



The Limits of Moral Responsibility

A White Paper from The Colorado Center for Clinical Excellence

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Galen Strawson, an analytic philosopher and professor at the University of Texas, is a smart man. After all, he taught at Oxford for two decades prior to UT. He is an expert in the philosophies of Locke, Hume, Kant, and Nietzsche. In his work on moral responsibility, Dr. Strawson has created something called *The Basic Argument*. It's kind of a big deal. And it has huge implications for the fields of psychology and law.

Here is The Basic Argument, in Dr. Strawson's own words (from the *New York Times*):

1. You do what you do -- in the circumstances in which you find yourself -- because of the way you then are.
2. So if you're going to be ultimately responsible for what you do, you're going to have to be ultimately responsible for the way you are -- at least in certain mental respects.
3. But you can't be ultimately responsible for the way you are in any respect at all.
4. So, you can't be ultimately responsible for what you do.

Okay, Step 1. Makes sense. We do what we do because of the way we are. Got it.

Step 2. Yep, we are responsible for our actions because we are responsible for the way we are. Sure.

Step 3. Wait. What? We can't be ultimately responsible for the way we are as humans? In any respect? So, we can't be ultimately responsible for our actions? To us, this sounds a whole lot like an argument for abolishing the criminal and civil justice systems--no one is responsible for what he/she does; everyone is insane.

Bear with Dr. Strawson for a little longer. Remember, he's a lot smarter than we are. Let's hear him out on this one.

Here he is, explaining Step 3, in his own words (from the same *New York Times* article):

- (a) It's undeniable that the way you are initially is a result of your genetic inheritance and early experience.
- (b) It's undeniable that these are things for which you can't be held to be in any way responsible (morally or otherwise).



- (c) But you can't at any later stage of life hope to acquire true or ultimate moral responsibility for the way you are by trying to change the way you already are as a result of genetic inheritance and previous experience.
- (d) Why not? Because both the particular ways in which you try to change yourself, and the amount of success you have when trying to change yourself, will be determined by how you already are as a result of your genetic inheritance and previous experience.
- (e) And any further changes that you may become able to bring about after you have brought about certain initial changes will in turn be determined, via the initial changes, by your genetic inheritance and previous experience.

Checkmate. The logic is airtight. No one is morally responsible for his or her actions. If you are able to change and become a better person, it is only because of your nature and your nurture. If you can't change, it's not your fault. You just had bad nature and bad nurture.

But hold on for a moment... Dr. Strawson concludes his *New York Times* essay writing, "Does this argument stop me feeling entirely morally responsible for what I do? It does not. Does it stop you feeling entirely morally responsible? I very much doubt it. Should it stop us? Well, it might not be a good thing if it did."

Of course it wouldn't be a good thing if The Basic Argument stopped us from feeling morally responsible for our actions! Even Dr. Strawson doesn't buy his own argument--a philosopher who was convinced he was right would argue that it doesn't matter whether this knowledge stops us from believing we are responsible. Because we aren't responsible! It wouldn't matter. There would be no negative repercussions whatsoever of acknowledging and embracing that fact.

But it does matter. Because we are morally responsible for most of what we do, both the good and the bad.

Dr. Strawson's argument falls apart in Step 3(d). He argues only people who have certain genetics and certain types of past experiences (i.e. the right type of nature and nurture) can make positive behavioral changes, and since no one is responsible for their nature or nurture, even people who make positive changes are not responsible for those changes. The problem is that people with highly similar genetics and highly similar backgrounds can take very different actions. We cannot argue that those who take "good" or "bad" actions are doing so simply because of their past. There may be a whole array of reasons that are much more influenced by their present situation and the way they interpret their situation (all of which is influenced by the past but not simply determined by it).

Strawson's supposition is highly misleading for another reason: Aside from more "rooted" personality disorders (which are extremely difficult to change) and severe cognitive disorders, most people have the capacity to make substantially positive behavioral changes, despite their genetic inheritance and past experiences. There are even reasonably successful therapeutic techniques that help motivate people to change when they are relatively uninterested in the prospect.



In fact, Allen Neuringer, an American psychologist who has done behavioral research on free will and randomness in humans, pigeons, and rats, has shown that wild, near-random responding can be “reinforced” using standard behavioral techniques. One of Neuringer’s studies rewarded rats for highly varying a sequence of behaviors, while other rats were rewarded when they showed very little variation in their sequence of behaviors. Rats who were rewarded for highly varying their behavior were better able to memorize a difficult-to-learn sequence than the rats rewarded for low behavioral variability. So, rats were taught to be *creative* in their behavior which led to more success in learning complex tasks. Is this an argument against Strawson’s belief that early experiences determine who we are, which in turn determines how we act? To a degree, yes. Far from being locked into being “determined by how you already are,” decades of psychological research has shown humans and other animals to be remarkably able to process new information and new experiences to create whole new ways of being “how we are.”

It is part of our human nature to have the ability to be self-aware and to have the capacity to learn from our mistakes. It is certainly a reasonable argument to think that children, especially younger children, are not morally responsible for most of their actions. But, adults are, and they should be held responsible.

Further, genetics are not a guarantee that someone will turn out in any particular way. For example, many people who have the gene for diabetes never develop that disease because of healthy lifestyle choices. And, a good number of people who do not have the diabetes gene still develop the disease. Our genetics may make us more prone to one condition or another, but nothing in genetics is 100% certain.

So, we’ve proven Galen Strawson wrong, not so much because we are intellectually superior to him (there is little chance of that), but because his position on moral responsibility is so absolute as to be indefensible. However, he raises an important issue--people are certainly shaped by their genetics and their past experiences, and we have very little control over those two conditions.

In the field of law, it is important for the trier of fact to take into account an individual’s level of moral responsibility and that individual’s circumstances. This important combination is what makes a person legally insane or comparatively negligent or ultimately responsible. And this is where forensic psychologists can be helpful. They can identify the way a person is now and why that person is the way he/she is. Maybe there is a genetically influenced cognitive disorder. Maybe there was severe childhood abuse. Maybe the person is just an uncaring jerk.

With a better understanding of a person’s life circumstances, attorneys, judges, and juries can make better complex decisions about a person’s level of moral responsibility in a given situation.

Strawson, G. (2010, July 22). Your Move: The Maze of Free Will [blog post]. Retrieved from http://opinionator.blogs.nytimes.com/2010/07/22/your-move-the-maze-of-free-will/?_r=0

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