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Does Moral Culpability Necessitate Free Will

The rule of law is that no one is above the law. That means that in the first place we put rules in place which govern us all; and by that it is implied, and we infer, that we ought to follow the rules in order to live peaceably in harmony with our fellow man. From these premises on which our society is based, we reasonably extrapolate that we are free to either obey or defy these rules. This is how we operate. We have an entire criminal justice system that is ever ready to rain the thunderous force of justice upon those who depart from the law, because, crucially, we presume that those who deviate could have acted otherwise as free agents of will. And that is the crux of what it means to have free will. Most people have the intuition that they have free will and thereby control their actions and outcomes at least to some degree. If we possess free will as it is meant in this sense, then we are all rightly morally responsible for our actions.

Paradoxically, human beings have also long believed in fates, which directly contradicts the idea of free will. Oedipus's father was told what his son was fated to do. King Laius tried to evade fate by taking and abandoning his son in a forest. Years later, Oedipus likewise hears his fate and tries to run from it; meanwhile both men ultimately played directly into the foretold end. In this Greek tragedy, Oedipus had no other option than to kill his father and marry his mother. (Phillip Carry, 2007)

Alternatively and more to the point, consider the laws of nature which set in motion the Big Bang, from the singularity 13.8 billion years ago to today. We understand that laws of physics govern all movement, including the electrical firing of neurons and chemical reactions within our brains, and they all act only in deterministic, predictable ways which do not deviate from these laws as we understand them. We also act according to determinism: we drink water to avoid developing a headache from dehydration later. Certainly most of us act similarly due to the predictability with which we can judge possible future outcomes given enough data and ability to analyze. This is known as determinism; that is the idea that whatever we do, we could not have acted otherwise; and therefore we do not have free will. If we do not have free will, then how can we reasonably be held responsible for our actions, which by definition we did not will to cause, and when we could not have acted otherwise. There are several distinct schools of thought regarding this problem of free will.

On one extreme are the libertarians. These are those who argue that we do have absolute free will in our actions. They say that whatever we do, we in fact could have acted differently because a choice is possible in our reality; there exists another possible and perhaps hypothetical or perhaps branching timeline or scenario, wherein we acted differently than we did in any given matter of choice. For these, there is no problem of free will: we have it, and the onus of our actions is appropriately on us. Interestingly, Thomas Aquinas taught that free will moves us to act the way we do, but

that this does not mean that free will caused itself. In this sense he was not a strict libertarian, and yet a libertarian nonetheless. Aquinas argued that while our will can be moved or directed by god, it is still free because we may act in accordance to that will freely after the fact and without coercion. (Hartung, 2013)

On the other extreme are the strict determinists. These are those who argue that no matter what we do, we could not have acted otherwise. This is where the problem of free will truly lies. The only thing we could have done is precisely what was done and nothing else was possible. Dutch philosopher, Baruch Spinoza, believed in the scientific notion of cause and effect, and he argued that mere ignorance of the causes of our choices does not make free will a reality. Skeptic, David Hume, argued that all of us start from the a priori understanding that we have free will, but through experience gain a posteriori knowledge that this free will was false. He and John Locke both argued that free will makes no sense in the physical world as we understand it. (Phillip Carry, 2007) There is no solution inherent from this standpoint, because what holds true, rationally, is that lack of will implies lack of responsibility. Moral responsibility exists if and only if we willed our action and could have acted otherwise. One professor of philosophy makes the case that even though free will does not exist, it still makes practical sense to assign moral responsibility for actions to rational human beings. (Mele, 2015)

There is another idea which straddles the line between libertarianism and determinism, and it is known as compatibilism. Compatibilists believe that we both have our free will and are pawns in a deterministic reality. Principal among compatibilists is Saint Augustine of Hippo who spoke to the issue of free will when he considered the epistemological problem of foreknowledge and free will. An omniscient god, being by definition all knowing, knows our future actions, and therein we can only act according to that which was determined, because by definition of foreknowledge the future actions are necessarily set in stone. Therein lies the determinism. This is known as divine predestination. Saint Augustine explained that the will is something within ourselves and free from the compulsion of external forces, and therefore the will is inherently free. Similarly to Thomas Aquinas, Augustine said that the will could be converted, or turned, by god from corruption toward those things which we ought to love. Where he differed from Aquinas is in his belief that such a conversion of the will came by the grace of god which we allow or will into our inner selves, and thereby we will our own conversion; whereas Thomas Aquinas thought that our will came after god had programmed it a certain way. And in this way, Augustine believed that we both had free will while at the same time living in a determined reality from the beginning. (Phillip Carry, 2007) This reminds me of Adam Smith's invisible hand in the sense that god is who moves or wills us act in certain ways (not in the sense of what moves the free market); I believe Adam Smith would be considered a determinist

or a compatibilist as well. (Szelényi, 2009) For compatibilists, as for proponents of the existence of free will, the problem of free will does not exist, because free will exists, and therefore moral responsibility necessarily exists.

I am a strict physicalist, and therefore a believer in the non-existence of free will. I agree with Hume and Locke when they assert that free will in the world as we understand it makes no logical sense. The logical conclusion which follows, of course, is that moral responsibility is nullified by the lack of free will. Motivations seem much more like mechanistic causes than deliberate willing from within, and it doesn't make sense to hold people responsible for things outside their control. (Phillip Carry, 2007) And yet, Alfred Mele reasonably counters that there is a cost to rejecting attribution of responsibility due to lack of will. He makes the case that agents can and ought to be held morally responsible for their actions even though they may not act freely by magnifying the problem, as Kant would universalize a maxim, and says that "a world without free actions is a world in which no agents are morally responsible for any of their actions," and claims that this is an indefensible position. It's difficult to disagree with Mele, as his is a reasonable framing of the problem of free will. He basically proposes that nobody wants to live in a world where no one is held responsible for their actions. Who can disagree with that at face value? Not I; but that doesn't change the fact that the contrary is true as well: how can we reasonably and morally hold accountable agents who have no free will? This is also an indefensible position.

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