

COMPLEX AKRASIA AND BLAMEWORTHINESS

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ABSTRACT: The idea that conscious control, or more specifically akratic wrongdoing, is a necessary condition for blameworthiness has durable appeal. This position has been explicitly championed by volitionist philosophers, and its tacit influence is broadly felt. Many responses have been offered to the akrasia requirement espoused by volitionists. These responses often take the form of counterexamples involving blameworthy ignorance: i.e., cases where an agent *didn't* act akratically, but where they nevertheless seem blameworthy. These counterexamples have generally led to an impasse in the debate, with volitionists maintaining that the ignorant agents are blameless. In this paper, I explore a different sort of counterexample: I consider agents who *have* acted akratically, but whose very conscious awareness of their wrongdoing complicates their blameworthiness. I call these cases of “complex akrasia,” and I suggest that they are a familiar aspect of moral life. I interpret these cases as supporting non-volitionist accounts, and particularly Quality of Will accounts.

KEYWORDS: volitionism, akrasia, quality of will, blameworthiness, moral responsibility, ignorance, awareness

THE volitionist Gideon Rosen has remarked that it is natural to view knowledge as an “aggravating factor in ethics, the sort of factor that makes a bad act worse” (2008: 597). There is no doubt truth in this: the witting perpetrator usually seems far more sinister than the unwitting one, and we dedicate a great deal of energy in our moral relationships to trying to work out what was known by a wrongdoer, and to what extent. Yet there is also something deeply strange about this natural inclination: that knowledge itself, seemingly a virtue, should condemn us; or that ignorance, seemingly a failing, might excuse us.

A straightforward way of interpreting the relationship between knowledge and responsibility is to argue that knowledge of what one is doing *grounds* moral responsibility. On this reading it is precisely because we know what we are doing (and on this basis) that we are morally responsible, and it is because they do not know what they are doing, in any significant way, that animals, young children, or persons with relevant mental impairments are not morally responsible for what they do. Furthermore, this

interpretation seems to explain a variety of familiar excuses, including accident and inadvertence.

For volitionists, awareness of one's actions, omissions and their outcomes is a necessary condition for the appropriate ascription of moral responsibility. There are many variations to this position. I will be directing my response to a prevalent, but narrow, version of volitionism associated with Rosen, Michael J. Zimmerman, and Neil Levy, in which akratic wrongdoing is taken as a necessary condition for blameworthiness. That is to say, in order to be blameworthy for an act an agent: "Would have to know that it was wrong. And he would have to know that in the circumstances, all things considered, he should not do it. He would then have to act despite this knowledge" (Rosen 2004: 307).

What I broadly call "non-volitionist" positions amount to those which reject the akrasia requirement. Non-volitionist positions include Quality of Will accounts, which hold that blame and praise are justified in response to the pattern of moral concern with which a person acts, regardless of whether they were acting akratically. I have chosen to speak broadly of "non-volitionist" accounts because a substantive defence of the Quality of Will account is beyond the scope of this paper. However, I do take my cases to support a Quality of Will interpretation of blameworthiness, and I will conclude by looking briefly at why this is so.

It is important to establish the conception of "moral responsibility" that is at stake here. In saying someone is "morally responsible" for some wrongdoing X, I mean that they are blameworthy for X, or that blaming them for X would be appropriate. Blame here involves negative reactive attitudes, and particularly resentment or indignation. I understand this broad conception of moral responsibility to be shared by the volitionists with whom I am engaging.¹ That said, in the final section—on volitionist responses—I will consider the extent to which this debate is complicated by other modes of moral evaluation, besides moral responsibility.

For volitionists, only conscious control honours the deep connection between oneself and one's actions that grounds blameworthiness. Explaining the value of conscious control in moral responsibility, and the volitionist insistence that "morally responsible agency is (directly or indirectly) conscious agency," Levy writes: "actions are deeply reflective of our real selves only when consciousness has played a causal role in their production" (2008: 213–214). He goes on to articulate the significance of consciousness in determining morally relevant control:

Consciousness serves the function of allowing parts of the brain that are otherwise relatively isolated from each other to communicate. . . . The global workspace [of conscious thought] allows all the mechanisms constitutive of the agent, personal and subpersonal, conscious and unconscious, to contribute to the process of decision-making. Hence conscious deliberation is properly reflective of the entire person, including her consciously endorsed values. (Levy 2008: 220)

There is a strong sense in which we think of our truest selves in terms of our conscious deliberation. And insofar as aspects of our moral lives fall outside of this beam of conscious awareness, those might well be aspects of our moral lives which we cannot be said to have fully participated in. Furthermore, since we seem

especially blameworthy for our akratic acts from a subjective perspective, it also seems that we have especially legitimate grounds to consider others blameworthy for their akratic acts from an objective perspective.

Rosen describes a genuine akratic act as “*the only possible locus of original responsibility.*” He continues:

In weakness begins responsibility. Our first sin must be a knowing sin—a sin done in full knowledge of every pertinent fact or principle. And this in turn entails that every culpable bad action must be, if not itself a knowing sin in this sense, then at least an act whose etiology involves a knowing sin. *Every culpable bad action must be the causal upshot of a genuinely akratic act or omission.* (Rosen 2004: 307; emphases in original).

The volitionists with whom I am engaging universally consider akasia to be a necessary condition for moral responsibility. It is another question, however, whether it is also a sufficient condition. One might well hold that there are other necessary conditions for blameworthiness (genuine wrongdoing, for instance, or a certain level of control), which would undermine the claim that akratic action suffices. This is an important point to which I will return once I have introduced my cases; I will argue that even if akratic action alone is not sufficient, volitionists are compelled to consider the akratic agents in my cases blameworthy.

Volitionism, insofar as it endorses the akasia requirement, departs from many of our folk intuitions regarding when blame is appropriate. Its implication is, in George Sher’s phrasing, that “no one is responsible for any act, omission, or outcome whose moral and prudential defects can be traced to his lack of imagination, his lapses of attention, his poor judgment, or his lack of insight” (2009: 7). In this sense, it is a revisionary view, and a minority view when defended explicitly. Yet the appeal of volitionism extends far beyond these explicit defendants: the view is often tacitly invoked within debates in moral philosophy, law, and beyond. Experimental studies have shown that people consider an agent who chooses to remain strategically ignorant (so as not to find out that they are wrong) less blameworthy than agents who knowingly commit the same wrong (Wieland 2017, citing Krupka and Weber 2013, Conrads and Irlenbusch 2013, Bartling et al. 2014, Grossman and Van der Weele 2015). It seems we have a strong inclination to consider people uniquely blameworthy when they knowingly commit wrongdoings, in a way that could never apply to our unconscious lapses. Volitionism provides the theoretical foundation for this inclination, and elucidates its implications.

My aim in this paper is to complicate this picture, and to add weight to the case against volitionism. I begin, in Section I, by further elaborating on the appeal of volitionism by emphasising the view’s fundamental concern with fairness. In Section II, I look at existing responses to volitionism, and prevalent counterexamples featuring the blameworthy ignorant; I argue that these responses lead to a standoff, and make little headway in the debate. In Section III, I offer my cases of complex akasia as a different sort of counterexample against volitionism, before considering potential responses in Section IV. I ultimately argue that cases of complex akasia reveal that the strengths of volitionism—in particular, its commitment to fairness and desert in attributions of blameworthiness—are more superficial than

they initially appear: volitionism sometimes recommends *unfair* evaluations of blameworthiness, and unwarranted blame, while non-volitionist views are able to offer more nuanced assessments.

I. VOLITIONISM'S FAIRNESS CONDITION

A fundamental volitionist concern is that blame should be *fair*, in the sense that it is genuinely deserved. Blaming someone is not trivial: blame, unlike blind rage, makes a claim to righteousness, and where this claim pertains, so do a set of concerns about warrant, fairness, and desert. We have a profound sense of injustice when blame has been unwarranted, and the volitionist concern with fair attributions of blame is therefore an immediate strength of the position. For volitionists, this strict fairness condition is only met when an agent has had a conscious opportunity to avoid wrongdoing, since it is unfair to require agents to respond to reasons that they had no conscious access to. Per Levy:

Because being blamed constitutes a burden for the blamed, someone can appropriately be held to be blameworthy only when it is *fair* to blame them, but because ignorance does not always arise either from culpable agency or from culpable mismanagement of one's beliefs, in many cases of ignorance this fairness condition is not satisfied. (Levy 2016: 263)²

Note that volitionists often emphasise that while there is an active aspect to what we know, in the form of inquiry, belief formation is a fundamentally passive matter. Given this, where someone is unaware that they ought to have a different belief, what sense does it make to say that they *should have known* what they failed to know? How would such a requirement be fair or reasonable?

Volitionism is sometimes described as a minimalist conception of blameworthiness: holding us responsible for only our conscious centres of will (Cf. Sher 2006: 22). Volitionists also regularly emphasize how rare genuine akrasia is, which means that this minimal requirement is seldom met. Given this minimalist approach, the narrow realm that volitionists posit for moral responsibility can seem, in its restraint, especially justifiable. I therefore speculate that the volitionist perspective is particularly appealing to those who are concerned that we often blame overzealously and unfairly. As our notions of accountability have become more nuanced—as structural, cultural and biological contributors to our behaviour are better understood and articulated—the practice of blame has sometimes looked increasingly vindictive, blunt and brutal. Volitionism, in turn, offers a measured and tempering alternative in which blame is only deserved under strict conditions.

Evaluations of moral responsibility are capacity sensitive to a degree that evaluations of right and wrong are not: we can consistently hold that someone did wrong, and still wonder whether or not they are blameworthy for it. The fact that our moral capacities are limited, in many respects, therefore becomes a real dilemma in questions of blameworthiness. Volitionism seems to acknowledge and manage these limitations: it concedes that there is only so much we can control, and only so much we can know. It thus provides us with a *prima facie* cut off point for moral responsibility that has a strong intuitive basis.

Having sketched the volitionist position, and its key strengths, I will now turn to challenging the view. I begin by looking at existing responses to volitionism, and prevalent counterexamples featuring the blameworthy ignorant.

II. EXISTING COUNTEREXAMPLES: THE BLAMEWORTHY IGNORANT

If we restrict blameworthiness to akratic acts, many wrongs we would usually take ourselves (and others) to be responsible for would be rendered blameless. This includes ignorant wrongdoings which emerge from our unconscious prejudices, biases and desires, or arise from character flaws such as arrogance and selfishness. Any such case can be elaborated into a counterexample of “blameworthy ignorance.” I will proceed with a popular example from the literature.

Mr. Potter the Ruthless Capitalist—[Mr. Potter] takes certain business practices—such as liquidating Bailey’s Building and Loan and sticking it to the poor families of Bedford Falls—to be “permissibly aggressive,” when in fact they’re “reprehensibly ruthless.” This leads him to do bad things, though he doesn’t understand that he’s acting badly, which means that he’s acting out of a certain kind of ignorance. He’s fully aware of the circumstances, but he applies flawed normative principles or weightings and comes back with bad decisions. (FitzPatrick 2008: 599–600)

What can volitionists say about counterintuitive cases such as this? One option is to claim that while direct conscious control is absent, there might be *indirect* conscious control. Perhaps, months earlier, Potter was browsing a bookstore and picked up Noam Chomsky’s *Profit Over People*. He quickly returned it to the shelf thinking “that book will probably lead me to think that the things I take to be permissibly aggressive are in fact reprehensibly ruthless.” Here Potter’s unconscious act is traced to a prior conscious act, and therefore reined into the ambit of moral responsibility within the volitionist framework.

Such tracing arguments have been an area of considerable debate.³ There can be something mysterious about the trickle down in “indirect” cases: an akratic decision straightforwardly satisfies the conscious control condition, but can we really say it is satisfied in later oblivious acts just because they stemmed from an earlier conscious omission? Even if such tracing arguments succeed, they would only apply insofar as an akratic origin story genuinely pertained. In turn, non-volitionists have argued that it is rarely the case that our forgetfulness, prejudices, poor judgments and false beliefs arise from earlier akratic decisions. We can (and often do) find ourselves morally implicated in ways we never consciously invited, and we can easily imagine a version of the Potter case in which his ignorance did not arise from the conscious mismanagement of his beliefs. The sense in which the case constitutes a counterexample to volitionism would therefore persist.

The debate surrounding counterexamples of blameworthy ignorance, like Potter, generally results in a standoff. Potter reaches the wrong conclusion, but not knowingly. Volitionists argue that this is sufficient to deem him blameless. On the other hand, most non-volitionists would argue that Potter is blameworthy despite the absence of akratic wrongdoing. William J. FitzPatrick has advanced this non-

volitionist position, and argued for it on two fronts.⁴ I will briefly summarize his argument, and Levy's response to it, as a way of outlining the standoff created by counterexamples of blameworthy ignorance.

The first argument FitzPatrick advances concerns what it would be "reasonable" for Potter to know. He contends that the akrasia condition is far too restrictive. Instead our central question should be: "What, if anything, could the agent reasonably (and hence fairly) have been expected to have done in the past to avoid or to remedy [his] ignorance?" (FitzPatrick 2008: 603).

FitzPatrick interprets this "reasonableness" from outside Potter's perspective, and therefore finds him blameworthy. But it is of course open to volitionists to reject this externalist interpretation. Levy argues that while FitzPatrick asks the right question, there is nevertheless *nothing* that we can "reasonably (and hence fairly)" expect Potter to do to remedy his ignorance, and he is therefore blameless (Levy 2009: 732). After all, Potter believes he is being reasonable in his "permissibly aggressive" corporate behaviour. "What is rational for me to do—that is, what I can decide to do as the result of engaging in reasoning—is settled by my actual mental state" (ibid.: 735). Viewed from this perspective, "Potter governs his normative views adequately . . . he has no (internal) reason to manage them any differently" (ibid.: 737). Indeed, for Potter to do what we think he ought to he would have to act akratically, against his own "better judgment," and such a requirement would be unreasonable and unfair. This line of argument therefore results in a standoff between volitionists and non-volitionists concerning how the "reasonableness" requirement should be understood.⁵

FitzPatrick's second line of argument is that Potter's failure to recognise his wrongdoing stems from "vices such as overconfidence, arrogance, dismissiveness, laziness, dogmatism, incuriosity, self-indulgence, contempt, and so on" (2008: 609). Superficially this seems to be a simple rejection of the volitionist position, in its assertion that one can be blameworthy for uncontrolled aspects of character. Again, at this level the argument would amount to a simple standoff. FitzPatrick notes, however, that "character traits are not merely given but are formed, reformed, and continuously shaped by our choices from the point of moral maturity onward" (2008: 608). But the extent to which we can genuinely control our characters is questionable.⁶ Furthermore, given that the Potter example is stipulated to be blameless on volitionist grounds, one would presume that he has not consciously controlled his character in the manner that would be necessary for blame for volitionists. FitzPatrick has recently elaborated on his position, arguing that Potter is guilty of "repeated voluntary indulgence of vicious temptations and tendencies" (2017: 41).⁷ Once again, however, a standoff threatens: since Potter does not perceive himself as vice-ridden, or his views as distorted, the volitionists could easily contend that his behaviour is not "voluntary" in the relevant sense: he is not choosing to be this way, or to believe as he does, while knowing he ought to choose otherwise. Rather, he thinks his traits and attitudes are acceptable, and his beliefs and actions justified.

We see then that these sorts of counterexamples achieve little headway when it comes to the fundamental disagreement between volitionists and non-volitionists. Volitionists see no grounds within these cases to withdraw the thought at the heart

of their position: that an agent's conscious control over wrongdoing is the only fair and substantive basis for their blameworthiness.

Having outlined the shortcomings of the current dispute, I will now sketch a different sort of counterexample to the volitionist position. I call these examples of complex akrasia. Unlike the cases I have considered so far, these examples do not feature the blameworthy ignorant; rather, they feature wrongdoers who are (I argue) plausibly *less* blameworthy despite their akratic awareness. Crucially, unlike cases of blameworthy ignorance, these counterexamples need not disregard any central tenets of volitionism: they do not require that "reasonableness" be understood from outside of the agent's subjective perspective, and they do not concern agents who were not in conscious control of their wrongdoings. Instead these examples concern this very subjective position, and this very conscious control. As I will argue in the next section, they thereby shine a different light on this debate, and provide a different way of interrogating the merits and shortcomings of volitionism.

III. NEW COUNTEREXAMPLES: COMPLEX AKRASIA

According to the volitionist view I am engaging, the only possible blameworthy act is an akratic wrongdoing: when an agent, knowing he is wrong, acts against his own moral judgment. Thus, should Potter have realized that his behavior was "reprehensibly ruthless," but proceeded all the same, he would be a clear candidate for blame. Perhaps he had the right moral realisation, but he did not care to act in accordance with it, given that his decision to liquidate was in his interest. In cases like this, and many others, the volitionist determination seems exactly right: any misgivings we might have had about the ignorant Potter disappear when we look at him in this state of akratic wrongdoing. There is something straightforwardly morally significant about the fact that he was aware of what he was doing, and that it was wrong, and proceeded all the same.

The akratic Potter seems malicious or callous, and largely indifferent to what is right. But, of course, akratic action does not always have this nature. When we consider the broader category of akratic action, and more difficult cases, the volitionist relationship between akratic wrongdoing and blameworthiness becomes less straightforward than it initially appears.

To explore this further, I will introduce a series of examples. In each example, I will compare an akratic agent and an ignorant agent who perform the same wrong. I will look at three different akratic agents. First: an agent who is "ahead of the moral curve" in their beliefs; second: an agent who has a strong sense of their interpersonal obligations; and finally, an agent who does something they consider wrong while under modest duress. Though these are ultimately contrived examples I hope that they feel familiar from our moral lives and deliberations, and indicate the prevalence of this sort of complex akratic awareness. I hope to present cases where one is moved to feel that the akratic wrongdoer is less blameworthy than the ignorant wrongdoer, or, at the very least, that it is a mistake to deem the akratic agent *more* blameworthy. Insofar as they succeed, these cases suggest that what one knows about what one does is often a far shallower indication of moral agency (and in turn of moral responsibility) than volitionists assume. This lends support

to non-volitionist accounts which are better able to make sense of our multifaceted reactions to the agents in these cases.

Rosen (somewhat idiosyncratically) distinguishes akrasia from “ordinary weakness of will.” He elaborates on the distinction as follows:

The akratic agent judges that A is the thing to do, and then does something else, retaining his original judgment undiminished. The ordinary moral weakling, by contrast, may initially judge that A is the thing to do, but when the time comes to act, loses confidence in this judgment and ultimately persuades himself (or finds himself persuaded) that the preferred alternative is at least as reasonable. (Rosen 2004: 309)

The cases which follow align with this interpretation of the ordinary akratic agent. Note also that volitionists are able to consider ignorant agents blameworthy when they akratically chose to be ignorant of some fact, knowing the likely consequences; and allow that my ignorant agents are not in this position, and that the etiology of their ignorance evades the parameters of blameworthiness on volitionist grounds.

Let’s begin with the first variety of case: agents who are “ahead of the moral curve.” The example I have chosen features someone who believes that it is (almost always) wrong to eat meat. Allow me to stipulate, for the sake of argument, that this agent is correct in this belief, and that he is perceiving a genuine wrong.⁸

III.A. THE MEAT-EATERS

After lapsing in his vegetarianism, the American poet Cyrus Console wrote:

I sometimes suspect, without allowing myself to investigate the suspicion, that this is slated to be my life’s great moral failing: to say, yes, to so much suffering, an ocean of suffering to which I contribute, whose tide I no longer make any effort to stem; grief, pain, and dread that overwhelm any love in the world and to which with each meal I myself add fresh blood, though I might choose otherwise. (Console 2017: 40)

Console’s evocation describes a painful awareness of his wrongdoing, and its magnitude, rather than the blissful ignorance of much of the society that surrounds him. Yet I find it a complicated question whether or not Console is *more* blameworthy on account of these thoughts than a person to whom they did not even occur, despite the arguments and evidence for them. To explain, let me adapt the Console tale, so as to generate two others.

Cyrus believes that it is wrong to subject animals to suffering and death for a trivial culinary gain. For this reason he has tried to become vegan on various occasions, but he hasn’t succeeded for long. He has managed to be vegetarian for considerably longer, but has even lapsed in this effort. He does not justify these lapses, and believes that they are wrong. Cyrus, then, acts akratically on every occasion on which he eats meat. One Sunday at his aunt’s place, Cyrus relents to his cravings and serves up a portion of her famous beef bourguignon, fully aware that what he is doing is wrong.

Maxine loves eating meat. She has been exposed to the same evidence that so vexes Cyrus, but it does not disturb her whatsoever. She finds every argument

in favour of eating meat utterly convincing and every argument against it silly, and easy to dismiss. Ultimately, she reasons in this way because she does not want to change her behaviour. This self-interested motivation is unconscious, and as far as Maxine's conscious control extends, she acts in accordance with what she takes to be the best reasons. One Sunday she too has beef bourguignon, but the moral nature of her decision does not even occur to her; her only thought, as she dishes up, is to avoid the potatoes because she is trying to cut down on carbs.

Reflecting on these two agents: could it really be the case that only Cyrus, but not Maxine, is blameworthy for their wrongdoing? This verdict seems to be a shallow reading of their respective acts, and their moral relationship to their acts. The parts of Cyrus's moral being which cause him to be aware of his wrongdoing, and the parts of Maxine's which spare her from such an awareness, seem to be important in determining blameworthiness. In contrast to the volitionist recommendation, there is a strong case for the claim that Cyrus is less blameworthy than Maxine, under the circumstances, even though his wrong is performed akratically, where hers is not.

There are many instances, especially when someone is showing exceptional moral concern and insight, when the realization that something is wrong seems to be to an individual's moral credit in a manner which is relevant to evaluations of blameworthiness. The recognition that one is wrong, or the capacity to see through self-interested rationalizations which favour one's behaviour, are aspects of our complex moral agency which do not fit easily within a framework which makes conscious control so inordinately dominant in determining moral responsibility.

My comments here have something in common with Holly Smith's position, which focuses on whether an act is sufficiently representative of an agent's "full moral personality" (Smith 2011).⁹ Acknowledging the sort of nuance and complexity within the attitudes we harbour, Smith holds that "blameworthiness is only appropriate if that set of desires and aversions itself constitutes a sufficiently complete range of the pertinent motivations of the agent" (2011: 137). This is not to say that a blameworthy act must be entirely or perfectly representative of someone's moral personality; Smith suggests a continuum of blameworthiness corresponding to the degree of motivational structure engaged (2011: 138).

With this paradigm in mind, it seems plausible that Maxine's wrong act is more representative of her moral personality than Cyrus's is (and therefore more blameworthy).¹⁰ After all, meaningful parts of Maxine's moral personality conspired to protect her false sense of justification, or her convenient obliviousness, regarding the moral nature of her conduct. And meaningful parts of Cyrus's moral personality overcame these easy routes and justifications in order to recognise that he was doing something wrong. To extract *only* Cyrus's conscious awareness of his wrongdoing from this picture seems to ignore far too much.

Let's return to Cyrus. In the case I presented earlier, he is in a state of some inner turmoil in deciding to eat the bourguignon while knowing he shouldn't. But imagine that after many such cases, Cyrus stops having such a complex range of responses each time he eats meat, and begins to give it less and less thought.

Imagine further, that as Cyrus becomes more and more comfortable eating meat, he starts to rationalise his behaviour. “It’s really a collective action problem,” he tells himself, “so my individual act is not wrong in any consequential sense, and I don’t have individual obligations.” He manages to ignore good responses to this position, and protects the rationalisation that now entitles him to better enjoy his lunch. Soon he is eating meat with as much moral entitlement as Maxine.

It seems plausible that Cyrus becomes increasingly blameworthy as this story progresses. As his conflict lessens, his wrong act seems to become more representative. One could argue that these rationalizations contribute to the sense in which a greater range of Cyrus’s moral personality is contributing to his wrongdoing. Note, however, that as Cyrus rounds that sharp corner of self-serving justification, the volitionist would find him suddenly blameless. Here, he resembles Rosen’s non-akratic “ordinary moral weakling” mentioned earlier, who “persuades himself (or finds himself persuaded) that the preferred alternative is at least as reasonable.”

I will soon continue this conversation, but for now let me move onto the next sort of case, this time featuring agents who are not ahead of the moral curve, but merely alive to their interpersonal moral obligations in a way that other agents might not be.

III.B. THE ‘PLAYERS’

Let’s compare Jay with Ray:

Away at a conference, Jay finds himself conducting a lengthy flirtation. He enjoys these ‘little dalliances,’ which he considers harmless. So what if he hasn’t mentioned that he’s married? After all, his wife’s not going to find out, and besides, she doesn’t pay him enough romantic attention, and until she does, what choice does he have but to get attention elsewhere?

Ray is likewise enjoying a flirtation at a conference, and hasn’t mentioned that he’s married. Unlike Jay, however, he considers the flirtation itself, and the crucial omission to mention his wife, a betrayal of sorts. He knows he ought to be a better partner. He doesn’t believe that the shortcomings of his marriage justify his present behaviour.

Ray acts knowingly, and correctly appraises his moral wrongs and shortcomings. But again, it is hardly straightforward that this knowledge makes him more blameworthy than the oblivious or self-deluding Jay. Within his awareness that he is doing wrong, Ray seems to be showing more respect for his partner and to his marriage than Jay is. By way of support, it wouldn’t be plausible or laudable for Jay’s wife to think “at least he believed I deserved it.” While Ray’s wife could plausibly think that “at least” her husband was aware of his wrongdoing, and felt guilty and conflicted.

Put in Quality of Will terms: the pattern of moral concern evinced by Ray is better, all told, than the pattern of moral concern evinced by Jay, even though Ray acts knowingly while Jay does not. Ray evinces more moral concern for his wife than Jay does, and this seems important in determining their respective (degrees of) blameworthiness.

To be clear: I don't think we have, in either case, a blameless agent. But we certainly have reason to pause and wonder what more complicated role awareness can play in our moral lives than merely aggravating the harm in what we've done and our blameworthiness for it. The interaction between knowledge and responsibility seems far more intricate, variable, and multiple than that. Ray is hardly a moral hero; he is a mixed, fallible, and ultimately recognisable agent. He possesses, however, some powers of honest self-perception. In comparison to Jay, in this instance, he is more morally concerned and alert; alive to his moral responsibilities, ashamed to fall short of them, and quicker to realize what he owes to others. Agents of this sort are liable to act akratically far more often than agents who are adept at convincing themselves that they are entitled to do what they want. When we look at akratic action from this vantage point, it seems a little strange to say that the akratic agents are more blameworthy on account of their awareness. We begin to get an impression of everything that picture leaves out.

III.C. THE BULLIES

Let me turn to my final example, which features akratic awareness under modest duress. It is notable that in a more recent paper, Rosen abandons volitionism in favour of a Quality of Will theory in order to explain why we might not be responsible for consciously chosen wrongs performed under duress (Rosen 2014). Rosen addresses how instances of severe duress can make actions blameless, even when they are performed in full consciousness of the fact that they are wrong. "In the cases I have in mind, the agent retains the capacity for practical deliberation. His mind is not flooded with pain or fear. He knows exactly what he is doing and makes a clear-headed choice to act in awful ways" (Rosen 2014: 71). Such cases present a challenge for volitionist perspectives, to some extent: the conscious beam is indeed shining, and yet there is clearly something unjust about blame in these cases, depending on the severity of the duress. In order to explain why these sorts of cases are blameless, despite conscious control, Rosen uses the Quality of Will account: "mortal duress excuses in cases of this sort . . . because the compelled act, though impermissible and freely chosen, nonetheless fails to manifest 'an insufficiently good will'" (2014: 69).

I will not look at cases of severe duress here (let alone mortal duress), since they invite too many separate debates and bases for disagreement. Instead I will focus on a case of modest duress, where we would agree that the agent acted voluntarily, and where we cannot easily say that the claim that they should have done otherwise is over-demanding.

Let's compare Jack with George:

Assume that the seniors in an all-boys boarding school take the role of 'initiating' the incoming class. The new boys are taunted and beaten in front of their classmates, and forced to perform pseudo-sexual acts on each other while the seniors stand by making homophobic comments. Let's grant that all of this is wrong.

Jack correctly appraises the moral standing of these events: he thinks the whole practice is barbaric, and he doesn't want anything to do with it. But he's just managed to get by at this school without drawing too much attention to himself,

and if he raises his objections or refuses to participate he is sure to be the target of mockery among his peers. He participates in initiation reluctantly, feeling like a coward all the while.

George is at the same school. Unlike Jack, he has looked forward to ‘initiation’ all year. He gets high on power, and relishes the task of belittling the new class, and especially seeing ‘the weaklings’ crumble. He carries out ‘the initiation’ with no moral conflict, and indeed with relish. He thinks it’s the only thing that will turn them into real men.

George believes he’s doing the right thing, and Jack knows he’s doing the wrong thing, even if he does so under some degree of duress. Looking at these two teenagers, managing their respective circumstances, it is unconvincing to me that we are more entitled to blame Jack than we are to blame George, or that in Jack’s case blame would be straightforwardly more fair, or more deserved, than it would be in George’s case. Again, this picture seems to exclude too much that is of moral significance.

In the three cases above—The Meat-Eaters, The Players, The Bullies—I have tried to consider instances of the same wrong performed in very different ways by very different agents. The volitionists would suggest that the akratic agents are blameworthy (at least to some extent), while the non-akratic agents are blameless. Or, at least, the volitionist must consider the akratic agents more blameworthy than the non-akratic agents, since they deem the non-akratic agents blameless, and since there is no recourse within the volitionist framework to establish a similar blamelessness for the akratic agents (I will elaborate on this shortly). I hope to have provided cases in which this determination seems wrongheaded. While I have sometimes been describing the akratic agents as *less* blameworthy than the non-akratic agents, my argument only requires that we do not think the akratic agents are *more* blameworthy than the ignorant agents.

I will now turn to further objections, and develop the last aspects of my argument in response. In particular, I will return to my initial claim that cases of complex akrasia reveal that the apparent strengths of volitionism are more superficial than they initially appear.

IV. VOLITIONIST RESPONSES

I have maintained that volitionists are committed to holding my akratic agents blameworthy. A first response might therefore be to question this commitment. Perhaps it is open to the volitionists to think that *none* of the agents I have described plausibly warrants blame: the ignorant agents because they have not acted akratically, and the akratic agents for other reasons. The akrasia requirement is usually an assertion of the *necessity* of akratic wrongdoing for blameworthiness, rather than its sufficiency. Unless akratic action is deemed sufficient for blameworthiness, the claim that the volitionists would consider my akratic agents blameworthy is presumptuous.

Among the volitionists I have been engaging, Zimmerman comes the closest to endorsing the sufficiency of akrasia for responsibility. If an agent “deliberately

and freely” decides to do something that they consider wrong, he deems it “sufficient for [them] being culpable for the decision” (2008: 200). Zimmerman even considers akratic agents blameworthy when they have done nothing wrong (provided they *thought* they were doing something wrong). As such, Zimmerman has even maintained that inverse akratics are blameworthy: in cases of inverse akasia, an agent does the right thing (for the right reasons), but against their “better judgment.” The prevalent example is of Huckleberry Finn who does not turn in Jim, even though he thinks he ought to.¹¹

However, such a hard line is not a requirement of the volitionist position I have been describing. As Nomy Arpaly writes: “Admittedly Zimmerman’s radical conclusion that Huck is blameworthy is not a conclusion to which everyone is committed [. . .]. It is possible to think that no one is blameworthy for an action he does not take to be wrong and still hold that the action has to *actually* be wrong for the agent to be blameworthy” (2015: 147). Any volitionist who holds, for instance, that wrongdoing is *also* a necessary condition for blameworthiness, would therefore deny that inverse akratics are blameworthy. Similarly, one might hold that certain levels of control, capacity and freedom also constitute necessary conditions for blameworthiness, so that an akratic addict, or an agent acting akratically under severe duress, might not be blameworthy.

For my argument to succeed, I contend, I do not need to show that the volitionists I am engaging would consider akasia sufficient in every case. But I do need to show that their position, as it has been described and defended, compels them to consider the akratic agents in my cases blameworthy.¹² My cases are compatible with other necessary conditions for blameworthiness in addition to the akasia requirement. Unlike inverse akratics, my agents do not act in ignorance of what is right, and they do not ultimately do the right thing: they do the wrong thing, while knowing it is wrong. They are also presented as competent agents, who are sufficiently in control of their actions, and not overwhelmed by addiction or acting under extreme duress. If the volitionist conditions for blameworthiness do not apply in cases of this sort, then it is hard to imagine when they would. That line of thought risks a regress according to which genuine responsibility never arises (cf. Zimmerman 1997 and 2008; Rosen 2004).

Zimmerman, as we have seen, would clearly endorse the blameworthiness of my akratic agents. I think Rosen is also committed to such an endorsement. While considering the requirements for blameworthiness on his view, Rosen writes that an agent would “have to know the pertinent facts about his contemplated act. He would have to know that it was wrong. And he would have to know that in the circumstances, all things considered, he should not do it. He would then have to act despite this knowledge” (Rosen 2004: 307). Again, I take the akratic agents in my cases to fulfil these requirements.

But even if we agree that volitionists are compelled to consider my akratic agents blameworthy (and indeed, that some might do so eagerly), this does not mean that they cannot draw any finer distinctions concerning the agents in my cases than the stark division between blameworthiness on the one side and blamelessness on the other. As Zimmerman writes: “There are a *variety* of ways in which a person is open to moral evaluation; attributions of moral responsibility constitute only

one such way” (2008: 179). Thus, while volitionists are committed to deeming my akratic agents more blameworthy than the ignorant agents, they are not committed to deeming the akratic agents more reprehensible, or the ignorant agents more admirable (Cf. Zimmerman 2008: 199–200). On the contrary: the volitionists may well agree that my akratic agents are laudable in many respects, even while they are blameworthy, and they may consider the ignorant agents reprehensible in many respects, even while they maintain that “*blame* is clearly out of place” (Rosen 2008: 608).¹³

The purpose of my cases has been, in part, to challenge this notion. I have argued that blame is not clearly out of place for the ignorant agents. To put pressure on this point, let me return to Ray and Jay and their long-suffering partners. The volitionists will maintain that the ignorant Jay is blameless, which is to say that Jay’s wife would be making a kind of moral mistake in blaming him, and indeed that such blame would be undeserved and unfair. On the other hand it would be appropriate, and not unfair, for the akratic Ray to be blamed.¹⁴ I think that in some ways this is a mistaken evaluation. It seems clear that Jay is more deserving of blame than Ray, or at the very least equivalently deserving: Jay’s wife would be entitled to blame him at least as much as Ray’s wife is, and it would not be more unfair or undeserved in Jay’s case than it is in Ray’s.

In response, volitionists might seek to explain why their appraisal with regards to the blameworthiness of these agents is indeed fitting. There is, they may argue, a robust sort of accountability that can only arise insofar as an agent has consciously managed their wrongful act, and for all the qualifications I have affixed to my failing, failing akratic agents, the simple fact remains: they knew it was wrong, and they did it anyway. They possessed awareness, and despite this awareness they proceeded to perform their wrong actions. They knowingly contributed to the suffering of animals, to betraying their partners, and to assaulting children. They knew better, and so they should have done better. It is in this sense that the knowing wrongdoers in these cases are indeed more blameworthy and the volitionist interpretation stands. They perform these wrongdoings consciously, “on their own,” which makes, according to Zimmerman, “a world of difference: it makes him (*ceteris paribus*) morally responsible for his action” (2008: 180).

In reply, the work of complex akrasia cases is precisely to reveal that this interpretation is too narrow. The fact of Ray’s awareness (or Cyrus’s or Jack’s) is only one part of a more complicated picture; all of which is relevant in deciding the extent of their blameworthiness, especially when we view them in contrast to their ignorant equivalents. And if we are moved to feel that disregarding this broader picture in evaluating their blameworthiness would be a mistake, and even unjust, then we have reason to consider the broader picture in the case of the ignorant agents too: to ask who they are within their ignorance; to consider the answer to this question important in appraising their moral responsibility, and not only their laudability or reprehensibility.

At the outset of this paper I looked at some of the key strengths of the volitionist position, including the volitionist emphasis on tempering, restraint, fairness and desert when it comes to the appraisals of blameworthiness. But as I will now argue, invoking these points in response to cases of complex akrasia puts the volitionist

in a very different position than when these points are invoked to reject cases of blameworthy ignorance.

I speculated that volitionism has a particular appeal for those of us who want to restrict the ambit of blameworthiness. This is not an innate feature of the view, but volitionists often emphasize how rare genuine akrasia is and suggest that the realm of blameworthy action is far smaller than generally assumed.¹⁵ For those of us who are wary of overreach in attributions of blameworthiness, this impression is appealing.

Cases of complex akrasia upset this impression on three fronts. First, they suggest that akratic wrongdoing is more common than is often implied within this debate, and therefore that blame is warranted on volitionist grounds more regularly than volitionists themselves suppose. Further, they indicate just *who* is going to end up being the target of blameworthiness. This appraisal seems appropriate in cases of malicious or indifferent akratics (like the akratic version of Potter I considered earlier), but it is harder to accept in the cases of complex akrasia. Finally, in cases of complex akrasia, instead of arguing that someone is less blameworthy than we might be inclined to suppose (and that blaming them is ultimately unfair), the volitionists have to argue that someone is *more blameworthy* than they might otherwise seem. In contrast, non-volitionist positions are able to consider (for instance) to what extent a wrong act evinces ill will, or to what extent it is representative of an agent's moral personality; questions which are not resolved by awareness alone. In these cases, it is non-volitionist positions which seem to recommend tempering and restraint.

Another crucial feature of volitionism is its concern with desert and fairness. But again, the volitionist interpretation in complex akrasia cases can seem quite *unfair*, or at least it seems to honour a very incomplete notion of fairness. Is our sense of justice really satisfied in reserving the burden of blame for the likes of Cyrus, and not for the likes of Maxine? The consistent feature of the akratic agents, in these cases, is that they hold themselves to higher moral standards than their ignorant equivalents: they are self-aware and morally astute; they are alive to what their duties are, and to what they owe to others; and they are ashamed of the ways in which they fall short. Complex akrasia cases reveal that the volitionist position is sometimes counter-intuitively committed to deeming the best among us the most blameworthy: the higher the moral standard an agent holds themselves to, the more blameworthy they will be.¹⁶ Can we really say that in these cases the blame is *deserved* in a way it is not by the agents who errantly consider themselves good enough? In the cases I have sketched, my concerns about desert, warrant, fairness, and the righteousness of blaming are in no way alleviated by the mere presence of akratic awareness.

The cases of complex akrasia therefore show that volitionism might not only be misguided because of who it exonerates, as in cases of blameworthy ignorance, but also because of who it blames: not only does it exonerate Maxine, despite her motivated ignorance, but it also blames Cyrus, despite his deeper moral concern. And while in cases where volitionists advocate exoneration they can plausibly appeal to their concern with desert and fairness, these appeals do not have the same strength in cases where they advocate blame.

I argue, therefore, that cases of complex akrasia reveal implications of volitionism that do not emerge in the more prominent counterexamples of blameworthy ignorance. Insofar as volitionists are committed to the narrow conscious control condition, it seems they must deem our akratic agents more blameworthy than our ignorant agents, regardless of the context in which they came to possess their moral knowledge; regardless, that is, of how remarkable that knowledge itself may be. A straightforward relationship between akratic wrongdoing and blameworthiness is too restrictive to account for the immense variation and complexity of knowledge and wrongdoing, and the different aspects of ourselves that our conscious awareness (or lack thereof) reveals.

The purpose of this paper has not been to defend Quality of Will views. Rather, my aim has been to complicate a longstanding debate between volitionists and non-volitionists, and to lend support to the non-volitionist case. However I would like to end by briefly describing why I think these cases support Quality of Will interpretations of blameworthiness. There are many instances when Quality of Will accounts can explain what is especially wrong about akratic wrongdoing. When I considered the akratic version of Potter—who realised that he was doing wrong, and didn't care—there is a clear sense in which his knowledge *compounds* the indifference or ill will evinced by his wrongdoing. Quality of Will accounts can therefore explain why akratic actions are often especially blameworthy. But as we have seen, akratic wrongdoing does not always have this implication: sometimes an agent's recognition that they are doing something wrong actually stems from greater moral concern than that possessed by an equivalent ignorant agent. This complexity more accurately reflects the confounding relationship between knowledge and moral responsibility than volitionist interpretations, which can make too much of awareness. What is known has profound significance, but it is not decisive.¹⁷

ENDNOTES

1. This is explicitly the conception that Rosen sketches in establishing his volitionist position (Rosen 2004: 296–297), and it also overlaps substantially with the conceptions advanced by Levy and Zimmerman. Note, however, that I take questions of punishment (beyond the burden imposed by blame itself) to diverge from questions of blameworthiness; determining that someone is blameworthy does not necessarily determine that they ought to be punished.
2. Also see Levy 2014: 125, 126.
3. Cf. Vargas 2005; Sher 2006; McKenna 2008; Fischer and Tognazzini 2009.
4. FitzPatrick is a “non-volitionist” insofar as he rejects the akrasia requirement, but he positions himself against many other non-volitionists who he believes “err in the opposite direction from the Akrasia-based view” in deeming *too many* agents blameworthy. He distinguishes his “Reasonable Expectation criterion” from views that focus on the character of an agent, or their moral attitudes (FitzPatrick 2017: 31).
5. For another level of this standoff see Philip Robichaud's 2014 critique of Levy's response to FitzPatrick, and Levy's subsequent 2016 response to Robichaud.

6. We do not control the initial constitution of our character, nor our formative circumstances. And when our characters are at their most pliable, as young children, we are least able to exercise significant conscious control over them. A character flaw might also create a vicious cycle of sorts, preventing an agent from ever being able to consciously overcome it. In order to identify and rectify a personal vice, after all, you would need to be in possession of an array of counterbalancing virtues. For further discussion, see Talbert 2017: 54 and Sher 2006: 292, 293.

7. FitzPatrick acknowledges that there are many things that Potter could not control about his character, but that “these were choices made voluntarily.”

8. One could replace this example with a variety of others; e.g., our obligations to the absolute poor, or our obligations to future people.

9. In a similar vein, Timothy Schroeder and Nomy Arpaly’s “Whole Self” theory holds that: “other things being equal, an agent is more praiseworthy for a good action, or more blameworthy for a bad action, the more the morally relevant psychological factors underlying it are integrated with her overall personality” (Arpaly and Schroeder 1999: 172).

10. Though I have drawn on aspects of her framing, I do not mean to imply that Smith would share my conclusions here.

11. Cf. Bennett 1974; Arpaly and Schroeder 1999.

12. Levy is a complicating case since he has argued both that conscious control is necessary for blameworthiness, and also that *nothing* is sufficient for blameworthiness (in particular: Levy 2011). There is an acknowledged ambivalence in arguing on the one hand that we can never be responsible, and on the other that we need to have acted akratically in order to be responsible (Cf. Levy 2014: ix–xi). Levy argues that “only when agents satisfy the consciousness thesis do their actions and omissions express their attitudes; for this reason, the consciousness thesis matters for our moral lives even in the absence of a sufficient condition for moral responsibility.” (Levy 2014: xi). This paper does not address Levy’s arguments against the possibility of *any* just ascriptions of moral responsibility, and is instead focused on his arguments in favour of the akrasia requirement. In some respects I am more sympathetic to the idea that we are *never* morally responsible than to the idea that we are only morally responsible for our akratic wrongdoings. In that sense, we might disagree less than we appear to. Levy writes: “I don’t know whether it is a greater injustice to be held morally responsible when one fails to satisfy the consciousness thesis or when one does not, but given that it *is* an injustice, it is worth the fight” (Levy 2014: x).

13. In this quote, Rosen is discussing the case of Kleinbart who does not care about his wife.

14. This case bears a resemblance to one of Rosen’s featuring Bill who believes he is entitled to lie to his wife. In turn, the right response for her to take would be: “Poor Bill. Through no fault of his own he found himself believing that all things considered, he should lie” (Rosen 2004: 306).

15. Zimmerman (2008: 205) acknowledges that while his account is “deflationary” in some respects, it is “inflationary” in others (given that he would consider akratic agents blameworthy even when they have done no wrong).

16. Blameworthiness is to some extent to an agent’s moral credit, given that it is an assertion of their agency and their capacity to take responsibility for what they have done. In this respect, it could be argued that finding the best among us the most blameworthy makes a certain kind of sense. But even if there is truth in this, the concerns about warrant and fairness remain: even if we consider blame a strange kind of credit, it is certainly not the sort of credit that we’re all vying for, and there are obvious moral costs to those we blame. To

say these costs must be borne disproportionately by better agents is a position that would require considerable defense.

17. My gratitude to the journal editors and reviewers who guided the improvement of this paper. Thanks also to the participants at the “Knowledge, Responsibility, and Power” workshop at the University of Johannesburg, and the “Reassessing Responsibility” workshop at the University of Cambridge, where aspects of this paper were first presented.

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