

Unavoidable Blameworthiness

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I argue that blameworthiness can be unavoidable in the sense that the agent could not knowingly have avoided deserving blame. Furthermore, my argument shows that virtually every moral agent must suffer such blameworthiness at least once. The argument requires that we learn morality by participation. If we learn morality by participation, some first instance of being held accountable occurs for each agent. Without being held accountable or blameworthy, the agent could never fully understand the meanings of such terms as 'blameworthy', 'obligation', or even 'wrongness'. But in being held accountable for the first time, one is held accountable for understanding just such terms.¹

A Kantian view holding that the position I will argue for is not only wrong-headed but immoral finds representation in the late Alan Donagan. He reasons that

blaming somebody for an action is, in part, holding him answerable for it. Hence, since a rational agent, as such, controls his actions in the light of his knowledge of what they are, to hold him answerable for his actions under descriptions he does not know they fall under is to demand that he answer for something for which, as a rational agent, he cannot answer. And that would be to refuse to respect him as a rational creature.

And so we arrive at the principle: *It is impermissible to blame anybody for an action except as falling under a description under which it is . . . done knowingly.*²

Obviously, if morality is learned by participation, then someone who has no experience of blameworthiness could not be performing his actions in the light of the knowledge that they are blameworthy. So one would think that such an agent could not knowingly avoid being blameworthy. But if it were immoral to hold persons accountable for actions not done knowingly, then either morality must not be learned by participation, or morality cannot ever get started. Certainly, the latter is not the case.

Nonetheless, Donagan believes that morality is learned by participation in the common life of the community.³ If my argument is correct, Donagan's position is inconsistent. I shall begin by setting out clearly the main premises of my argument.

- (1) Before the experience of being held blameworthy for moral wrongdoing, that is, before suffering moral blame, one does not, and indeed cannot, understand what moral wrongness is.
- (2) If one does not understand what moral wrongness is, one does not realize that what one is doing is morally wrong or right.
- (3) In everyone's life there is a time when one is held blameworthy for the first time.
- (C1) Therefore, in everyone's life there is a time (typically in childhood) when one is held blameworthy for wrongdoing even though one did not realize that what one was doing was wrong.
- (4) But parents and others are morally justified in holding children blameworthy even though the children are as yet morally ignorant (for

otherwise children would never understand moral wrongness and morality would never get started).

- (5) But, if holding P blameworthy for doing x is morally justified, then P is morally blameworthy for doing x.
- (C2) Therefore, there is a time in everyone's life when one is morally blameworthy for doing something even though one did not realize that what one was doing was morally wrong; there is unavoidable blameworthiness.⁴

We shall for now attend to the first part of this argument; only the first premise is contentious. Even the conclusion of the first three premises, (C1), is surely true. However, if the first premise were not true, the moral justification claimed in premise four would be highly suspect, since morality could then get started by way of, say, instruction rather than by holding the morally ignorant blameworthy. Hence I must defend premise (1), which claims that before the experience of being held blameworthy, one cannot understand what wrongness is.

Part of knowing that an act is wrong is knowing that one is required not to do it. Part of understanding requirements is understanding that one is liable to being held blameworthy for not following them. Confusion is possible here. I have stated premise (1) in terms of being held blameworthy. But we should distinguish being *held* blameworthy from *being* blameworthy, for one might be wrongly held blameworthy in cases where one is actually not blameworthy. Suppose that we substitute 'being

blameworthy' for 'being held blameworthy' in the first three premises of the above argument. The first premise then claims that experience of being blameworthy is required to understand moral wrongness fully. This claim seems more plausible in that the experience of being *wrongly held* blameworthy, far from adding to one's grasp of moral wrongness, might actually mislead. But with a small modification to premise (3) the argument emerges even stronger.

- (1') Before the experience of being blameworthy for moral wrongdoing, that is, before suffering moral blameworthiness, one does not, and indeed cannot, understand what moral wrongness is.
- (2) If one does not understand what moral wrongness is, one does not realize that what one is doing is morally wrong or right.
- (3') In everyone's life there must be a time when one is blameworthy for the first time, if one is ever to be blameworthy at all.

(C1') Therefore, in the life of everyone who is ever blameworthy there is a time (typically in childhood) when one is blameworthy for wrongdoing even though one did not realize that what one was doing was wrong.

(C1') is basically the same as the final conclusion, (C2), of the original argument derived without recourse to premises (4) and (5). So even though premise (1') might seem more plausible than premise (1), premise (1') merely exacerbates the problem of getting morality started without unavoidable blameworthiness.

Premise (1) may be further vindicated by considering the possibility that

morality is not learned by participation. The alternatives are that moral knowledge is (1) innate, (2) gained through reason, (3) gained through instruction, or (4) due to some combination of these. Our question is whether these alternative sources could be sufficient on their own or taken together to account for all our moral knowledge.

Kantians are sometimes inclined to suggest that moral knowledge is gained through reason.⁵ Reason can reveal consistency and inconsistency, but reason is dependent on the meanings of the terms on which and by which it operates.⁶ Reason does not determine the meanings of these terms, nor does it provide someone new to them with a full understanding of them. Reasoning out that some action is inconsistent does not reveal what it means to be blameworthy for performing it, or that one will be *morally* blameworthy for performing it. Moral accountability is not just accountability for intellectual consistency, and even intellectual accountability has to start with some first case.

The case against our learning about morality from instruction is similar. From instruction we can learn to which actions people will apply the terms 'wrong', 'obligatory' or 'blameworthy'; we might even learn how to use moral language in public, but instruction cannot help us to grasp the internal attitude moral agents have toward morality. Being told that if you do wrong willfully, then you will deserve blame, would mean very little, would be merely academic, if one had no experience of deserving blame. It need not matter to someone that he or she would deserve blame, if he or she had no previous experience of deserving blame. One could have no appreciation of just

how much blameworthiness might come to matter to one after the fact. After the loss of innocence one may well experience anguish and regret, which one could not have fully anticipated before the first loss of innocence. Before that point, any claim about the wrongness of losing one's innocence must be academic. One can give the right answers on a quiz about morality without grasping the significance of doing wrong or being blameworthy.

Against the possibility that moral knowledge is innate, I will only point out that the variety of moralities and moral attitudes, as well as the behaviour of children, strongly suggest otherwise.⁷

Finally, let us consider the possibility that we learn morality from a combination of these sources. A child may be instructed that some act is wrong and that performing it willfully will make her blameworthy. The supposition that she has also reasoned out that the act is somehow inconsistent cannot add to her understanding of what it is to perform the act blameworthily. We must justify holding her accountable for more than academic responses to some set of questions. When we hold someone morally accountable, we hold her accountable for the way she lives her life.

More problematic for my argument is the possibility that the intellectual sources of moral knowledge might be combined with participatory knowledge of what it is like to hold someone else blameworthy. One sees that others dislike being held blamable, and feels first-hand the disapproval of blameworthy agents, so one might be averse to the prospect of being in their position.

My response is that one's vicarious experience of the blameworthiness of others in these ways still falls short of knowing what it is to be blameworthy oneself. Someone who has not experienced being blameworthy first-hand might confuse holding another blameworthy with resentment. Also, for someone who has never been blameworthy, inductive reasoning based on her own experience might suggest that she never will be, however familiar she is with the blameworthiness of others. Never having experienced blameworthiness, one could not even know that moral requirements actually applied to oneself. Therefore, morality is learned by participation. Learning by participation means learning by taking part in the activities with others who already know; it includes observing the treatment and responses of others, but it must involve actively trying the various roles in the activities for oneself to learn by experience the social significance of these roles.

Since morality is learned by participation, one understands the moral significance of wrongdoing for the wrongdoer only by participating in (i.e., experiencing) being blameworthy, being held blameworthy, or both. If we might learn by participation in being blameworthy, then premise (1') above provides the basis for my argument. Why should I also wish to defend premise (1), which suggests that we learn by being *held* blameworthy? Often one may be blameworthy without noticing. Perhaps one suffers from bad faith, or perhaps one is just insensitive. Either way, one might be blameworthy without being held blameworthy even by oneself. In such cases no learning by participation seems to occur, since the relevant points about morality are

not even noticed.

When I speak of learning morality by participation, I am referring to participation in the common practices of a community. The most easily observable manifestation of blameworthiness in a community will be the common practices of holding agents blameworthy. We cannot in good sense even speak of "community practices of being blameworthy." I would suggest that blameworthiness, if learned by participation, is learned first from being *held* blameworthy in community practices. Only later can one learn to distinguish blameworthiness from merely being held blameworthy by observing that these practices are subject to error, which invokes further practices of correction. Seemingly then, learning morality by participation naturally includes being held blameworthy at some point. Thus I justify the defence of premise (1) and the importance of keeping the original version of my argument above.

We come now to the second part of my argument:

- (4) But parents and others are morally justified in holding children blameworthy even though the children are as yet morally ignorant (for otherwise children would never understand moral wrongness and morality would never get started).
- (5) But, if holding P blameworthy for doing x is morally justified, then P is morally blameworthy for doing x.
- (C2) Therefore, there is a time in everyone's life when one is morally blameworthy for doing something even though one did not realize that

what one was doing was morally wrong; there is unavoidable blameworthiness.

Someone might object to premise (5) that one could be morally justified in holding someone blameworthy even if that someone were not really blameworthy.⁸ The justification would be consequentialist: holding the child blameworthy has the desirable consequence of better moral conduct. However, this consequentialist justification is not available to Kantians since they require that blame be assigned according to desert.⁹ Thus Donagan held, in the passage quoted at the outset, that holding someone blameworthy for an action not done knowingly is morally neither justified nor, indeed, permissible.¹⁰ Kantians, then, must accept my premise (5). In deciding when blaming children is morally justified, the basic issue, at least for Kantians, is the relationship between blameworthiness and ignorance because children start off ignorant and so their actions are often not done knowingly, but they do progress to knowing.

Donagan holds that the ignorance is culpable if the agent would have done the wrong even without the ignorance.¹¹ We should ask how this position fits with the nature of regret. Often, when one does not understand all the moral implications of one's action, one will regret that action on gaining this understanding. Regrets are regularly enough of the form: if I had known then what I know now, I would never have done what I did. Without the ignorance the agent would not have done the wrong. Often the knowledge or ignorance in question is experiential rather than intellectual. But when this regret is more than a wish to have lived a different past, and includes holding

oneself blameworthy, then Donagan must hold that the regret is irrational if the lack of knowledge excuses.

Could this be a case where inculpable ignorance excuses? Surely not. Obviously, no one has experiential knowledge of a particular wrongdoing before first doing it. So an agent's first commission of any wrong would be excused. But if it is excused and feeling regret over it is irrational, then she does not experience it as a wrong. So the arguments which excused the first commission could equally excuse the second, and so on. Morality could not get started.

One might, however, conclude that only intellectual ignorance excuses. But, if experiential knowledge is not required for blame, and experiential ignorance does not excuse, then the claim that moral knowledge is gained from participation is not serious.¹² Knowledge gained from participation is experiential.

My position may strike some as onerous because, in so far as children must learn about blameworthiness by being held blameworthy, I seem to encourage holding children blameworthy more often. So let me be clear that I am not suggesting that we have been, or should be, burdening children with a lot of accountability suddenly. Rather, it is a gradual process which perhaps peaks during adolescent and teen years. Even this late in life agents are sometimes excused on the grounds that they are not fully accountable. Indeed, they do not fully grasp the significance of being held accountable -- that there really are consequences to actions. In fact, not all adults ever reach a stage of realistic acceptance of the fact that their actions have consequences, so

there is a grey area where we will sometimes want to protect children and teens from the consequences of their acts. But if we are to learn to be accountable at all, we will sometimes have to be accountable for more than we could have expected.

For example, nobody can really make another take a long-range view of his or her own life. Continually punishing a teenager the following day for partying too late merely reinforces her seeing herself as being accountable in a relatively short-term way. One can tell her that not doing her homework now will influence her ability to do what she wants a few years from now; one can show by example that one is aiming for future rewards several years away; and one can take an interest in, or reinforce, any current interests she may have and explain how present behaviour may determine the future pursuit of these.

Even so, none of these efforts will bring about the change in outlook as much as the cultural fact that at some point a person is generally expected to take a long range view of her future, and if she fails to do so, she is allowed to hurt herself. One cannot really take the long-term view at the start of the process of being "taught" to do so. If the process is successful, one can do so at the end of the process, but if the process fails, then one will still have been held accountable for more than one could do.

I hold that children become persons primarily because they are treated as persons, although their training must be paced to their current level of development. Holding an agent answerable for what she could not knowingly avoid is not always a matter of disrespect. If it were, by holding a child blameworthy for the first time, our

example would actually be teaching the child to disrespect other moral agents.

I have been arguing that if we are to learn the precepts of morality by participation, then children will need to be blamed for actions from time to time before they can know the precept involved. In being blamed for the action they are being held accountable for the precept as one they *ought* to know. So Kantians like Donagan must suspend the principle that blame is impermissible for actions not done knowingly for those learning precepts by participation. But either the basic Kantian rule for respecting agents is violated in treating children this way, thus making it impossible that children should learn it by participation, or the basic rule is not being applied to children, again making it impossible that they should be learning it by participation. Admitting the possibility of unavoidable blameworthiness is more plausible. The morally laudable response to being unavoidably blameworthy is to accept the blame.¹³

Endnotes

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1. Robert M. Adams, in arguing that blameworthiness can be involuntary, is also committed to unavoidable blameworthiness. See his "Involuntary Sins," *Philosophical Review*, XCIV, 1 (January 1985): 3-31. My argument is, of course, different from his.
 2. Alan Donagan, *The Theory of Morality* (Chicago: University of Chicago Press, 1977), p. 121.
 3. Donagan, *The Theory of Morality*, p. 12. Donagan is more concerned here to show that, as a matter of historical fact, traditional moralists and even Kant did hold that morality was gained by participation, than to show that their doing so was consistent with their position on the impermissibility of blaming those who do not know that what they are doing is wrong. He does not seem to consider that the assignment of blame has a role to play in teaching morality by participation.
 4. I am grateful to P. Gosselin for suggesting to me this point-form presentation of my argument.
 5. Kant claims it "would be easy to show here how human reason, with this compass in hand [the categorical imperative], is well able to distinguish, in all cases that present

themselves, what is good or evil, right or wrong” *Groundwork of the Metaphysic of Morals*, trans. H. J. Paton (New York: Harper & Row, 1964), pp. 71-72 (Prussian Academy p. 404). Donagan writes of deriving precepts from the first principle by a process analogous to legal reasoning. Cf. *The Theory of Morality*, p. 66-69. And concerning the first principle, on the last page of this book, he describes humans as those “whose *reason* sets before them their own nature as something to be unconditionally respected.” Cf. P. 243 (my emphasis).

6. Kant would have reason teach that stealing is wrong by having it test whether stealing is universalizable. Anyone could reason out that stealing is not universalizable provided that one has the concept of stealing. But not every culture has the concept of stealing. On the other hand, taking, presumably a more widely held concept, is universalizable; human beings could not survive without taking from other species. Now if the Kantian wishes to claim that reason should teach those without the concept of stealing that certain sorts of takings are wrong, then he or she needs to claim that reason should make certain distinctions and that not making those distinctions is irrational. For example, perhaps the claim would be that making a distinction between taking-from-one’s-own-species-without-permission and taking-from-another-species-without-permission is more rational than not making this distinction. Or is the distinction between taking-from-rational-creatures and taking-from-non-rational-creatures? Would this not be more a matter of

historical accident than a failure to reason? There might be some prudential or consequentialist advantage in making the distinction, but that would be discovered by experience rather than reason. Testing whether certain takings are universalizable might never occur to any moral agent in a culture without the right conceptual furnishings, but this is how Kant would have reason teach such agents that stealing is wrong. Furthermore, the issue is not whether Kantians will hold those lacking the concept blameworthy for instances of stealing, but rather how could reason ever teach these people that stealing is wrong? The issue here is about the acquisition of moral knowledge.

7. At the least, to answer the problems we are considering here, innate moral knowledge would have to include knowledge at birth of the distinction between right and wrong, of the connection between doing wrong and blameworthiness, and of the real possibility of blameworthiness applying to oneself. On the question of knowing the distinction between right and wrong, Donagan quotes with approval Whewell, who claimed it “must be a distinction discerned by some use of the faculty of Reason which is common to all mankind.” W. Whewell, *The Elements of Morality* as quoted in *The Theory of Morality*, p. 133. Evidence of universal knowledge of anything among infants is slim and highly controversial.
8. P. Gosselin has argued that this objection undermines my argument.

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- ⁹. Kant in the first paragraph of Chapter I of his *Groundwork of the Metaphysic of Morals* speaks of happiness not being a good thing when enjoyed by someone unworthy of it, i.e. if not deserved. Cf. P. 61 (Prussian Academy p. 393). Kant also claims that “punishment is reserved exclusively for free, but unlawful wills.” *On the Proverb: That May be True in Theory, But Is of No Practical Use, in Perpetual Peace and Other Essays* trans. T. Humphrey (Indianapolis: Hackett, 1983), p. 71 (Prussian Academy p. 288). Only free unlawful wills can deserve punishment or blame.
- ¹⁰. Consequentialists need have no objection in principle to unavoidable blameworthiness as blameworthiness can be assigned so as to maximize the best consequences according to these views. Whether the agent could have avoided having the blame assigned does not necessarily have to be considered.
- ¹¹. Donagan, *The Theory of Morality*, pp. 129-130 and 134-138.
- ¹². Cf. Donagan, *The Theory of Morality*, pp. 6 and 12.
- ¹³. An earlier version of this paper was presented to the Canadian Philosophical Association meetings in Victoria. I thank the audience, as well as J. C. McKenzie, K. Corrigan, C. Still and a reviewer from this journal, for helpful suggestions.