold blooded murder. On this one we should simply bite the bullet: Even though cold blooded murder is obviously more wrongful than tardiness, it is precisely because of this fact that it is more difficult to establish and/or understand that the wrongdoer was NoM competent at the time of the action or with regard to it. How can a NoM competent human being act in a completely NoM incompetent manner (that is, murder another human being in cold blood)?

To be sure, we need not claim that extreme wrongdoing automatically exempts the agent – perhaps NoM competent agents can have reasons to act horribly. Also it might be argued that the existence of such actions is evidence of the existence of human free will. These are extremely difficult questions, not answered in this paper. My claim is that we do not need to answer them before we can rest assured that the overall framework of our practices of responsibility is legitimate. Most wrongdoings are not even remotely like murder. What we blame, resent, and are morally indignant about are mostly quite ordinary wrong actions, some of which are performed in a rush and are due to sloppy thinking, while others are done almost in a mechanical way. Some, however, are performed deliberately and for reasons we might find extremely difficult to grasp. As moral participants, agents whose norms and values are sometimes transgressed, and who might be wrong in thinking that no good or good enough reasons exist to justify such a transgression, we cannot but hold one another responsible for these wrongdoings. Moreover, it would impoverish our shared community if we would.

All of the above can be argued for and defended without addressing and/or solving the philosophical question of whether free will exists. Moreover, it enables us to explain when and why this question arises: Whenever we radically fail to understand why a NoM competent human being performs a deviant action that to us is — beyond doubt — something no NoM competent being should perform.

Conclusion

On the condition of NoM competence, our responsibility is established only for those wrongdoings that disclose an actual normative disagreement and, hence, are evidence of our NoM competence. The fact that at least sometimes our wrongdoings disclose such disagreements, however, morally justifies our default ascriptions of responsibility for at least all those actions that disclose a potential normative disagreement. This justification is wholly independent from an answer to the question whether free will and determinism are incompatible or compatible. However, even if the thesis of determinism would turn out to contradict the existence of normative disagreements we have a theoretical problem, but not one that might undermine our practices as a whole.[11]

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