

## On Shoemaker's Response-Dependent Theory of Responsibility

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### ABSTRACT

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1.

Shoemaker focuses exclusively on blameworthiness (negative accountability) and the emotional response of agential anger (2017, 493-494). His question is: What is the precise relationship between anger and the blameworthy? Three theses are discussed:

(A) [Dispositional Response-Dependence about the Blameworthy] The blameworthy is what typically elicits anger; that is, it is what people are typically disposed to respond to with anger, under standard conditions.

(B) [Response-Independence about the Blameworthy] The blameworthy consists in a property (or properties) of agents that makes anger at them appropriate, a property (or

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properties) whose value-making is ultimately independent of our angry responses. Anger at someone for X is appropriate if and only if, *and in virtue of the fact that*, she is antecedently blameworthy (and so accountable) for X. What makes her blameworthy is thus ultimately response-independent.

(C) [Fitting Response-Dependence about the Blameworthy] The blameworthy (in the realm of accountability) *just is* whatever merits anger (the angerworthy); that is, someone is blameworthy (and so accountable) for X if and only if, *and in virtue of the fact that*, she merits anger for X.

Shoemaker rejects (A) and (B), and defends (C). Our first remark concerns Shoemaker's first reason for rejecting (A):

First, the reasons to which we refer in judging someone blameworthy just do not make justifying reference to anyone's dispositions; rather, they make reference to features of the blamed agent: "You stepped on my foot!" or "You broke your promise!" or "You're drunk again!?!" Imagine the following bizarre complaint instead: "I deem you blameworthy because most people would in fact be angry at you." (2017, 497)

Shoemaker rejects dispositional response-dependence because we do not refer to anyone's dispositions when justifying our judgment that an agent is blameworthy. This kind of objection, however, seems to threaten Shoemaker's own view (C) no less than it threatens (A). For isn't it a bizarre complaint as well to say "I deem you blameworthy because you merit anger"?

Shoemaker's reason to reject (A) seems to count against his own view as well. Moreover, it might be taken to point in the direction of response-*independence* (B): as Shoemaker emphasizes (see quote above), the reasons to which we refer in judging someone blameworthy make reference not to dispositions or fittingness, but to response-independent *features of the blamed agent*. We do not justify our judgments of blameworthiness by referring

to dispositions or to the fittingness of the judgments, but by referring to what *makes* the judgments fitting or appropriate in the first place.

One could respond that Shoemaker recognizes this. He claims that the type of disagreement dividing (B) and (C) is not about what, in any individual purported instance of blameworthiness, makes anger fitting. Rather, it is about what it is that makes certain objective properties *count* as being in the class of things to which it is fitting to respond with anger (489; 509-510). This, we take it, means that “Why is she blameworthy? Because she stepped on my foot” is unproblematic for proponents of both (B) and (C). What divides them is their answer to the follow-up question, “What makes her stepping on my foot count as being in the class of things to which it is fitting to respond with anger?”

If that is the level at which (B) and (C) disagree, Shoemaker’s remark about the reasons to which we refer in judging someone blameworthy does not favor (B) over (C). But then it does not seem to count as a reason against (A) either, because proponents of dispositional response-dependence could make a similar move here. They could maintain that their view is not about what, in any individual purported instance of blameworthiness, makes the agent blameworthy. Rather, it is about what it is that makes certain properties *count* as being in the class of things that make an agent blameworthy. This is important, because Shoemaker’s first reason to reject (A) presupposes that dispositionalism focuses on individual purported instances of blameworthiness. He writes that it is bizarre to say “I deem you blameworthy because most people would in fact be angry with you.” But this is to focus on an individual purported instance of blameworthiness. If (C) is not about particular instances of blameworthiness, then why would (A) be?

If the dispositional view is a view about particular instances of blameworthiness, Shoemaker’s rejection is successful but applies to his own normative view as well. If the normative view is then defended by arguing that it is not about particular instances of

blameworthiness, but about what makes certain objective properties count as being in the class of things that make an agent blameworthy, this seems to be a legitimate option for dispositionalists as well.

## 2.

Shoemaker starts the defense of (C) with a long list of items (2017, 495). The list contains examples of violence, pain, stupidity, incompetence, etc. They are all items for which we tend to think that the agents are blameworthy. But what is the blameworthy? Response-independence theorists about the blameworthy think that what makes all these items examples of blameworthiness can be specified independently of any reference to the appropriateness of anger. They claim, for example, that an agent is blameworthy for something bad if and only if, and because, the agent generated it knowingly, voluntarily, and under control. Shoemaker argues that there are false negatives for each of these conditions and false positives for the set. Because no reliable list of conditions for blameworthiness has been given, the burden is on proponents of response-independence to provide such a list. As long as there is no such list, the only unifying explanation of blameworthiness is (C), an explanation in terms of the fittingness of anger.

Thus, Shoemaker explains the blameworthy in terms of the angerworthy. But what is the angerworthy? Shoemaker's answer is: the angerworthy is the type of thing to which our anger sensibilities "are built to respond" (489, 510), the type of thing that triggers our anger sensibilities (509-510). The fittingness of anger is ultimately determined by our "properly firing" anger sensibilities (490). Angerworthy agents are "agents whose actions or attitudes tend to strike us *in the angry way*" (519).

These explanations of the angerworthy lead to a dilemma for Shoemaker. Here is the first horn. Shoemaker rejects dispositional response-dependence about the blameworthy for its

lack of a normative element. Shoemaker's second reason for rejecting (A) is that "people's typical angry responses, even in standard conditions, may be *wrong*" (497). Thus, the blameworthy is not what *typically* elicits anger, it is what *merits* anger, what it would be *fitting* to respond to with anger, what is *angerworthy*. Some of the ways in which Shoemaker explains the angerworthy, however, leave the normative element out again. We take it that "are built to respond" could be read in a normative or descriptive way, but formulations such as "the type of thing that triggers our anger sensibilities" and "agents whose actions or attitudes tend to strike us in the angry way" are clearly non-normative. The idea seems to be that what is angerworthy is what typically elicits anger or what we are typically disposed to respond to with anger. If the blameworthy is explained in terms of the angerworthy, and if the angerworthy is explained in dispositional terms, however, the blameworthy is ultimately explained in dispositional terms, and we seem to be back to dispositional response-dependence about the blameworthy, a position that Shoemaker claims to reject. If the descriptive reading of Shoemaker's explanations of the angerworthy is correct, he can no longer make use of his second reason to reject (A), because that reason (let us call it "the normativity reason") will then count against his own view as well. In light of the fact that we argued, in the first section, that Shoemaker's first reason to reject (A) is problematic, we suggest that Shoemaker should avoid to explain the angerworthy in dispositional terms, in order to save his second reason for rejecting (A).

The second horn of the dilemma is not attractive, either. Suppose that the normative element is ineliminable: the fittingness of anger is ultimately determined by our *properly* firing anger sensibilities. This does not say much, and one will be inclined to ask here (as Todd 2016, 216 does): but then in what sense is Shoemaker's account response-dependent? Wouldn't the blameworthy depend on what makes our responses proper or appropriate, rather than on our responses themselves? What makes it the case that our anger sensibilities fire properly in some

cases and do not fire properly in others? What grounds the propriety of our sensibilities? According to Shoemaker, Todd does not consider a normative or fitting response-dependent account (483, footnote 4), but this seems somewhat unfair to Todd. Todd does consider such an account, but he argues that its normative elements (fittingness, appropriateness, propriety) invite further questions. These questions (What makes anger fitting/appropriate/proper?) cannot be satisfactorily answered by an appeal to our responses (unless one is content with dispositionalism), and the idea that what makes anger fitting is the proper firing of our anger sensibilities seems viciously circular. The questions thus ultimately and naturally lead one back to the idea that what makes anger at an agent fitting is that the agent is blameworthy, an idea that is essential to response-independent accounts, but difficult if not impossible to square with Shoemaker's view.<sup>1</sup>

The above dilemma is relevant with regard to the following Question: What if our anger sensibilities were different (built or disposed to respond to different things, triggered by different things)? Suppose, for example, that the actions of the severely mentally ill were to strike us in what Shoemaker calls “the angry way”. Would the mentally ill then *be* angerworthy and, consequently, blameworthy? (For similar questions, see Todd 2016, 211-212; Fischer and Ravizza 1993, 18-19; Fischer 1994, 212-213; Ekstrom 2000, 148; Nelkin 2011, 28.) The dispositionalist's answer has to be yes, because for her the blameworthy is what typically elicits anger, and all of those who have asked the Question have taken this result to be fatal for dispositionalist response-dependence. This suggests that Shoemaker would do best to keep the

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<sup>1</sup> One way to reconcile Shoemaker's view (someone is blameworthy for X in virtue of the fact that she merits anger for X) and the view that someone merits anger for X in virtue of the fact that she is blameworthy, is to embrace the view that the blameworthy and the angerworthy are metaphysically *interdependent*. This view has been advanced by McKenna (2012, chap. 2). Manata (2016) has defended the interdependence view against objections about grounding. De Mesel (2018) has shown that the interdependence thesis is not viciously circular, and that it seems closer to Strawson's own views than a one-way dependence view. Shoemaker does not accept metaphysical interdependence, but he does not argue against it, he only suggests that an argument against metaphysical interdependence can be developed (2017, 520, footnote 36). We suggest that embracing interdependence could help Shoemaker to avoid our dilemma.

normative element in his explanation of the blame- and angereworthy. He could then answer that a difference in our sensibilities as described above would not result in the severely mentally ill *being* angereworthy, because a difference in our sensibilities would not result in different sensibilities being *merited*, *fitting* or *appropriate*. Our sensibilities may change or could have been different, but what is fitting remains constant. But then we get the result that our responses do not seem to matter. The blame- and angereworthy are independent of our responses: whatever these responses are and however they change, what is blameworthy remains the same. A difference in responses would never affect Shoemaker's list of blameworthy agents. On what basis, then, is such a view of the blameworthy response-dependent, if no possible change in responses, or no possible way in which they could have been different, would have any influence on what is blameworthy?

### 3.

Our last remark is tentative and methodological. As we have said, Shoemaker starts with a list of blameworthy items and asks, "What do the following items have in common?" He then criticizes response-independent theories of blameworthiness, theories which typically aim at specifying a list of necessary and sufficient conditions for blameworthiness, such as voluntariness, knowledge and control. Shoemaker argues (convincingly, in our view) that there are false negatives for each of these conditions and false positives for the set. He concludes that

It is difficult to see what response-independent natural features might impose unity on the wide array of activities and attitudes we deem blameworthy. Thus the better account – simpler, more plausible, and with greater explanatory value – is that *our emotional responses themselves* are what impose unity on the list. (2017, 508)

We just want to remark here that it is the continuing demand for something that imposes *unity* on the list that leads Shoemaker to propose a response-dependent alternative for (B). If the demand for unity, bound up with the demand for necessary and sufficient conditions, is relaxed, the need for an alternative to response-independent approaches becomes less pressing.

What would it mean to relax the demand for unity? Is there an alternative to accounts in terms of necessary and sufficient conditions? In ‘Causation and Perception’, Strawson uses the idea of *presumptive implication*, a relation that is weaker than entailment. According to Strawson, our experience of perceiving something *normally or generally* implies that we are perceiving it (Strawson 2008, 74). There are cases in which the implication does not hold (take, for example, hallucinations), but that does not make reference to the presumptive implication explanatorily useless: someone who would not understand that the implication normally or generally holds would not understand, according to Strawson, what it is to perceive something. In a similar way, Wittgenstein has argued that someone who does not understand that someone’s pain behavior normally or generally implies that (s)he is in pain, does not understand what pain is. Nevertheless, pain-behavior without pain is perfectly possible. Similarly, we suggest that the relation between the satisfaction of the response-independence theorist’s conditions for blameworthiness and an agent’s blameworthiness may be one of presumptive implication. This claim is compatible with Shoemaker’s account. The advantage of adding it is that, in so doing, it is recognized that there is an important explanatory relation between voluntariness, control, and knowledge, on the one hand, and blameworthiness on the other. As it stands, Shoemaker does not seem to recognize that notions such as voluntariness, control and knowledge have any explanatory relevance at all for accounts of blameworthiness. He seems to throw away too much.

Shoemaker claims that his account is simpler and more plausible than response-independent accounts, but also that it has greater explanatory value (508). It is certainly simpler,

but we doubt whether it has greater explanatory value. As we have seen in section 1, proponents of both (B) and (C) can accept that “Because she stepped on my foot” explains why someone is blameworthy. Let us call this level of explanation Level 1. What divides (B) and (C), according to Shoemaker, is their answer to the follow-up question, “What makes her stepping on my foot count as being in the class of things to which it is fitting to respond with anger?” Let us call this level of explanation Level 2. Shoemaker is not entirely clear about what he takes the respective theorists’ answers at Level 2 to be.

The first possibility, suggested by the claim that what divides (B) and (C) is to be found at this level (489), is that (B) answers something like “She generated something bad knowingly, voluntarily, and under control”, while (C) answers something like “It is the type of thing to which our anger sensibilities are built to respond” (see previous section for discussion). Given what we have said above about the explanatory relation between knowledge, control and voluntariness, on the one hand, and blameworthiness on the other, it is not clear that the (C)-answer has greater explanatory value than the (B)-answer.

The second possibility, hinted at especially on 509-510, is that the response-independent answer “She generated something bad knowingly, voluntarily, and under control” is a Level 1-answer to “Why is she blameworthy?” (on a par with “She stepped on my foot”), while the response-dependent answer “It is the type of thing …” is a Level 2-answer to the follow-up question, “What makes these features (knowledge, voluntariness, control) count as being in the class of things …” If that is the way to understand the difference between (B) and (C), they provide answers to different questions and their explanatory value is to be situated on different levels. (B) does not purport to explain anything on Level 2, and the claim that (C) has greater explanatory value *on Level 2* (trivially, we would say, because only (C) purports to provide an

explanation on Level 2) should be balanced by the claim that (B) has greater explanatory value *on Level 1*.\*

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