February 2020

Moral Responsibility, Justice, and Freedom

Jonathan Smith
jsmith232@liberty.edu

Moral Responsibility, Justice, and Freedom

Jonathan Smith

Introduction

Metaphysical freedom has been a hotly debated topic within philosophy for millennia, and I would suggest that the debate continues because a decisive position on freedom is yet to be found, and in all likelihood, will never be found. For this reason, I am not interested in offering a comprehensive solution to the issues composing the discussion of metaphysical freedom. Rather, I desire to explore how one might reformulate the concept of metaphysical freedom in such a way as to make it consistent with compatibilism. Within this paper, I will exposit the four primary views of metaphysical freedom and proceed to identify how the common understanding of moral responsibility might be altered to be consistent with compatibilism.

Four Primary Views of Metaphysical Freedom

Before discussing moral responsibility, it would be beneficial to present a method by which one can distinguish between the four primary positions on metaphysical freedom. In a multitude of articles written on metaphysical freedom, the authors find it sufficient to provide a vague or general understanding of the different positions, and yet on closer inspection, these descriptions leave room for

ambiguity. In this section, I will provide characterizations of the four positions in an attempt to alleviate any misunderstandings before entering the discussion of justice and responsibility.

Libertarianism and Agency Theory

The four primary positions can be partitioned into two indeterministic positions and two deterministic positions. The first of the indeterministic positions is libertarianism. Libertarian freedom is often defined in terms of alternative actions. An action is free in the libertarian sense if and only if the agent acting could have done otherwise than he chose to do. However, as the compatibilist is prompt to respond, the use of the term 'could' in this definition is vague. If 'could' is understood to mean that an agent could do otherwise *if he had desired to do otherwise*, then the compatibilist might argue that his understanding of freedom satisfies this definition.[1] For this reason, it is effective to understand these positions in terms of causal sufficiency. To do this, we can consider the set of all possible worlds, where each possible world is a maximal set of consistent states of affairs.[2] Then, as events occur in reality, the set of possible worlds that might obtain changes, depending on which events occur.

Now, as time elapses, elements are removed from the set of possible worlds.

---

[1] Van Inwagen, "The Mystery of Metaphysical Freedom," in *Metaphysics: the Big Questions*, ed. Peter van Inwagen and Dean W. Zimmerman (Malden, MA: Blackwell, 2008), 459.

[2] E.J. Lowe, *A Survey of Metaphysics* (New York: Oxford University Press, 2002), 130.

Working towards a definition, at any time *t*, we can partition the set of all possible states of affairs into the set of states of affairs that obtain with respect to the events preceding time *t*, and the set of states of affairs for which it is yet to be determined whether or not they will obtain with respect to the events preceding time *t*. We will call the first subset S1, and we will call the second subset S2. Notice that these two subsets are reliant on the time in which we are interested. Also, we place in S1 all of the states of affairs that will necessarily obtain but may not have yet been actualized.

At this point, we can distinguish between the indeterministic and the deterministic positions. Both the libertarian and the agency theorist hold that for some choices at some time *t*, where an agent is choosing between *A* or *~A*, the set S1 contains neither *A* nor *~A*, and consequently, S2 contains both *A* and *~A*. Both the determinist and the compatibilist hold that for all choices at any time *t*, where an agent is choosing between *A* or *~A*, S2 is the empty set, and S1 contains either *A* or *~A*.

From here, we can now draw the distinction between the agency theorist and the libertarian. The agency theorist distinguishes between what Chisholm terms "transeunt" and "immanent" causes.[3] Transeunt causes are events while immanent causes are those causes brought about by the will of an agent. The agency theorist

---

[3] Roderick M. Chisholm, "Human Freedom and the Self," in *Metaphysics: The Big Questions*, ed. Peter van Inwagen and Dean Zimmerman (Malden, MA: Blackwell, 2008), 444-445.

posits that there is a sufficient cause for every event, but there are at least some uncaused immanent causes. In terms of the mechanics we have developed, for some choices at some time t, the agency theorist posits that while S1 at any time prior to t is insufficient to determine the outcome of the choice, the agent offers a contribution at time t such that the agent contribution in tandem with S1 is sufficient to determine the outcome of the choice. The libertarian in general, however, does not find the need to distinguish between transeunt and immanent causes.

Determinism and Compatibilism

The distinction between determinism and compatibilism somewhat mirrors the distinction between agency theory and libertarianism. Just as the agency theorist draws a distinction between transeunt and immanent causes, the compatibilist draws a distinction between internal and external causes. However, while the agency theorist posits that certain causes may be uncaused, the compatibilist posits that both internal causes and external causes are themselves caused at all times. With respect to the mechanics of the previous section, the compatibilist claims that for every choice at every time t, S2 is the empty set, and yet S1 contains both causes internal to the agent as well as causes external to the agent. While this partition of S1 into internal and external causes does not alter the fact that compatibilism is a form of determinism, the partition is vital to understand the compatibilist's understanding of freedom.

Freedom for the compatibilist rests upon the distinction between internal

and external causes. An action is free for the compatibilist if and only if the subset of S1 containing external causes alone is insufficient to determine the choice of the agent. In other words, S1 is only sufficient to determine the choice of the agent when containing some internal causes. With this being said, many compatibilists are comfortable with the claim that at least some internal causes are brought about by external causes alone. With this definition, it is easy to see how the compatibilist's notion of freedom is consistent with determinism. However, whether compatibilism successfully accounts for the existence of moral responsibility will be discussed in the following sections.

Moral Responsibility

In light of the previous discussion, I will attempt to offer a few views of moral responsibility and see how these views might relate to the positions outlined above. I will begin with the common understanding of moral responsibility and end with a formulation of moral responsibility that might coincide with the compatibilist notion of freedom.

The first view of moral responsibility is what I will term the 'common-sense' view. Within the common-sense view, an agent is morally responsible for an action only if he performs the action freely – in the libertarian sense of the word 'free' – and satisfies certain other conditions as well. In this way, libertarian freedom is a necessary condition for moral responsibility. However, while it might seem intuitive for an agent to be morally responsible for his action if and only if he

performs the action freely, there are multiple counterexamples demonstrating that the two concepts are not logically equivalent. In a paper written by Randolph Clarke, Clarke proposes three necessary conditions for moral responsibility outside of libertarian freedom.[4] Each of the three conditions is supported by an example in which an agent acted freely and yet ought not be considered morally responsible for his actions. Since many philosophers seem to require conditions in addition to libertarian freedom to have moral responsibility, the common-sense view of moral responsibility will include any formulation of moral responsibility that includes libertarian freedom as a necessary condition.

While the common-sense view of moral responsibility is certainly the most prevalent within indeterministic circles, many determinists attempt to show that moral responsibility and determinism are in fact consistent with one another. These determinists are also implicitly claiming that libertarian freedom is not necessary for the existence of moral responsibility. In an article written by Alfred Mele, Mele attempts to demonstrate that there are some actions for which agents are morally responsible and yet not free.[5] For our discussion, the soundness of Mele's arguments is irrelevant. Instead, I am primarily interested in determining the

---

[4] Randolph Clarke, "Free Will and the Conditions of Moral Responsibility," *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition* 66, no.1 (1992): 69. http://www.jstor.org/stable/4320296.

[5] Alfred Mele, "Free Will and Moral Responsibility: Does Either Require the Other?," *Philosophical Explorations* 18, no. 3 (2015): 297. http://dx.doi.org/10.1080/13869795.2014.940061.

consequences of a theory of moral responsibility that does not include libertarian freedom as a necessary condition. Mele's paper is relevant only in that it offers a few methods by which a determinist might alter the common-sense view to arrive at a form of moral responsibility compatible with determinism. Going forward, I will refer to any formulation of moral responsibility that does not include libertarian freedom as a necessary condition as a 'complex' view of moral responsibility.

Complex Moral Responsibility and Justice

As one would expect, if an agent is morally responsible for any action in the common-sense view, then it follows that the agent has libertarian freedom. The contrapositive of this implication then requires the determinist to reject the existence of common-sense moral responsibility. Instead, the determinist will either deny the existence of moral responsibility or attempt to demonstrate that moral responsibility does not necessitate libertarian freedom. Since moral responsibility seems to be necessary for justice, many determinists are inclined to revise the notion of moral responsibility.

Before going forward with one specific complex view of moral responsibility, it would be helpful to understand exactly what conditions must be satisfied for justice to make sense. As one would expect, these criteria are difficult to identify, especially since justice is itself an abstract and elusive concept. For the sake of this paper, I am interested in the conditions that must be satisfied for *retributive justice to make sense in response to some action*. I narrow my discussion

to this aspect of justice because the majority of objections raised against deterministic positions begin with the assumption that retributive justice is warranted in response to at least some actions. While many determinists have argued that restorative justice and public safety are sufficient to make sense of criminal punishment within a deterministic world,[6] I am interested in a notion of moral responsibility that allows for specifically retributive justice.

Choices and Character

Before proposing a particular theory of moral responsibility that might be consistent with a deterministic view of metaphysical freedom, I would like to draw a distinction between choices that are worthy of punishment and a character that is worthy of punishment. The idea that some choices are worthy of retributive justice is the more intuitive of the two. By choices that are worthy of punishment, I am referring to the activity of an agent that leads to the completion of a morally vile act. For example, it is agreed upon almost universally that murder, when freely committed, is an act deserving of retribution.

Although society certainly holds agents accountable for their actions, I think there is also a tendency to hold agents accountable for their character, the often-unexpressed components of an individual. For example, consider an agent, Bob, who – when placed in certain conditions – would freely murder Jane. However,

---

[6] John Martin Fischer and Mark Ravizza, "Responsibility for Consequences," in *Perspectives on Moral Responsibility*, ed. John Martin Fischer and Mark Ravizza (London: Cornell University Press, 1993), 324.

assume that Bob never finds himself surrounded by the sufficient conditions that in tandem with his character would lead him to commit the murder. Is Bob deserving of punishment as if he had committed the murder? Granted, being that humanity does not possess the kind of middle knowledge necessary to judge an individual for what he would have done when in a certain set of circumstances, it would never be appropriate to punish an individual for anything but the completed action, or one might argue the intent to act. However, assume that some human did, in fact, possess the middle knowledge necessary to make this kind of judgment. Bob, if he would have committed the murder, would not have control over the external circumstances that, in tandem with his character, would lead him to the murder. For this reason, there is a tendency to hold Bob accountable regardless of whether or not the murder is actually committed.

The notion of moral responsibility for which retributive justice is appropriate in response to a corrupt character is what I will call the 'virtue' theory of moral responsibility. Within this theory of moral responsibility, the actions of an agent are insignificant in comparison to the intent of the agent. While this concept does not immediately appear to offer a notion of moral responsibility for the determinist, further examination will yield how it might be helpful.

Virtue Theory of Moral Responsibility and Compatibilism

Within the virtue theory of moral responsibility, an agent is morally responsible for an action if and only if the action is indicative of his character. For

this reason, it is beneficial to partition the set of causes of an action into those causes that are internal to the agent and those causes that are external to the agent. Within the virtue theory of moral responsibility, only the internal causes are significant in determining moral responsibility. It is easy to see how this notion of moral responsibility coincides with the partition of S1 given in the description of compatibilism in the first section. Since the compatibilist claims that an agent is free if and only if S1 is insufficient to determine the agent's action after removing internal causes, it follows that compatibilistic freedom and moral responsibility are logically equivalent given the virtue view of moral responsibility within a deterministic world. Of course, the virtue theory of moral responsibility is also consistent with the indeterministic theories of metaphysical freedom, and thus, the virtue theory, though a complex theory of moral responsibility, has fewer necessary conditions for an agent to be morally responsible.

Christian Influences

When proposing the virtue theory of moral responsibility, it is easy to notice similarities with the Christian doctrine of sin. Consider the teachings of Jesus that extend the Old Testament law to focus primarily on the condition of the human heart in the sermon on the mount. For example, "I say to you that whoever looks at a woman to lust for her has already committed adultery with her in his heart."[7] A

---

[7] Matthew 5:28.

few verses prior, Jesus also states, "You have heard that it was said to those of old, 'You shall not murder, and whoever murders will be in danger of the judgment.' But I say to you that whoever is angry with his brother without a cause shall be in danger of the judgment."[8] One of the primary themes of the Sermon on the Mount is that God judges a man not only with respect to the evil actions that come to fruition but also with respect to the corruption of his character. In fact, the imagery of rebirth through saving faith in John 3 and the imagery of the stony heart being turned to flesh in Ezekiel 34 are just a few more examples of how sin is more than evil actions themselves. Rather, sin is presented as the cause *by which* evil actions are produced. Sin is an ontological corruption of mankind that, when left unchecked, results in reprehensible actions.

This understanding of sin seems to support the virtue theory of moral responsibility, being that the character of the acting agent is significantly more important than the action itself. Also, this understanding of sin seems to support the notion that God, an omniscient and perfectly just being, is both capable and intent to offer justice not only for what one *does* but also for what one *is*.

Judgment

Finally, I will offer a few comments on the question that continues to loom for the indeterminist. The indeterminist might say something like the following:

---

[8] Matthew 5:21-22.

"Even if we were to adopt a virtue theory of moral responsibility, doesn't this make punishment for immoral behavior unjust? If one cannot determine his own character, in what way is it fair for him to suffer for his character?" To answer this objection, it is important to make a distinction. There are two separate stages to this sort of question. The first stage involves whether good and evil entities ought to be glorified or condemned if the entity has no control over his own nature. The second stage involves how the entity came to be the way he is, and whether the sufficient cause for its nature ought to inherit the consequences of its moral standing.

With respect to the first stage, the alternative would be for evil entities to continue to exist unchanged, and if justice might be viewed as relegating all things to their proper spheres, it is hard for me to see how the non-condemnation of evil entities could ever be considered just. Of course, notice that it is not necessary for all evil entities to be condemned, but rather it is necessary for all evil entities to either be condemned or cease to be evil. This allows for God to be both just and redemptive. This stage of the question is unrelated to the second stage, and it is important to contemplate it separately. Regardless of which being is at fault for the existence of an evil entity, justice still requires that persistent evil entities are condemned. With respect to this first stage of the question alone, retributive justice still has a place, and human beings ridden with sin, regardless of the origin of the sin, must necessarily be condemned or changed by a just God.

With respect to the second stage, there have been many attempts to resolve

the paradox between an omnipotent and good creator that is also the sufficient cause in a deterministic universe for the existence of the very evil entities that receive His judgment. Contemplating this paradox would require much more space than can be given to the issue here, but it is important to notice that this stage of the question, though much more difficult to answer, does not impact the necessity of justice for entities with moral responsibility in the sense of the virtue theory. This being said, it might be helpful to consider the thoughts of Paul in Romans 9 where he writes:

> God has mercy on whom He wants to have mercy, and he hardens whom He wants to harden. One of you will say to me: 'Then why does God still blame us? For who is able to resist His will?' But who are you, a human being, to talk back to God? Shall what is formed say to the one who formed it, 'Why did you make me like this?' Does not the potter have the right to make out of the same lump of clay some pottery for special purposes and some for common use?[9]

It is certainly a difficult doctrine to contemplate, but it seems like Paul's treatment of this issue in Romans supports both a virtue theory of moral responsibility and a distinction between the first and second stages of the indeterminist's objection.

In light of the above discussion, the virtue theory of moral responsibility would appear to account for retributive justice, being that the existence of evil character and its proper condemnation is independent of the origin of evil character. Moreover, the virtue theory of moral responsibility does not require the existence of alternative actions for morally significant choices, since the existence or non-

---

[9] Romans 9:18-21.

existence of alternative choices is independent of the moral composition of the acting agent.

Conclusion

Through the argumentation given in this paper, it has been shown that a virtue theory of moral responsibility, though it might fail to correspond to moral responsibility as it is in actuality, is a formulation of moral responsibility that is consistent with compatibilism and retributive justice. There is certainly work that can be done to more explicitly determine how a virtue theory of moral responsibility lends itself to assigning moral responsibility to agents in hypothetical scenarios, and it would be beneficial to offer a solution to the paradox given in the previous section. With this being said, we have determined that there are methods by which moral responsibility can be bent to account for different forms of justice and positions on metaphysical freedom. The virtue theory is simply one such manipulation that could prove to be beneficial for the compatibilist who desires to make sense of the existence of retributive justice in the absence of alternative actions.

Bibliography

Chisholm, Roderick M. "Human Freedom and the Self." In *Metaphysics: The Big Questions*, edited by Peter van Inwagen and Dean Zimmerman, 441-450. Oxford: Blackwell, 2008.

Clarke, Randolph. "Free Will and the Conditions of Moral Responsibility." *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition* 66, no. 1 (1992): 53-72. http://www.jstor.org/stable/4320296.

Fischer, John Martin, and Mark Ravizza. "Responsibility for Consequences." In *Perspectives on Moral Responsibility*, edited by John Martin Fischer and Mark Ravizza. London: Cornell University Press, 1993.

Lowe, E.J. *A Survey of Metaphysics.* New York: Oxford University Press, 2002.

Mele, Alfred. "Free Will and Moral Responsibility: Does Either Require the Other?" *Philosophical Explorations* 18, no. 3 (2015): 297-309. http://dx.doi.org/10.1080/13869795.2014.940061.

Van Inwagen, Peter. "The Mystery of Metaphysical Freedom." In *Metaphysics: The Big Questions*, edited by Peter van Inwagen and Dean Zimmerman, 456-465. Malden, MA: Blackwell, 2008.