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A Theory of Moral Responsibility: An Exploration of Guidance Control and the Principle of Alternate Possibilities

Introduction

In their book Responsibility and Control: A Theory of Moral Responsibility, John Martin Fischer and Mark Ravizza offer many different theories as to how we should apply moral responsibility. In this paper I plan to focus on the relationships of regulative and guidance control and background conditions and triggering events to moral responsibility. I will introduce and pursue two cases put forth by Fischer and Ravizza: the train case and the mayor case. Using these, I will expose some flaws in Fischer's and Ravizza's theories before making revisions to Peter van Inwagen's Principle of Alternate Possibilities.

1. Regulative Control vs. Guidance Control¹

Fischer and Ravizza begin the discussion of control by offering simple explanations for both regulative control and guidance control. To do this, they offer the example of Sally driving her car. Assuming that her car is working correctly, if Sally were to desire to turn the car to the right and went through the appropriate motions to do so, the car would turn right. Moreover, if Sally were to desire to turn left rather than right and went through the appropriate motions to do so, the car would turn left.

What is important about this case is that not only could Sally have gone right, but she had the choice and the ability to do otherwise (namely, to turn left). In this case, we would say that Sally had regulative control. Guidance control, however, is a bit more restrictive on the agent. To modify the same case to show her only to have guidance control and not regulative control, we would assume that the car will turn right regardless of Sally's actions. Sally still sits in the driver's seat and can turn the steering wheel as before, but this time, if she were to try to turn left, her actions would fail. However, if she were to go through the appropriate motions to turn the car to the right (at the proper time), the car would turn right. Because she still has the ability to guide the car, albeit through a determined path, she is said to have guidance control.

2. Two Cases of Guidance Control

a. The Train Case²

¹ Fischer and Ravizza, Responsibility and Control: A Theory of Moral Responsibility, p. 30-31

² Fischer and Ravizza, p. 94-95

The train case offered by Fischer and Ravizza in Chapter 4 lays out a scenario similar to the following. Ralph awakens to find himself on a train hurtling down the tracks. The train is approaching a fork in the tracks with track A on the left and track B on the right. Ralph has the ability (and we're assuming that he has the knowledge) to guide the train onto either track A or track B. Ralph knows that track A leads to Syracuse. Ralph believes that track B leads to Rochester, but track B, in fact, leads to Syracuse as well. Because Ralph is oblivious to the result of choosing track B, he is presented, in his own mind, with the choice between taking track A to Syracuse or taking track B to Rochester.

b. The Mayor Case³

The mayor case is similar in nature to the train case. In this case, Sam is faced with the choice of whether to kill the mayor or to refrain from doing so. Jack wishes the mayor to be dead, and so he fashions a device which he implants into Sam's brain such that if Sam were to, for any reason, fail to carry through with his murderous plot, the device would activate and cause Sam to kill the mayor despite his wishes. Sam knows that if he chooses to kill the mayor, he will do so. Sam believes that if he chooses not to kill the mayor, he will not, when he would, in fact, do so. Because Sam is oblivious to Jack's implanting of the device into his brain, Sam is presented, in his own mind, with the choice between deciding to kill the mayor and doing so or choosing not to kill the mayor and not doing so.

3. Consequence-Universals vs. Consequence-Particulars⁴

Fischer and Ravizza also introduce the terminology of consequence-particulars and consequence-universals. To apply these terms to the cases above, we can just apply certain distinctions to different parts of each story. The consequence-universal in the train case is that the train reaches Syracuse. Regardless what path Ralph chooses, the train will invariably end up in Syracuse. This consequence of the scenario is considered universal because it obtains in all possible instances within this case. In the mayor case, likewise, the consequence-universal is that the mayor is killed.

The consequence-particular, to contrast, is the specific track the train takes to reach Syracuse, or whether Sam chooses to kill the mayor or the device is implemented. Whereas the consequence-universal obtains in all situations, the consequence-particular is dependent on the causal

³ Fischer and Ravizza, p. 29-30

⁴ Fischer and Ravizza, p. 96-98

pathways leading up to it. In the train case, if Ralph were to choose to take track A, the consequence-particular would be the train travelling down track A. The consequence-universal still results once the train reaches Syracuse in the end, however, the train never travels down track B. Thus travelling on track B is not a consequence-universal because it does not obtain in all instances of this case (a parallel could easily be drawn to show that travelling on track A is not a consequence-universal either), it is merely a consequence-particular.

4. Triggering Events and Background Conditions⁵

In telling the two stories above, Fisher and Ravizza establish a distinction between triggering events and background conditions. Background conditions are simply factors that exist prior to the event taking place. For example, in the train case, the path of track B is a background condition because track B (and thus its destination, Syracuse) was already set in place before Ralph comes to the fork in the track. The existence and effects of track B are determined long before Ralph must make his decision concerning them.

A triggering event, to contrast, is “an event which is such that, if it were to occur, it would *initiate* a causal sequence leading to C.” It is the conditional in the definition that sets triggering events apart from background conditions. Triggering events, although their causes may be present before the event occurs, do not occur unless they are necessary to the event. In the mayor case, the device in Sam’s head acts as a triggering event. If Sam were to choose to kill the mayor, the device would not be implemented, and thus no triggering event would occur. However, if Sam were to choose not to kill the mayor, the device would have to intervene, initiating a causal sequence resulting in the mayor’s death.

5. An Irrelevant Difference

Fischer and Ravizza draw the distinction between background conditions and triggering events to show an inherent difference in the two aforementioned stories. They attempt to show the stories as being very different situations by assigning moral responsibility differently in each case, when, in fact, the two stories are quite analogous. As explained above, the train case exhibits consequence-particulars caused from background events, whereas the mayor case implements a triggering event if Sam chooses a certain way.

Although it may be inaccurate to label the distinction as negligible, it is certainly irrelevant in assigning moral responsibility to the agents in either of these cases. In both cases, the agent is presented with a choice. For Ralph, the choice was between a set path, track A, and a set path, track

⁵ Fischer and Ravizza, p. 110-112, 115

B; for Sam, the choice was between a set path, to choose to kill the mayor and to do so, and a set path, to choose not to kill the mayor but to do so anyway. In both cases, the two possible paths were already laid out. Each agent had only two paths to choose from, and in each case, the paths from which they could choose had a set course.

In considering the alternate choices ('track B' for Ralph and 'not killing' for Sam), someone who thinks that the difference in background conditions and triggering events is important might argue that the cases are not the same because track B is already laid out to go to Syracuse, and so Ralph should not think that he could possibly go to Rochester instead of Syracuse. Furthermore, they might say that Sam has no reason to doubt his freedom of action because nothing has yet been implemented to take away his free action. However, it is at the point of the implantation of the device, and not the implementation of it, that Sam's freedom to action is essentially removed. Neither Sam nor Ralph is denied the freedom to choose. In each case the agent is offered two choices, although either choice ultimately leads to the same consequence-universal. Ralph can either choose to go to Syracuse or choose to go to Rochester, but he will end up in Syracuse regardless. Sam can either choose to kill the mayor or choose not to kill the mayor, but he will end up killing the mayor regardless. So while a difference between background conditions and triggering events exists, it is entirely irrelevant to the moral responsibility of either agent.

6. Moral Responsibility and the PAP⁶

Now that we've determined that the two cases are quite analogous, we can hypothesize the best assignment of moral responsibility in each case. Because the mayor case displays a more intuitive battle of moral versus immoral action, I shall focus on it.

Although these cases are intended as counterexamples for Peter van Inwagen's Principle of Alternate Possibilities (PAP), I don't think the theory should be thrown out altogether. In fact, a simple revision to the PAP may once again allow it to be used as a system for determining moral responsibility.

As given by van Inwagen, the Principle of Alternate Possibilities states that "a person is morally responsible for what he has done only if he could have done otherwise." If the PAP given as such were to hold, Sam could not be held morally responsible for killing the mayor, regardless of which path he took. Intuitively this seems wrong. How, if Sam chooses to kill the mayor (and thus kills the mayor), is Sam not morally responsible? For this reason, the PAP needs a bit of revision.

Frankfurt endorses a possible revision of the PAP which states that "a person is not morally responsible for what he has done if he did it only

⁶ Peter van Inwagen, *An Essay on Free Will*, p. 162

because he could not have done otherwise.” This seems to work a bit better, but it still doesn’t allow us to hold Sam morally responsible for killing the mayor, even if he had chosen to do so (because regardless his choice, Sam could not have done otherwise). This revision is still just showing that, although Sam acted in either case, he could not have acted otherwise. Therefore he cannot be held morally responsible regardless his choice.

I now propose my own revision to van Inwagen’s PAP, for which I assume a causal relation between an agent’s choice and his action.

PAP’: A person is morally responsible for what he has done only if he could have *chosen* to do otherwise.

In the mayor case, Sam was given the freedom to choose to kill the mayor or to choose to do otherwise. As I mentioned above, there is a causal connection between Sam’s choice and Sam’s action. If Sam chooses to kill the mayor, he will act accordingly. Under normal (sans Jack’s device) circumstances, if Sam were to choose not to kill the mayor, his actions would reflect that choice. However, because Jack implanted the device, Sam’s decision to not kill the mayor would not yield such actions whereby he would not kill the mayor. In this case, the causal chain is broken by Jack’s implementing the device to make Sam act other than he chose. For this reason, Sam should only be held morally responsible if he chose to kill the mayor.

The train case works similarly. Under the circumstances imagined by Ralph, choosing track A should lead him to Syracuse and choosing track B should lead him to Rochester. Therefore, by choosing track B, Ralph is, in his own mind, choosing to go to Rochester. When he ends up in Syracuse, he is not to blame. Ralph is morally responsible for going to Syracuse only if he intentionally chose to go to Syracuse, via track A. Although, on the surface, Ralph is not free to do other than to go to Syracuse, his choice between track A and track B is a choice between Syracuse and Rochester.

7. Problems for PAP’

This revision of the PAP has some serious problems though. Frankfurt cases can easily be written such that no element of choice exists. Just as the two cases above eliminate the agents’ freedom to act, it would be just as easy to take away the agents’ freedom to choose.

In the mayor case as I presented it, Sam was not free to act other than killing the mayor; however, he still had the freedom to choose whether or not he would do it (although a decision for the negative would have been futile). But what if we went one step further and took away Sam’s ability to choose? Imagine now that the same conditions—Sam plans to kill the mayor, has a device implanted that will ensure that outcome—

apply, but instead of kicking in after Sam has already chosen, the device would initiate before the point of Sam's choosing. Just as before, the device would not activate if Sam were to choose to kill the mayor. Now, if Sam were to begin to choose not to kill the mayor, the device would activate and cause him to choose to kill the mayor.

In this type of Frankfurt case, the agent is not given any choice to do otherwise. Thus, PAP' is shown to be inadequate for addressing moral responsibility.

8. Another revision for the PAP

One factor common to the counterexamples is that there are external conditions that limit the agent's freedom. In the train case, the train tracks are already laid down; in the mayor case, the device has been implanted. Without these conditions, moral responsibility would be easy to interpret for the agent. This logic is the basis for yet another revision of the PAP:

Principle of Perceived Possibilities (PPP): A person, S, is morally responsible for what he has done only if, given the circumstances perceived by S, S could have done and/or could have chosen to do otherwise.

In my explanations of the cases before, I was careful to point out that each agent perceived there to be two options from which he had to choose. The two previous versions of the PAP failed to address this illusion of choice presented to the agent, and because of this, they were defeated. By viewing an agent's actions relative to a consequence universal, we unfairly attribute the external to an agent, ignoring the internal.

Not only is this unfair to the agent, it seems to be a highly inaccurate method for assigning responsibility. Moral responsibility should be assigned based on the qualities, actions, choices, et cetera of the agent, not on situations over which the agent has no control. For instances in which Sam kills the mayor on account of Jack's device, the action or choice is obviously not Sam's; therefore, Sam should not be held responsible in these cases.

The PPP, however, moves from the unalterable circumstances to the agent's own perception of his situation. If an agent perceives there to be two options for a given situation, he should be held morally responsible only for choices or actions which could be applicable to him regarding those options, even if some of those choices or actions could not come to pass due to certain circumstances (such as Jack's device). Another way to think of this is to say that if the unperceived circumstances were not to apply, an agent could be held morally responsible for any choices or actions he might take.

By viewing the agent's situation like this, we remove all consequence universals from the equation. In the train case, Ralph is no longer just responsible for choosing track A or track B, he is responsible for his decision between Syracuse and Rochester. In the mayor case, Sam is now responsible for choosing between killing the mayor and not killing the mayor. Because, when we factor in the unperceived circumstances, Sam does not actually have the freedom to choose (based on the second version of the mayor case), we must rely on his disposition or his intention with regards to killing the mayor. If Sam intended to kill the mayor, in all cases, he is morally responsible for killing the mayor. However, if Sam's unaltered intentions were to not kill the mayor—although he does so regardless—he is not morally responsible for killing the mayor.

9. Applying the PPP

Initially, the PPP was intended to be a theory of personal moral responsibility. However, its verity coupled with its practical applicability makes it a good theory for assessing moral responsibility in others.

The sceptic might argue that the PPP cannot be useful because we have no means of knowing for sure the intentions of a potential agent; however, this is no different than our current legal system. In a court of law, it is often impossible to know absolutely that a person is guilty or not guilty. It is for this reason that the line between conviction and acquittal is the concept of "beyond a reasonable doubt." We do not hold juries to an unrealistic standard of making judgment on knowledge they cannot possibly hold. Likewise, we cannot rely on unobtainable knowledge for determining moral agency; we must simply couple what we know about the possible agent's intentions with all of the other pertinent information we can gather.