

## Manipulation Arguments and the Moral Standing to Blame

Matt King

**I**N A PUBLIC SERVICE ANNOUNCEMENT (PSA) that regularly ran on television when I was growing up, a father confronts his teenage son about a box of drugs recently found in the boy's room. He grows increasingly angry in response to his son's denials and presses him on where he learned to do drugs. As the tension escalates, the boy finally shouts, "You, alright? I learned it by watching you." The lesson, as the narrator explained, was that parents who use drugs have children who use drugs.

While the main purpose of the ad was no doubt to dissuade drug use, it is also an illustration of what looks like problematic blaming. The father is clearly blaming the son for the latter's drug use, despite his own similar behavior, and the son is exasperated at being called out over behavior the father routinely engages in.

A number of philosophers have recently written on the moral standing to blame.<sup>1</sup> Specifically, the thought is that there are cases in which A is unable to legitimately blame B despite B being blameworthy. Assuming that the child's drug use is itself blameworthy, the PSA illustrates such a case. The father's own drug use may undermine his standing to blame his son, and yet this need not affect the son's underlying blameworthiness.

There are different ways to interpret the phenomena regarding the standing to blame. Some seem to treat the moral standing to blame quite strongly, in a way that mirrors the legal standing to bring suit. In the civil law, not everyone may bring suit against another. Even if it is clear that the defendant has acted wrongfully, typically only the one wronged can actually bring suit. Other challenges will not be recognized. Thus, having legal standing is an enabling condition on the ability to bring suit; without it, one simply fails to engage in that legal action.

If the moral standing to blame were like legal standing in this way, then the father would be unable to blame the son. Though he might be angry or shout at the boy (as indeed he is and does), none of this could count as proper blame. I am inclined to think this is too strong an interpretation. Surely, the father is blaming the son here.

This observation, however, does not doom the discussion. For on a weaker interpretation, the standing to blame refers only to being able to blame another legitimately. Standing, in this case, is not an enabling condition on the very possibility of blame, but rather it enables one to blame with license or justification. In the case of the father's hypocritical blame, his hypocrisy does not prevent his successful blaming; rather, it renders his blame morally problematic.

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<sup>1</sup> E.g., Bell (2013), Cohen (2006), Duff (2010), Wallace (2010), Watson (2013).

Most discussions of the standing to blame tend to focus on blamers who themselves are blameworthy. This is unfortunate, for there is much to learn about the standing to blame once we consider a broader range of cases in which the blamers either are not blameworthy at all, or where their blameworthiness is not central to what is problematic about their blame. If I am correct, then challenged standing is more expansive than perhaps previously surmised, and accounts that purport to explain the standing to blame will have to consider these cases as well. Since many of the extant accounts have privileged the fact that the blamers are themselves morally culpable, it is likely such accounts will require revision.

One such account has put the standing to blame to novel purposes. Patrick Todd has advanced an argument for incompatibilism that ostensibly depends on considerations involving the standing to blame. I believe this argument fails. But its failure is instructive, for it allows us to appreciate the numerous ways in which one's blame can be morally problematic, and thus in which one's standing to blame can be challenged. Thus, while one objective of this paper is to show why Todd's argument fails, the larger aim is to use that argument to frame my discussion of some important ways in which the standing to blame can be compromised.

## 1. Manipulation and Moral Standing

In "Manipulation and Moral Standing," Patrick Todd purports to give us a new argument for incompatibilism (18).<sup>2</sup> His argument draws upon a popular recent strategy for showing responsibility to be incompatible with determinism. One gives an initial case in which some agent determines that another agent acts in a particular way. But the manipulation here is indirect: The manipulator manipulates the background conditions and circumstances, or the agent's constitution from birth, or some other set of features, to ensure that the action is performed, usually some considerable time after the initial manipulation. Todd approvingly cites such a case from Al Mele:

Diana creates a zygote *Z* in Mary. She combines *Z*'s atoms as she does because she wants a certain event *E* to occur thirty years later. From her knowledge of the state of the universe just prior to her creating *Z* and the laws of nature of her deterministic universe, she deduces that a zygote with precisely *Z*'s constitution located in Mary will develop into an ideally self-controlled agent [call him Ernie] who, in thirty years, will judge, on the basis of rational deliberation, that it is best to *A* and will *A* on the basis of that judgment, thereby bringing about *E* (Mele 2006: 188).

If moral responsibility is compatible with causal determinism, then it should also be compatible with "the thesis that a given agent designed the world at some past time precisely so as to make it causally inevitable that one per-

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<sup>2</sup> Todd (2012). All page numbers refer to this article, unless otherwise noted.

forms the particular bad actions one performs” (2). In short, the truth of compatibilism should imply that responsibility is compatible with “the thesis that all of our actions, down to the finest details, are the inevitable outcomes of the designs of some further agent ‘behind the scenes’” (2).<sup>3</sup> But, so the thought goes, Ernie is not responsible for acting if his action is just part of some complicated machinations set into motion by another agent. Since compatibilism implies a false claim, compatibilism is false. In response, compatibilists have, on the whole, mounted defenses against these so-called manipulation arguments.<sup>4</sup>

For the most part, debate over these kinds of cases has centered on whether or not Ernie (i.e., the manipulated agent) is in fact blameworthy for so acting.<sup>5</sup> One common way to suggest that he is not is by way of arguing that it would be inappropriate of us to blame Ernie. But Todd’s approach is different. He asks us to consider a new case of manipulation by design and ask whether the *manipulator* would be able to legitimately blame the manipulated. In Todd’s version of the case, he imagines a world governed by theological determinism, where “God ... designs the stage, writes the script, and puts the play into motion – and it is causally impossible that the play depart in the slightest detail from the script [God] wrote for it” (4). Every event in the universe follows the plan, including human actions. One of these actions is Ernie’s wrongdoing (e.g., the murdering of someone for selfish ends). According to Todd, “it is ... deeply counterintuitive to suppose that God may blame the characters in his deterministic play,” for “[h]ow could it be appropriate for God to blame us for (so to speak) *perfectly performing* the roles he assigned to us” (5)?

The question here is naturally interpreted as one of standing. God’s standing to blame Ernie is compromised in some way. Todd thinks that this fact, if it is a fact, is best explained by the truth of incompatibilism. It is because Ernie lacks free will under theological determinism that explains why God cannot blame him. He represents his argument thusly (5):

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<sup>3</sup> It is worth noting at the outset that this claim is not obviously true. General causal theses like determinism are not clearly equivalent to design by a particular agent. To cite just one intuitively important difference, there are additional responsibility facts under the second thesis. “Behind the scenes” manipulators are responsible for at least some of the facts that obtain, whether it is aspects of the manipulated agent or other background conditions. In contrast, under causal determinism, no one need be responsible for the background conditions.

<sup>4</sup> For defenses, see Fischer (2011), McKenna (2004) and Talbert (2009). See King (2013) for an argument that such cases do not (and cannot) count in favor of incompatibilism, and Tognazzini (2014) for a response.

<sup>5</sup> Mele himself calls cases like Ernie’s “original design cases” and contrasts them with manipulation cases, which involve the covert alteration or management of an already existing agent’s beliefs, values, dispositions, etc. by another agent. But the differences are disputable, and, at any rate, will not affect the arguments to come.

- (1) On theological determinism, God cannot blame us for the wrong actions we perform, even if we meet all compatibilist conditions for being morally responsible with respect to performing them.
- (2) The best explanation for the truth of (1) is incompatibilism.

So,

- (3) Incompatibilism is true.<sup>6</sup>

Todd thinks compatibilists will be inclined to agree with (1). But they cannot accept (3). Thus, the burden falls to the compatibilist to deny (2).

I do not think the argument succeeds. While I think it an open question whether (1) is true, I do think (2) is false. The best explanation of whatever is true about (1) is not that Ernie lacks free will, but rather has to do with God's role as the designer/manipulator. Indeed, we should *expect* this to be the case. After all, were Todd correct, whatever is odd about God's blaming Ernie would apply to everyone. If B is not blameworthy, then not only would A's blame be problematic, but so would blame from C, D and F. But this is not so. God's blame of Ernie seems peculiar and problematic in a special way, and this plausibly should be explained by features specific to God. A natural starting place for such an explanation is God's role as scripter of the universe.

In the next two sections, I argue that there are significant moral reasons against God blaming Ernie, resulting from God's role as designer/manipulator. I think these reasons provide a better explanation of why God cannot fairly blame Ernie for his wrongdoing. And as they draw on quite general observations about the standing to blame, none of them requires incompatibilism being true.

## 2. The Strains of Involvement

My plan going forward is to suggest ways in which God's involvement in the design of the universe makes God's blame of Ernie morally problematic. To preview, my suggestion in this section will be that, in the described scenario, under theological determinism, God is implicated in Ernie's wrongdoing. Thus, there are moral reasons of a particular kind that make God's blame of Ernie unfair. So long as such moral reasons are consistent with the truth of compatibilism, this would offer an alternative explanation of the truth of (1).

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<sup>6</sup> Todd notes that the argument is enthymematic, with the suppressed premise being the conditional: "If the best explanation of (1) is incompatibilism, then incompatibilism is true." For argument's sake, I will grant Todd this assumption, but it seems to me a highly controversial premise. Even were incompatibilism the best explanation of what is wrong with God's blame of Ernie, we might think no *single* case or type of case should decide the correct answer to the compatibility question. Providing the best explanation of one set of data is consistent with providing unsatisfactory explanations elsewhere. This is an all-too-common occurrence in the history of science.

Todd thinks no such alternative explanation can be given. In his view, no appeal to diminished standing will adequately apply to God. He considers it a plausible line of thought that since God is “involved” in Ernie’s wrongdoing his involvement undermines his standing to blame. But Todd rejects this as a general principle, claiming that standing to blame is undermined by involvement “only when the [blamer’s] involvement either (a) was itself wrong or (b) took away or diminished the [blamed] agent’s free will” (14).<sup>7</sup> His reasoning is that a bevy of related claims falling under the banner of “You were involved in it too” are only effective defenses to blame when one of these two conditions obtains. Candidate claims include, “You ordered me to do it,” “You asked me to do it,” “You gave me the means to do it” and “You forced me to do it.”<sup>8</sup> In all of these cases, Todd thinks, one of three things is true: The blamer retains her standing to blame, the blamer’s involvement was itself wrong or the blamer’s involvement diminished the target’s responsibility.

Importantly, Todd contends that God’s involvement is neither wrong nor does it undermine Ernie’s responsibility (on a compatibilist reading). The latter is stipulatively true, since Ernie *ex hypothesi* satisfies all compatibilist conditions on responsibility. The former is true, on theological determinism, because God’s script realizes a maximally good world. Thus, Todd concludes that God does not have diminished standing to blame (if compatibilism is true). If this is right, then the compatibilist cannot explain the truth of (1) by appeal to God’s lack of standing, for there are only two conditions that can do the requisite work and neither apply.

In the remainder of this section, I show that there are forms of involvement that compromise a blamer’s standing, despite neither undermining the target’s responsibility nor turning on facts about the blamer’s own wrongdoing. These cases support alternative explanations of God’s compromised standing to blame, but they also indicate a broader range of considerations relevant to standing worthy of further examination.

Suppose Charlie knows that Linus, who has a weakness for sweets, is trying to lose weight. Nevertheless, he takes Linus to a place for dinner that (he knows) is located next to an incredible ice cream shop. Quite predictably, after dinner Linus visits the shop next door and has some ice cream. Charlie may have acted quite permissibly, if a bit unkindly. But even if Linus is to blame for renegeing on his commitment to diet (e.g., his family and friends might rightly hold him responsible on this score),<sup>9</sup> Charlie may not be in a position to legitimately blame Linus for it. And this is because Charlie can be

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<sup>7</sup> I have changed the labeling for these conditions from numerical to alphabetical to avoid confusions with my use of the premises from Todd’s argument and references to page numbers in the target article.

<sup>8</sup> Here, he follows discussion in Cohen (2006).

<sup>9</sup> We may suppose that this is not just an aesthetic decision to shed pounds but also part of a larger program to reach a healthier weight, and that he has made relevant promises to his spouse, say.

partly responsible for Linus's failing even while Linus is wholly responsible for it.

For those who may be apt to think Charlie is in a perfectly good position to blame Linus, consider what such an exchange would look like. Imagine Charlie scolding Linus for sheepishly ordering a scoop of mint chocolate chip. Linus's indignation might rightly flare at this point. He might insist, "But you brought me here knowing just how difficult it would be for me not to get ice cream. You know I am trying to avoid sweets; you know how important losing weight is to me. And not only do you throw a huge temptation at me, you have the gall to blame me for succumbing to it!"

It seems to me that something is problematic about Charlie's blame here, and it plausibly has something to do with the fact that he knowingly placed Linus in a position to fail. Still, it need not be the case that Charlie has done anything wrong. He need not be ill-intentioned in proposing the dinner spot. He might reasonably believe that Linus will resist the temptation, or that it is important for Linus to meet these challenges head-on. Even so, it seems as though Charlie's involvement reduces his ability to fairly blame his friend.

We can extend this line of thinking to Ernie's case. We can hold that God is partly responsible for Ernie's bad action even while Ernie is wholly responsible for it. Responsibility for wrongdoing is not a zero-sum affair, such that partial responsibility by one party mitigates another's liability. Wrongdoers may be entirely blameworthy for their wrongdoing, and yet others may be importantly involved in the wrongdoing. And this involvement is just the sort of thing that can render one's own blame problematic.

It is important to note that this feature is entirely neutral with respect to the debate about free will. God's blame could be improper even in cases of robust libertarian free will. Even if Linus can do otherwise (in an incompatibilist sense) and agent-cause himself to eat ice cream or not, Charlie's standing to blame could be diminished if he knowingly put him in the grip of temptation. It would not do at all for Charlie to say, "But Linus, you have free will, and so whatever you do is entirely your responsibility." Linus need not deny that he has free will, indeed, that he has robust free will, to criticize Charlie's blame.

It seems to me that one's involvement in another's blameworthiness often undermines one's legitimate blame. Moreover, this involvement can take all sorts of forms. In addition to Charlie's involvement, there are (ordinary) manipulators and accomplices. On the first score, Iago obviously cannot fairly blame Othello for Desdemona's murder. After all, Iago purposely misled Othello and encouraged his false beliefs.<sup>10</sup> On the second score, suppose Abe and Beatrix work with SWAT and plan to rescue a group of hostages, and the plan involves Beatrix assaulting a kidnapper. Abe loses his ability to legit-

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<sup>10</sup> As a refresher on Shakespeare's tragedy, Iago, in a plot of revenge, seeks to convince Othello that Desdemona has been unfaithful. Believing this to be true, Othello kills her.

imately blame Beatrix for the assault, and at least part of the reason is that he is involved as an accomplice to the action. He might well disapprove of assault generally, and so does not approve of Beatrix's action, but agreed to this element since it was necessary for the rescue to succeed.<sup>11</sup> Still, he cannot appropriately blame her for it.

Of course, Iago is himself acting wrongly, and so one might worry that he loses his standing because he has acted wrongly.<sup>12</sup> Todd claims that this is the only kind of involvement that can preserve a target's blameworthiness and yet render blame of them problematic. The thought is something like: Wrongdoers cannot blame other wrongdoers. This principle is ambiguous, however, and on one reading it is false, while on the other it may be true but does not apply in these cases. The first interpretation of the principle suggests that only those free of wrongdoing have license to blame others. But this is false. Most of us have done wrong before, but we do not take our ability to blame to be undercut. One might instead think that so long as one is less blameworthy than another, then one can still blame him. But that also does not seem right. In particular cases, the degree of culpability or viciousness of some agent might be especially salient, and it may be so severe so as to throw the legitimacy of blame into doubt. Ordinarily, however, we do not first ensure our respective level of culpability is low enough before legitimately blaming, nor should we. Let us allow that we ought to marshal our blame carefully and be judicious in its expression, that it is worthwhile to look at ourselves and be mindful of our own misdeeds in determining how to respond to those of others.<sup>13</sup> But such acknowledgement need not undercut appropriate blame universally.

On the second interpretation of the principle, wrongdoing undermines one's standing to blame for a like instance of wrongdoing. It is not general culpability that presents the problem, but rather a particular kind of hypocrisy. Nestor blames Mimi for breaking into his house, left vacant while Nestor was also out burglarizing. Here, it is not Nestor's general culpability that is at issue, but rather his status as a burglar. He cannot legitimately blame Mimi for something he routinely does.

I do not think the principle is true even on this second reading. Indeed, we often blame others (and rightly so) for conduct that is not dissimilar from things we have done before. I may blame a friend for violating a trust or complain that a driver has shown insufficient care, without committing myself to the proposition that I have never violated a trust or been less than a model driver. Such a standard would arguably make the whole business of appropriate blame impossible. So I reject the claim that wrongdoers cannot

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<sup>11</sup> Acceptance of bad elements in overall justified plans is a point to which I will return in the subsequent section.

<sup>12</sup> Similarly, we may think of many criminal accomplices that it is their own wrongdoing that explains their diminished standing to blame their colleagues.

<sup>13</sup> As the saying goes, "People in glass houses shouldn't throw stones."

blame other wrongdoers, even when the wrongdoing in question is the same between them.<sup>14</sup>

But even if this second interpretation were correct, it would not apply to Iago. He does not do the very same thing he is blaming Othello for. Iago misleads and manipulates, but he does not murder.<sup>15</sup> Yet, despite not being guilty of the very conduct for which he is blaming others, he does not have full standing to blame.

So, I do not think that the wrongness of the conduct has much to do with the appropriateness of blaming. I think the better explanation is that Iago is *implicated* in the very conduct he is blaming for. He cannot pretend he had no hand in the wrongdoing, and this is still consistent with not mitigating Othello's culpability at all. I cannot here give a full accounting of what sorts of implication are required to undermine one's standing to blame. But as the examples indicate, I think there are likely numerous ways in which people can be involved in the affairs of others that undercut their standing to blame. In some cases, such involvement will itself be permissible (Charlie) or justified (Abe). In other cases, the involvement is independently wrong (Iago). In some other cases, perhaps, the implication will be the lack of involvement when one ought to have intervened.<sup>16</sup> I do not have a general principle for grouping all these various cases. But I do not think I need one to make plausible that it is the potential blamers' implication that compromises their standing to blame. Even if I cannot make precise what sort of involvement does do the undermining, I think it is clear that it is not its wrongfulness per se nor that it mitigates the responsibility of the one blamed.<sup>17</sup>

Todd notes that many cases of implication may leave one's standing to blame intact. For instance, he suggests that there might be cases in which one (permissibly) gives another the means to do his wrong act, and yet one might retain one's standing to blame (14-15). Though he does not give us an example of such a case, I think it is clear enough what he has in mind. Suppose Lucy asks Franklin for a rifle, which Franklin lends to her. And now suppose

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<sup>14</sup> What might do the right work here is blaming someone for something one does that one judges is OK to do. Such blame would be hypocritical since one is in effect claiming a privilege to do something without extending it to others similarly situated. But this looks less like it is a matter of having done wrong, and more about one's conflicting attitudes. The very same hypocrisy would be present, for example, in someone advising their sibling to save for retirement without themselves saving, though identically situated.

<sup>15</sup> Technically, this is not true of the original play, but we can ignore that detail.

<sup>16</sup> Imagine that I could have passed on information to you that would have caused you to avoid doing wrong and yet I refrained.

<sup>17</sup> This is consistent with wrongness being part of an explanation for why some instances of blaming are problematic. We could imagine a horrible dictator, guilty of countless atrocities, blaming his son for telling a white lie to his mother. At least part of what seems problematic here is the moral character of the one doing the blaming, and the respective gravities of the offenses. I do not deny that one's own wrongdoing can be relevant to the appropriateness of one's blame. I just do not think it is relevant to what is problematic about God's blame here (just as it is not necessary for Iago's compromised standing).



Lucy shoots someone with it and in so doing acts wrongly. I am willing to grant that Franklin acted permissibly in lending Lucy the rifle. We may question giving another a firearm without any inquiry as to the intended purposes, but perhaps Lucy simply lied. In such cases, Franklin retains his standing to blame. That one has given another the means to do wrong does not necessarily compromise one's standing to blame them.

Even if this is true, however, it is not relevant to God's blame under theological determinism. This is because God does not merely provide Ernie the means of doing the wrong; he does so *intentionally*. Ernie cannot lie to God about his intended purposes and God cannot claim ignorance about the prospect of future wrongdoing. It is all contained in the plan, and it is *God's* plan.

Return to Lucy and Franklin. Suppose Lucy does not lie and Franklin has every reason to believe that she will put the rifle to wrongful purposes. Now it does look like Franklin loses his standing to blame once he has given Lucy the rifle. Indeed, this can be so even if we think that, strictly speaking, Franklin does not act wrongly in providing Lucy the means. Such a feature should be familiar from the literature on "dirty hands."<sup>18</sup> Actions may be permissible though they leave a moral residue. One way this residue might manifest itself is in affecting the ways in which one may respond to those involved in the act. This may be the case with Franklin. He need not act wrongly in giving the rifle to Lucy, but his involvement may still be sufficient for his standing to blame to be compromised. And if Franklin's standing is compromised, plausibly, so is God's.

If this is right, then we have an alternative for explaining why God cannot blame Ernie under theological determinism. Even granting that Ernie is wholly responsible and fully blameworthy for his wrongdoing, God is certainly implicated in bringing it about. And such implication can explain his lack of standing to blame Ernie. Ernie's response to God's blame, then, can be similar to Linus' response to Charlie's: "Gee, thanks a lot! I know I screwed up, but do not act like you had nothing to do with it." I submit that such implication is of a kind to compromise one's standing to blame.

As a final comment on this first strategy, it is worth emphasizing that my proposal here is parsimonious with various positions in the free will debate. Nothing about implication presumes any thesis *vis-à-vis* determinism. Indeed, if my proposal so far is anything like on the right track, it helps to indicate why generalizing from theological determinism to ordinary causal determinism is problematic. For while God can plausibly be implicated in Ernie's action, the same cannot be said for the causal laws of nature and the impersonal universe. Since neither can itself blame, whatever norms of appropriate blame implication might affect would not apply. I take this independence to be an advantage of my view. It is perfectly general, and, thus, if

<sup>18</sup> Though reference to the phenomenon is much older, Walzer (1973) appears to first introduce the label.

it can explain what is wrong with God's blame of Ernie, given its weaker commitments, it is preferable to one that requires incompatibilism to be true.

### 3. Blame and Justifications

In the previous section, I argued that God cannot blame Ernie without incurring criticism, the source of which is God's own implication in Ernie's wrongdoing. I think this involvement succeeds in explaining why God's blame is unfair. But God's implication in Ernie's wrongdoing is just one salient aspect of the situation. In this section, I develop my proposal by highlighting a second feature of Ernie's case. By incorporating this feature, my alternative explanation for (1) can capture an even stronger sense in which God's blame of Ernie is problematic.

Todd is convinced that the only things that can explain God's problematic blaming are that Ernie's action is determined and incompatibilism is true. Thus, Ernie is not responsible for acting, and so not blameworthy. If he is not blameworthy, he cannot (justly) be blamed. To appreciate my alternative explanation, we first have to recognize that there are at least two ways one could fail to be blameworthy for some action. The first way, identified by Todd, is by not being responsible for it. One can dismiss a charge of blameworthiness for a murder, say, if one committed no murder. Perhaps you killed, but only by complete accident, or via a spasm, or some other kind of exculpating factor. If incompatibilism and determinism are true, then every murderer has an excuse, because no one is responsible for anything. Defenses against charges of blame that point to diminished or absent responsibility can be categorized as excuses (or exculpations).<sup>19</sup>

But there is a second way to fail to be blameworthy. One can fail to act wrongly. Thus, one can dismiss a charge of blameworthiness by disputing that the object was morally defective. Though it may look like one murdered, one in fact killed in self-defense. In such circumstances, one does not dispute that one is responsible for so acting; rather, the dispute regards the status of the thing one is responsible for. Defenses to blame like this can be categorized as justifications.

While both excuses and justifications can undercut one's blameworthiness, and thus render blame unjust, they operate in different ways. Excuses diminish, whereas justifications preserve, the agent's responsibility. Recall that Todd limits explanations of diminished standing via involvement to those that undermine another's responsibility. So any alternative explanation of God's unjust blame must preserve Ernie's responsibility. Justifications are a natural place to start.

Could Ernie be justified for killing for selfish reasons under theological determinism? Answering that question depends a lot on what we think the

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<sup>19</sup> Defenses to blame are complicated affairs, and I do not mean the proposed categories to amount to anything more than a useful way of framing the present discussion.

details of a theory of justification are. I pursue a slightly different tack. Instead of arguing that Ernie is outright justified, I will argue that at least God's relation to Ernie is *like* a potential blamer's relation to a justified agent. If the similarities are strong enough, as I argue they are, we will have further resources to incorporate into an alternative explanation for (1).

I will begin, however, with the more contentious claim that Ernie in fact acts justifiably. I will then consider problems with that claim as I weaken the position to one of similarity. Recall one of the ways in which Todd characterizes what is odd about blaming Ernie. He writes, "[h]ow could it be appropriate for God to blame us for (so to speak) *perfectly performing* the roles he assigned to us?" (5). After all, Ernie does exactly as he is supposed to; he does just as the script says. Todd also emphasizes the fact that God does not act wrongly in writing the script. He has to say this, for otherwise God's involvement might itself be wrong, a feature that could itself render blame inappropriate. So Todd's explanation of (1) requires that God be justified in scripting the universe such that Ernie acts wrongly when he does. But if this is right, then we have the basis for a justification for Ernie.

If God is blameless for the script, this is presumably because God has designed the world to be very good overall (perhaps the best possible world). Ernie's action is thus a *necessary* means to achieving greater good (or best). But that would mean that Ernie's bad action was a necessary evil. If Ernie does not act badly, then the world would not have been sufficiently (or maximally) good. After all, that is why God wrote the script that way.

Indeed, it *must* be the case that Ernie's bad action is necessary for the greater good. If God could have achieved as good or better a world by writing a script that did not include Ernie's murdering in this instance, then that would imply that God did act wrongly in drafting this particular script rather than that alternative. God should have scripted less badness rather than more. But if God acted wrongly in setting up the universe, then this could undercut God's blame.<sup>20</sup>

One might object that Ernie cannot claim to be justified because he does not know that he is bringing about the greater good when he acts. His knowledge is limited, and he might be totally isolated from accessing God's script. Subjectively, he is acting on selfish reasons, and to be justified he must act for good reasons. He should act at least in the belief that he is bringing about greater good.

In response, we might allow that Ernie's subjective position could affect the success of his justification defense to the blame of his colleagues.<sup>21</sup> But

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<sup>20</sup> Admittedly, it could be the case that the good to be realized required someone to do evil, and if not Ernie, it would have been someone else. Still, even under such conditions, Ernie could argue that it is his action that secured that goodness, and so his action is justified, even if some other agent could have been the one to so act. It is just that, under those circumstances, it would have been a different agent who was justified.

<sup>21</sup> This is because, being ignorant of theological determinism, those around him would be ignorant of its role in realizing the greater good (just as Ernie himself would be). This sug-

surely it would not affect his defense against God's blame, for God *does* have perfect knowledge and knows of the necessity of Ernie's actions to the whole plan. Thus, even if Ernie lacks access to this defense, we can provide it on his behalf, and God is precisely least able to reject it as a legitimate defense.

More importantly, if Ernie *could* have acted in the knowledge that he was justified, and still acted in the same way, then God should have scripted things like that. And it is hard to see why it would be necessary for Ernie to act on selfish reasons in order to bring about the particular outcome in question. In short, if God is justified, so must Ernie be. And if Ernie is justified, then he is not blameworthy, despite being responsible for doing whatever he does. But if Ernie is not blameworthy, then God's blame of him would be unjust.

These observations suggest that Todd too quickly rejects the idea that God's blame may be in *bad faith*. He argues that God can determine that Ernie acts as he does without approving of Ernie's action itself (7-8). And I think this is partially true. But it obscures the very claim I am pointing to here, which is that Ernie's action appears justified in the *context* of God's plan. If Ernie's bad action is necessary for the greater good, then there is a sense in which God can still disapprove of it. If it is a murder, God need not approve of murder or think it is good by itself. But in another sense, God must approve of Ernie's *particular* murder, at least insofar as it is necessary for the greater good. God would not want Ernie to have acted differently, for instance – that is why the script contains the murder in the first place.<sup>22</sup>

I think these considerations generate a dilemma. If God acts wrongly in creating the world as he does, then, *pave* Todd, his status as wrongdoer could explain the truth of (1). If he acts permissibly, however, then the best explanation for this fact is that he scripted a maximally good world, in which each scripted element is necessary for achieving this greater good.<sup>23</sup> But if this is true, then Ernie's action is a necessary element for achieving the greater good. It has to be necessary, otherwise God could have done better by changing the script. And if Ernie's bad action is necessary for the greater good, this is an excellent ground for justification, and justifications render blame unjust. Thus, whether God acts wrongly or permissibly in scripting the world in this way, God's blame of Ernie would be problematic.

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gests that those around Ernie might be able to legitimately blame him despite his not being blameworthy, but I'll not pursue this interesting possibility here.

<sup>22</sup> This is arguably true of all "greater good" justifications. Stealing a loaf of bread to stave off starvation may be justified. We need not condone stealing generally to permit it in dire circumstances. Counting self-defense as a justification does not commit us to approving of killing generally.

<sup>23</sup> Interestingly, I do not find it obvious that God acts permissibly even if the universe created is maximally good, at least on the assumption that God need not have created a universe at all. Intentionally using others even to produce excellent results when one could have opted for a null set grounds criticism. But I set aside this worry.

It is the very structure of theological determinism that poses the problem here. Given the facts involved in God's scripting the universe, along with the necessity of Ernie's role in that universe, it follows that either God acts wrongly in having Ernie act badly, or else Ernie is justified in so acting. On either result, however, God's blame would be inappropriate. Thus, we have an alternative explanation for the truth of (1).<sup>24</sup>

Still, it remains open to resist the claim that Ernie is all-things-considered justified in acting as he does. One might point to the fact that Ernie's contemporaries could plausibly blame him without criticism and the fact that he acts on selfish reasons to show that grounds for blame must still be there, since otherwise everyone would be robbed of their standing to blame. Though I think this is too strong, let us adopt this assumption for the moment. I want to close this section by showing that, even if Ernie is not technically justified, he is enough like a justified agent, at least in relation to God as designer and blamer, to explain why the role of his action in bringing about the greater good nevertheless shows why God's blame is unjust.

Consider a parallel case. Cain is intent on killing Abel, and for selfish reasons. So he goes out in search of Abel to conduct the murderous deed. Cain believes he spies Abel in the distance, and, wanting to give his enemy no advantage, takes deliberate aim and shoots him dead at range. During all of this, Cain's movements have been closely followed by Seth. Seth knows Cain's plan, knows his reasons, but he also knows that the man Cain targets is not Abel, but a terrorist who looks very much like Abel (especially at a distance) and who is about to commit mass murder. Indeed, the terrorist is about to detonate a bomb (that would kill millions) when Cain kills him.

Now, I think it is open whether Cain is justified for killing the terrorist, since he is not aware that he is saving millions of lives.<sup>25</sup> But even if we conclude that he is not justified, and so perhaps open to blame from some, it is notable that *Seth* looks ill-placed to blame Cain for his action. Knowing as he does the greater good that was achieved, Seth's blaming Cain looks inappropriate. To keep Cain's case close to Ernie's, we can suppose that if Cain had learned that his target was not really Abel, he would not have shot (presumably, he was so intent on killing Abel that he would do nothing that did not contribute to that goal). Under such a supposition, Seth would not have wanted Cain to know the truth, would not have alerted him to that fact and,

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<sup>24</sup> Though I am combining my proposals here, it is worth noting that one could accept either of my alternatives and still explain why God's blame is problematic. That is, even if you reject that God's involvement is itself problematic, you could accept that Ernie is like a justified agent (or vice versa).

<sup>25</sup> Cain does operate under a mistaken belief, and sometimes mistakes excuse an agent. But this seems to be true only when the agent would have acted permissibly had the belief been true. Since Cain would act wrongly if the world were as he believes it to be, it does not seem his mistake can help him here.

indeed, would have wanted him to do just as he did.<sup>26</sup> Even if Cain fails to have a proper justification, then, Seth's standing to blame appears compromised. And if Seth's standing is compromised, then I think God's standing is compromised for the very same reason. Thus, even if Ernie fails to be technically justified, we can still show that God's blame would be inappropriate, without concluding that this is because Ernie is not morally responsible.<sup>27</sup>

Part of the reason that Seth's blame looks unjust is that it is unclear what form it could legitimately take. Seth cannot be angry with Cain for having killed Abel, anymore than one can be angry with a justified agent. He could perhaps be angry at the world or the circumstances that necessitated the act, but not with Cain's part. He cannot think Cain acts wrongly, in the big picture, because Seth accepts that killing Abel is what has to be done. And he cannot very well claim that Cain should have acted differently, since, *ex hypothesi*, Cain's action was the only way to save millions of lives. All of this applies equally to Ernie. Ernie's action is also necessitated by the greater good, and so God cannot be angry with him, cannot think he acts wrongly (in the big picture) or that he should have done differently. Indeed, this is doubly true for God, because God cannot even be angry that circumstances necessitated the action, for God constructed those very circumstances.<sup>28</sup>

Still, we can surely distinguish between Cain and a justified agent, Leah, who kills a terrorist in awareness that she is acting for the greater good.<sup>29</sup> What distinguishes Leah, of course, is that she has the proper motive for the killing. We can imagine she is reluctant to have to kill, would prefer avoiding it, but, as the circumstances require it, finds that she must kill. Cain, on the other hand, is not motivated by the greater good. He is acting only selfishly; the greater good is (in one sense) achieved only fortuitously.<sup>30</sup> This means, of course, that Cain is plausibly blameworthy for a host of things, from wanting Abel dead to planning to kill him. Even when he kills Abel he is plausibly blameworthy for his faulty motivation in doing so.

<sup>26</sup> I am imagining that, while Seth can interact with Cain, he is unable to do the killing for him. So the only way to prevent the detonation is to let Cain kill. Presumably, this suggests that Seth is justified in letting Cain kill, even though it is for selfish reasons. These assumptions seem warranted, however, since they apply *mutatis mutandi* to God's position with respect to Ernie.

<sup>27</sup> It is worth adding that this reason, whatever it is, would also seemingly be available in any world in which Ernie's action is necessary for the greater good, in which God exists, and in which God can causally intervene, regardless of whether that world is deterministic or not.

<sup>28</sup> This point may be reinforced by the fact that, per Todd's description of the case, Ernie "perfectly performs" his assigned role. Part of what may be counterintuitive, then, is a kind of incongruity in blaming someone for something they did perfectly. If x was done perfectly, what is left to criticize? I am suggesting that something in the neighborhood of justifications could help clarify the nature of that dissonance.

<sup>29</sup> I leave the details to the reader. Some may think that there are no such cases of justified killing for the greater good. If so, then I suspect that Ernie cannot be justified either, but then it also seems that God cannot be justified in scripting the world in that way.

<sup>30</sup> Though, of course, in Todd's case, it is not, for the killing is part of God's script, and so no coincidence.

So Cain can be blameworthy for many things without being blameworthy for the actual killing. We might defend this line by generalizing from Seth's situation. Since the killing was necessary for the greater good, to the extent that it is the justifiable option, it cuts Cain off from culpability for the act itself and its results. Since the act was necessary for the greater good, just as Seth could not have wanted Cain to do differently, neither can we. What would we have wanted from Cain? That he not do that which saved millions of lives? I think that the brute justificatory force of the circumstances, that his killing the terrorist was necessary, means that we should want Cain to kill him. Given his motivations, this requires that he act under his mistaken impression that the terrorist is Abel.

A critic with a more expansive view might insist that there is something we could want Cain to do differently. We could want him to be like Leah – that is, we could want him to not only do what needs doing but also for the right reasons.<sup>31</sup> The desire here is for Cain to rid himself of all that morally taints his killing of the terrorist, to act with whatever motivation is required of the wholly justified agent.<sup>32</sup>

It is unclear, however, what this amounts to in the present case. Suppose Seth does have this desire. He might lament: “If only Cain would give up his personal quest and kill this terrorist for the right reasons!” But that does not really change the circumstances as we find them. Since Cain will not do that, though we may wish he would, in these unfortunate circumstances we are stuck with the best alternative: Cain killing the terrorist mistakenly but fortuitously. Indeed, since we are most likely to need justifications precisely when circumstances are less than morally ideal, the desire that the circumstances be different is least likely to find purchase here. Perhaps the thought is that, since it is up to Cain what projects he sets for himself, he should never have set for himself this immoral project in the first place. This might be true; though, if he had not set this project, millions would die from the terrorist's bomb. And we would not want that.

Admittedly, at this point we are in danger of speculating ad nauseam. What belongs to an action itself versus its background circumstances is a very thorny issue, theoretically laden, and distracting to our current purposes. For regardless of how we sort the matter out, it will be of no help to Todd's argument. There, Ernie is in the same situation as Cain. But even if it makes sense to want Ernie to have formed different motivations and set different

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<sup>31</sup> On certain moral views, there may be no justified actions per se. Some versions of Kantianism, for example, might only evaluate an agent's maxims or willings, which include the reasons that motivate the action. While I cannot adjudicate between competing moral theories here, I also think that, regardless of whether Cain could be technically justified, it remains true that we would not want him to do differently. This is all I need to make the point in the text.

<sup>32</sup> This desire could apply equally well to a similar case in which Abel is in fact the terrorist, but Cain is oblivious to this fact and only wants him dead for personal gain. In this case, Cain is less mistaken, but no less blameworthy.

projects in bringing about the same result, these possibilities would have been open to God to realize. Seth has no power to render Cain different than he is. He cannot change his attitudes or motives, only wish they were different. But God plausibly could have rendered Ernie differently. That God did not opt for a different psychological profile for Ernie suggests that setting Ernie up that way would not have led to the greatest good being realized.

Thus, pushing too hard on the significance of any desire that things were different than they in fact are returns us to the previous dilemma. Either Ernie must act on the motivations he has, and so the desire is misconceived, or else God could have seen to it that Ernie act from the appropriate motivations, and so does wrong in not scripting the world to be that way.

Indeed, even should it turn out that Cain is in fact blameworthy for killing the terrorist, despite what I have assumed here, it still strikes me that Seth's blame of him would be unjustified. It is unclear precisely what generates the problem, but it seems importantly tied to the fact that, like the justified Leah, Seth could not want Cain to have acted differently.<sup>33</sup> It would amount to criticizing an action that had the bulk of reasons in its favor (even though Cain did not act for these reasons). This is all the more true of Ernie's case, since the bulk of reasons is generated by God's design of the entire universe. Thus, my essential claim that God's blame could be unjust despite Ernie being responsible for acting is preserved.

#### 4. Concluding Lessons

Todd's argument presented an explanatory challenge. The task was to give an alternative explanation, consistent with compatibilism, for why:

- (1) On theological determinism, God cannot blame us for the wrong actions we perform, even if we meet all compatibilist conditions for being morally responsible with respect to performing them.

I considered two aspects of an alternative explanation. First, I proposed that, in circumstances where the blamer is implicated in the object of blame, blame can be unfair. Second, I proposed that Ernie's situation could be modeled on cases in which agents choose the best option under bad circumstances and are thus justified. God's blame would be unjust in the way blaming a justified agent would be unjust. Each proposal gives us an explanation in which God's standing is in some way compromised, and since neither proposal presumes any position with respect to the truth of determinism, each is consistent with compatibilism.

But the significance of these proposals is not limited to funding a rebuttal of Todd's argument for incompatibilism. Consideration of his argument, and of the varieties of ways in which standing to blame can be compromised,

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<sup>33</sup> Compare Sher (2007), which takes blame to involve the desire that the target not have acted as they did.



points us to important lessons for theories of responsibility and beyond. The complexities of our blaming practices require complexity of treatment. If we consider any proposed interpersonal interaction from our actual lives for the morally relevant features of that interaction, it would be unsurprising to be quickly led toward complication rather than simplification. If we want to know, then, why some potential blamer might lack the standing to blame, why their blame is problematic, we should expect the list of candidate reasons to be larger rather than smaller. On Todd's view, the primary explanation for this lack of standing is foundational: roughly, a metaphysical fact. Ernie lacks free will, and so blame would be mistaken. It would lack application. If God's blame would also be unkind, disproportionate or unsympathetic, or violate a duty of equanimity, social equality or manners, then these facts would also have to be explained by the underlying mistake. I suspect, then, that part of why Todd is attracted to his proposed explanation is that it is as basic and fundamental as one could hope to get. But in its fundamentality, the account ignores a significant and substantial complexity to our interactions with others, and risks neglecting legitimate reasons against one's standing to blame that do not depend on facts regarding free will. Consider the following reason A might lack standing to blame B for x: x is none of A's business. While x may be a wrong, it is a wrong between B and C alone, and A's blaming B for it would be meddlesome and intrusive. This fact, if it were a fact, would not be explained by B's lacking free will. But for all that it may still be a fact.

I am not here arguing that a "none of your business" fact diminishes one's standing to blame. All I am trying to show is that it is a plausible enough candidate for diminishing standing, and one that depends not at all on one's free will, but on morally significant features of our interpersonal relationships. If there are reasons that may upset one's standing to blame another that depend on such relational considerations, then, arguably, it is to a view's advantage to account for these considerations. If these considerations do not depend on grounding facts about being responsible, then we ought to capture them elsewhere.

I believe the best place to account for these considerations is as a part of our overall moral theories, downstream from questions of free will, moral responsibility and blameworthiness. This allows us to accept that B might be blameworthy and still A may not be able to legitimately blame B. It also affords us the luxury of explaining this fact by appeal to a multitude of possible reasons, respecting the complexities of our interpersonal moral lives. I will not argue for this view here. I simply note that one attraction to such an account is that it provides numerous resources for capturing the intricate nature of our practices of blaming, the complexities of which I have only touched on in this paper.<sup>34</sup>

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<sup>34</sup> For some excellent examples of recent work in the ethics of blaming, see Bell (2013), Wallace (2010) and Watson (2013).

So, I think that not only does incompatibilism fail to explain what is wrong with God's blame, but appealing to such a fundamental fact would be the wrong approach to take. Others may disagree. They may think that it would be as unsettling to find that one's life had been determined by blind causal forces operating deterministically as to find out it had been scripted by a divine being. But the latter seems far more unsettling to me than the former. Not because it involves a loss of control or responsibility, but because divine beings have intentions and attitudes, and are plausibly governed by rules of morality. This (again) makes designers/manipulators different from the causal laws of the universe. Your determining me to do something is unsettling in a way that my being determined to do it is not, because it involves a violation, something that the causal structure of the universe is not itself capable of. If we add in that you are now blaming me for it, it shows a lack of imagination, I think, to suppose that such blame must be problematic because of the causal order of the universe. A much more fitting explanation cites your own conduct. Your involvement is surely a more accessible area of moral fishiness than anything as esoteric as the structure of the causal laws in the system. For all these reasons, I think that there are good explanations of (1) that are consistent with compatibilism.<sup>35</sup>

Where does all this leave us? Despite my best efforts, an opponent might dig in their heels and insist that God cannot blame Ernie because Ernie is not responsible. Such an interpretation would rule out compatibilist-friendly explanations since Ernie (*ex hypothesi*) satisfies all compatibilist conditions. But such a strategy seems to me unpromising. Part of the significance of the challenge that Todd's argument poses is that it is meant as a novel attack on compatibilism. Given the back and forth between the competing sides and the long history of the debate, a new argument for one of the positions would be a worthwhile accomplishment. The novelty of the argument is predicated on a change of focus: Instead of looking at Ernie's responsibility, as standard manipulation arguments do, we are meant to look at the manipulator's standing to blame. But if God cannot blame Ernie because he is not responsible, then Todd's argument is just another version of a standard manipulation argument. We could just as well rewrite the argument thusly:

- (1) Under theological determinism, Ernie is not responsible.
- (2) Incompatibilism best explains (1).
- (C) Thus, incompatibilism is true.<sup>36</sup>

But surely there is no significance to be attached to using theological determinism here instead of more garden-variety forms. Since God-as-blamer has dropped out of the picture, (1) could just as well state that Ernie is not responsible in determined contexts. But that is supposed to be the *conclusion* of

<sup>35</sup> Though, to reiterate, nothing about my explanations requires compatibilism to be true.

<sup>36</sup> In this form, the argument closely resembles Pereboom's classic "four-case argument" (2001).

the argument. So if the right interpretation of (1) requires Ernie not being responsible, then such an interpretation is not just uncharitable to compatibilists, it begs the question against them.

The point here is not just one about dialectical propriety. It is to reinforce the idea that, when there is something wrong with someone's particular blame of another, we should *expect* it to have something to do with that blamer and their relation to the one blamed. And while we should certainly seek true generalizations of these varied instances, we should also be wary not to force generalizations that strip away what was to be meaningfully explained in the first place. What is striking is that God's blame of Ernie appears *distinctively* problematic.<sup>37</sup> But if in the course of explaining why we eliminate God's role, then something seems to have gone wrong.

This worry plausibly generalizes to manipulation arguments as a class, suggesting that Todd's strategy for developing a new approach is unpromising. Whether it is God, or the less divine manipulators of standard manipulation arguments, if we are to attend to their particular stance with respect to a target of blame, to consider why it is problematic, why their standing to blame might be compromised, it strikes me as a mistake to suppose that the principal explanation should eliminate the manipulators from the equation. But if the manipulators lose their standing because they determine the actions of those manipulated, and in so doing render them non-responsible, their loss of standing is not really a feature of their status as *manipulators*. It would apply to all potential blamers, regardless of whether they had a hand in altering psychologies or genetics. As such, it threatens to explain away what drew our attention in the first place, and it fails to satisfactorily engage with what seems so specifically unsettling in the various cases.

By attending to what is particular about the blamers, however, we can explain what is wrong with their blame. So, the failure of Todd's argument is quite instructive, for it helps direct us toward a wider set of features relevant to the standing to blame. Being implicated in another's wrongdoing can compromise one's standing, in a variety of ways, even if one has oneself acted permissibly. Not only can being justified make another's blame unjust, one's standing can be compromised in cases in which what someone does is justified though they act for the wrong reasons. Appealing to such cases serves to rebut Todd's argument, but identifying the precise boundaries of those cases, the more finely detailed distinctions and operative principles, remains a worthwhile aim of further inquiry.

Matt King  
University of Alabama at Birmingham  
Department of Philosophy  
mail.mattking@gmail.com

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<sup>37</sup> As Michael McKenna put it so well: "That's whack, yo!" (personal correspondence).

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