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### Being in the World

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## BEING IN THE WORLD – READING VERSION

JOSEPH RAZ<sup>1</sup>

We actively engage with the world through our actions. Among them those for which we are responsible hold a special place. They constitute our engagement with the world as rational agents, for we are responsible for actions in virtue of their relationship to our capacities of rational agency. The question of responsibility is largely the question: what is that relationship, and how does the criterion for responsibility for action extend to account for responsibility for whatever else we are responsible for?

Following some clarification of the sense of responsibility the paper is about, I will briefly criticise two principles of responsibility, and will then start on the long road towards an alternative.

### 1. RESPONSIBILITY, CONTROL AND INTENTIONS

For our purposes three uses of ‘responsible’ are of interest<sup>2</sup>:

(1) People are responsible<sub>1</sub> if and only if they have the capacity for rational action (as when we say ‘he is not in his right mind and therefore not responsible for his actions’). The powers of rational action are more extensive than just our rational

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<sup>1</sup> I am grateful for helpful discussions and comments to Penelope Bulloch, Andrei Marmor, Ulrike Heuer, Rebecca Prebble, Nandi Theunissen, Gideon Yaffe, Barbara Herman, Gary Watson, David Owens, David Enoch, Jonathan Adler, and to the students in my Fall 2008 seminar, especially Archer, J. Lenowitz, and B. Lewis.

<sup>2</sup> Naturally we are not interested in the use of ‘responsibility’ to indicate causality (as in “the earthquake is responsible for the power failure”). Similarly, neither the use of ‘is responsible’ as a commendation (as in “you can trust him. He is a responsible fellow”), nor its reverse, namely its use as equivalent to blameworthy (as “the doctor is responsible for his death” would normally be understood) are of interest.

capacities (powers of reasoning, of decision etc.) and include also perception, memory and control of the body without which one cannot act effectively.

(2) People who are responsible<sub>1</sub> are not necessarily responsible<sub>2</sub> for everything they do. They may, for example, act while sleepwalking, or under hypnosis. To be responsible<sub>2</sub> their actions must be appropriately related to their capacities of rational agency. If no such condition applies it is mysterious why only those with capacities of rational agency can be responsible<sub>1</sub>.

(3) A different, but related, sense of 'responsibility' is that having a responsibility<sub>3</sub> is like having a duty (as in 'it was your responsibility to secure the building at the end of the evening').<sup>3</sup>

My aim in this paper is to contribute towards an answer to the question: what relationship between our capacities for rational agency and an action makes us responsible<sub>2</sub> for the latter?

The core question is about a non-mediated relationship between action (say) and rational capacity which renders one responsible<sub>2</sub> for the action. There is widespread agreement on several derivative principles of responsibility<sub>2</sub> based on a derivative and mediated relationship. I will mention only one: ***intentional disabling does not disable***: if a person  $\phi$ s, having generated (in ways he is responsible<sub>2</sub> for) conditions which would otherwise make him not responsible<sub>2</sub> for  $\phi$ ing with the intention to avoid being responsible<sub>2</sub> for  $\phi$ ing then he is responsible<sub>2</sub> for  $\phi$ ing. This is barely an extension of direct responsibility<sub>2</sub>. Since the second act is the intended consequence

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<sup>3</sup> It is evident that responsibility<sub>1</sub> is a matter of degree, but that at its minimum it is presupposed by responsibility<sub>2</sub> and responsibility<sub>3</sub>. Only those with rational capacities can be subject to duties, and only people with the capacity for rational agency can be responsible<sub>2</sub>.

of the first act one is responsible<sub>2</sub> for it to the extent that one is responsible<sub>2</sub> for the intended consequences of one's intentional actions.<sup>4</sup> Normally, one is not, at least not without qualification, responsible<sub>2</sub> in that way for human actions which one intended to bring about. But one is so responsible<sub>2</sub> when one intended the perpetrators of the resulting actions not to be responsible<sub>2</sub> for their actions. In such cases any suggestion that the resulting actions break the chain of responsibility<sub>2</sub> is removed.<sup>5</sup> For the most part I will discuss examples on the assumption that derivative responsibility<sub>2</sub> does not apply to them, and principles of responsibility<sub>2</sub> will be implicitly qualified to allow for the possible application of derivative responsibility<sub>2</sub>.

The thought that among our actions we are responsible<sub>2</sub> for our intentional actions and only them<sup>6</sup> appears natural to those who think that intentional actions are actions performed for what their agents take to be reasons for those actions. On this view we are responsible<sub>2</sub> for actions which are guided by our rational capacities. This inclines some writers to think that we are responsible<sub>2</sub> for actions which are under our control: we control actions by guiding them in light of what we take to be reasons for those actions. The control principle, namely that *we are responsible<sub>2</sub> for X if and only if X is under our rational control, or only because, and to the extent that X has aspects which are under our rational control*, appears to coincide with the intention principle, namely that *we are responsible<sub>2</sub> for X<sub>2</sub> if and only if X is an intentional action or a foreseen or intended consequence of such an action*.

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<sup>4</sup> And the conditions under which this is so are explored below.

<sup>5</sup> Though the principle has to be interpreted in accord with the explanation of direct responsibility which follows.

<sup>6</sup> In this section I disregard the question of responsibility for other than for actions.

This appearance is, however, misleading. Not all intentional actions are under our control. ‘Control’ is used in a context-sensitive way, and there is no need here to explore the notion, except as it is used in the Control Principle. Roughly speaking it means: being moved and guided by reasons as one sees them.<sup>7</sup> A simple example helps in establishing that not all intentional actions are ‘under our control’. A drunk who decided to leave the bar, wobbles his way out, but on his way he bumps into a table, breaking a wine glass resting on it, and spilling its content. Clearly breaking the glass and spilling the wine were both unintentional and uncontrolled. But his walking out was intentional, and yet it was not properly controlled by him. Control is a matter of degree. The drunk controlled his walking sufficiently to get out of the bar, but not well enough to avoid bumping into the furniture.

Examples suggest that one controls an action<sup>8</sup> if and only if (1) one performs it because one intends to do so, (2) the performance is guided by one’s intention and one’s beliefs, so that to the extent that one’s factual beliefs are true one does not, in performing the action, do anything else which one believes one should not (on balance) do; (3) in so far as realization of the previous conditions depends on one’s control of one’s body they are securely realized.

The thought is that for actions to be controlled it is not enough that they are motivated and guided by agents’ intentions. Control requires that the guidance reflects agents’ views of all the reasons which apply to the occasion, and ways of

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<sup>7</sup> See for more detailed discrimination J. Raz, *ENGAGING REASONS* pp. 11-12.

<sup>8</sup> The characterisation joins controlling a generic action with controlling it on an occasion.

pursuing them.<sup>9</sup> And it requires reliable muscular control. This third condition recognizes the distance between cases in which though one is doing what one intends to do because one intends to do it one is not doing it intentionally, because the intention does not play its proper guiding role in directing the action, and cases in which the action is intentional even though the guidance by the intention is wobbly. These latter cases are those I identified above as those where the action is intentional and yet not controlled. But there are other cases of intentionality without good control as well, and they have been discussed by writers on action theory: These include expressive actions as well as marginal intentional actions, like doodling, unreflectively stroking one's hair, etc.<sup>10</sup>

So we are in a bind: It cannot be the case that responsibility<sub>2</sub> requires control for in common situations the drunk is responsible<sub>2</sub> for the walking in spite of lack of control. Some exceptions apart, we are responsible<sub>2</sub> for our intentional actions even when we do not control them. Hence, responsibility<sub>2</sub> is sometimes independent of control, and does not depend on the relations between action and capacities of rational agency which control manifests.

That may suggest that the intention principle is a better account of responsibility<sub>2</sub>. But the appearance is misleading. We are responsible<sub>2</sub> for some non-intentional omissions, and for some consequences of such omissions. Similarly, we

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<sup>9</sup> Common judgments of actions show here an asymmetry between reasons to act and reasons to omit. The example of the drunk suggests that if he believes that bumping into the furniture should be avoided, and fails to do so then his walking is not adequately controlled by him. However, agents who see reason to do two actions at once and manage to do only one of them are not therefore judged not to have controlled the act that they did perform.

<sup>10</sup> For my analysis see 'The Guise of the Good' and ENGAGING REASON Ch. . Weak-willed actions are ones in which our will escapes the control of our rational powers. They require special consideration which will not be given them here.

are responsible<sub>2</sub> for negligent actions, and for negligently produced harm. So the intention principle too fails to identify a necessary condition for responsibility<sub>2</sub>.

Finally, we are not responsible<sub>2</sub> for all our intentional actions. Actions under hypnosis, for example, may be intentional, yet the agents are not responsible<sub>2</sub> for them. They are not related in the right way to their rational powers, for deliberation about the case for and against them cannot lead the hypnotized to revise their intentions to perform them. This means that neither the control nor the intention principles provide a sufficient condition of responsibility<sub>2</sub> either.

## 2. ENGAGING WITH THE WORLD

We need a fresh start, and I will take cases of negligence to be pivotal for a more successful understanding of responsibility. Negligence cases are among the paradigm problem cases discussed in writings about moral luck. They are problem cases for those who endorse either the intention or the control principle for they are clear examples of responsibility<sub>2</sub> which contradict these principles.

Williams, who gave the question of moral luck its name, did not focus on responsibility. He identified one special attitude people may have to their actions and their consequences which we now know by the name he gave it: agent-regret. Commentators observed that he hardly addressed the question he raised, the question of moral luck. And in a way this is true. But he did point to the importance of our attachment to the consequences of our actions, whether or not we control them, manifested in feelings of agent-regret. In doing so he signalled that the way we are attached to our actions and their consequences is key to an understanding of responsibility.

Williams pointed out that given the kind of creatures we are we cannot detach ourselves from the unintentional aspects of our actions, a detachment necessary for the elimination of agent-regret. Therefore, it would be wrong to think that such

attachment is always unjustified. This is not a conclusive argument. To supplement it we need to understand the significance of agent-regret, and related feelings and emotions (pride, shame etc.) in our life. If they play a significant role in our life then some instances of them can be justified. Given how fundamental it is to the kind of animals we are no other vindication is needed, and probably no other is possible.<sup>11</sup>

Our sense of who we are is shaped through our actions and experiences. To clarify this commonplace observation it is necessary to challenge the identity, often assumed, between matters beyond our exclusive control and matters of luck.

The success of our actions depends on factors beyond our control, but typically they are not matters of luck. People develop skills which enable them to do many things with confidence that they will succeed, barring some extraordinary events like an earthquake or a seizure. Of course, those who accepted Williams's terminology<sup>12</sup> were quick to warn readers that they use 'luck' stipulatively. But the choice of terminology betrays a willingness to imagine our being in the world as being in an

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<sup>11</sup> A clarification regarding justification: It is sometimes assumed that if an action or attitude is justified then not taking the action or not having the attitude is unjustified. But that is not generally true, and I will assume no such implication. Justification is permissive, as we might say. The justification of regret does not imply anything about the justification of its absence. Second, one can consider justification from a point of view, or a perspective, comprising a limited range of concerns. That is what we do when we talk of economic justification. Or one can take justification to be an all-things-considered judgement, and that is how it is taken here. The difficulty, not to be resolved here, is how to understand that notion. For example, a certain response, say amused laughter, may be justified, say in response to a joke, even though the fact that one is amused by such a joke shows that one has a rather crude taste. The justification of actions and attitudes is, in other words, limited to them, and is consistent with the fact that they may betray unpleasing, or worse, character traits or dispositions (showing the agent to be suspicious, tight fisted, etc.).

Williams's explanation of the role of agent-regret, even if it succeeds in the cases of *Gauguin* and *Karenina*, does not generalise to justify seemingly justified agent-regret for less dramatically life-transforming decisions. We require an alternative explanation of the significance of our attachment to the consequences of our actions and it will also serve as its vindication. Instances of agent-regret and similar emotions are justified when they are appropriately related to the significance of the emotion.

<sup>12</sup> which he introduced with tongue in cheek, intending it to be self-undermining, thus leading to the rejection of the 'morality system' (see his postscript)



alien environment, where we are tossed about on the waves of fortune whenever we venture beyond our inner self, beyond our thoughts and intentions. An understanding of our engagement with the world should (a) distinguish between the ways we gamble, deliberately taking risks, and the ways our actions, while depending on matters over which we have little influence, are not gambles, and (b) make plain the roles of these different forms of engagement in the constitution of our sense of ourselves.

The distinction between risk-taking and other actions and activities is inevitably a soft one. But the distinction is important in demarcating two distinct attitudes, with many intermediate ones. At one extreme are gambling<sup>13</sup> and other actions over whose outcome we have hardly any influence, and where we do not have warranted beliefs about their outcome (except, sometimes, about the chances of different outcomes). Here belong not only playing roulette, but also other more ordinary enterprises, such as hitch-hiking (assuming, perhaps contrary to fact, that little skill is involved in hiking, beyond choosing where to wait).

Other activities are very different. We expect their outcome to depend on our skill and effort. We are aware that they too depend on factors over which we have little influence, but we believe that our skills in using and navigating around such factors justify confidence that we will succeed. Many activities (cooking, eating, shopping, going to the theatre, visiting friends, studying for a degree, etc.) fall into

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<sup>13</sup> One gambles when taking the risk is an end in itself or a means for the end of gaining whatever is the prize for winning. In other cases in this category, the risk is not the means to the end, but merely a feature of the situation one puts up with. Gambling does not pose the problem for the control principle that other risk-dependent outcomes do. Either one is not responsible for the outcome at all, or in cases one is, one knowingly undertook the risk of that outcome, and in so doing as it were consented to the outcome.

this category. Many others are mixed cases. In opening a grocery store or a restaurant, I count on my skill to make a success of it, but am aware that an economic downturn, or the appearance of competition, are not unlikely. One is both taking a gamble and relying on one's resolution and skill to navigate one to success.

These two ways in which our activities depend on risk are important in our lives in different ways. The case in which one relies on nature to play along (even though aware that it may not) is crucial to our ability to act (with a modicum of success) at all. To do so we must learn to assess what is likely or unlikely to happen in the normal course of events, to judge whether one's situation is normal, and to develop skills which assure one of success in the normal case, by testing our skills to their limits. That is how we learn when we can trust our skills, and depend on nature (including other agents) co-operating in our efforts, and when we are placing ourselves at the mercy of luck.

Unless I can trust the chair to carry my weight, the ground not to give way when I move across it, the plate on the table not to be stuck to the table when I reach for it, and to maintain rigidity when I hold it, and so on, I cannot perform even the simplest act. More complex acts require similar understanding of one's environment, though to a higher degree.

Learning how to perform actions mostly involves trying to perform them and developing and honing a skill to do so, testing the limits of one's abilities and skills as one expands them. Failure is in such cases an essential part of the learning process, a process which for the most part is not separate from normal acting. For the most part, the learning is concurrent with the acting. The pianist improves as he practices, gives recitals, makes recordings, and so on. Failure remains, throughout our life, part of learning, solidifying, and reassuring one about one's skills and their limits.

That is in large part the way we make ourselves into who we are. Who we are, in the relevant sense, is determined by dispositions and attitudes which incline us to pursue some goals and keep clear of others. And these dispositions are shaped in part by our skills, and our awareness of them. They are shaped by our self-image as people who, aware of their abilities, are willing or unwilling to challenge their limitations, to run or to avoid certain risks, and so on.

To summarise: First, our life, its successes, failures and its meaning, are bound up with our interaction with the world, with our impact on it and its impact on us. Second, while in some of our activities we put ourselves at the mercy of luck, and sometimes that may be the point, the thrill, of the activity, in others we rely on our acquired skills, confident, to various degrees, that we know how to succeed given normal conditions. Third, our sense of who we are while in part determined independently of our activities (say by gender or ethnicity and their social meanings) is in part determined by our sense of our abilities and their limitations (always against the background of the natural and social environment of our life), which (in ways dependent on our temperament and dispositions) fixes the limits of our ambitions and aspirations. Fourth, that sense of who we are is continuously being moulded through our understanding of our actions, which reinforce, extend or undermine our confidence in our abilities and capacities. Fifth, the process of shaping who we are is normatively driven, that is we form views of who or what we want to be in light of views of what people, or people like us, should be. Sixth, in that process our actions and their success both reveal who we are and make us who we are, in ways which are often difficult to disentangle. Finally, to add to and to qualify the preceding, some actions have not the gradual effect I mentioned, but a dramatic effect on our understanding of ourselves, and on who we are.

The connection between our actions and who we are explains why emotions like agent-regret which express our feelings about who we are, who we are becoming, or have become (or may become), apply to our actions, including aspects of them which exceed our control. Regarding any instance of such a feeling the question of its justification is a question about the appropriateness of taking that view of the significance of the action to who we are.

### 3. RESPONSIBILITY<sub>2</sub> AND THE CONTROL PRINCIPLE

These reflections on the sense of control and of luck relevant to understanding our engagement with the world help with clarifying responsibility<sub>2</sub>. For one thing they suggest that the control principle reaches further than is sometimes recognised.

**First, we are (normally) responsible<sub>2</sub> both for our intentional actions and for intentions to perform actions.** But the grounds for responsibility<sub>2</sub> are different in the two cases. Responsibility<sub>2</sub> for intentional actions is determined not merely by their being initiated by intentions to perform them, but by being guided and controlled by our intentions and beliefs throughout at least a significant part of their performance. The difference between an independent intention to perform an action and the beliefs and embedded intention which guide the performance of an intentional action could also – though this is not the place to explain the point – lead to different degrees of praise or blame being deserved for them.

**Second, we control not only attempts.** Any attempt to perform one action is the performance of another action. For example, an attempt to murder someone may consist in firing a gun at the intended victim. So responsibility<sub>2</sub> for attempts presupposes responsibility<sub>2</sub> for completed actions because attempts presuppose some completed action constituting the attempt. Those who deny the possibility of moral luck are inclined to think that if a person is responsible<sub>2</sub> and to blame for an act, then the degree of blame he deserves is the same as he would have deserved

had he been responsible<sub>2</sub> for an unsuccessful attempt to perform it. The reason is that the only element of the completed action the agent controlled was identical with that which constitutes an attempt to perform the completed action.

As stated the argument is invalid for there are actions which are performed without attempting to perform them. But even regarding cases where part of the action constitutes an attempt to perform it the argument is invalid. In many intentional actions we control not merely the intention or the attempt but the act, including its result.<sup>14</sup> Often, intentional acts, including their results, are controlled by us. We are skilled in performing the actions, and our movements are adjusted to the circumstances and secure the intended result, and avoid others which we believe we ought to avoid.

What of cases in which we are subject to luck, as when we bet on the horses, or make speculative investments? It is easy to misperceive the role of intention in such actions. To be sure I intentionally place a bet. But I do not intentionally win the bet, rather, luckily I win. I intentionally make the speculative investment, and I may even intend to make my fortune by making such investment. But I do not intentionally make a fortune through that risky investment. It just happens to turn up trumps for me, as I hoped that it would.

To be sure the divide is anything but sharp. The more skill and foresight goes into the action the more appropriate it is to say that I intended its result. For my argument the absence of anything like a sharp boundary does not matter, for I reject

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<sup>14</sup> I am using 'result' here in the sense stipulated for it by Von Wright, i.e. the end state which the action is defined as bringing about.

The Control Principle. At the present stage of the argument all I am claiming is that quite often when acting intentionally we are in control of the result. That makes it appropriate for the nature of the result, and not only the character of the intention, to affect degrees of blame or praise earned by the action.

Those tempted to reject this conclusion have to deny that we are responsible<sub>2</sub> for attempts as well, for attempts too are actions. But what could motivate such rejection? One thought is that the action successfully completed on this occasion might have failed had factors beyond our control intervened. But that can only establish that had we failed because of such factors our failure would have been beyond our control. That does not establish that in the circumstances which actually existed at the time of action we were not in control of the action and its result.

Another thought is that our successfully performing the action depended not only on our intention but also on other factors, (we succeeded in getting from the street to the kitchen because the lock functioned well, the floor supported our weight, etc.). Because we do not control these factors the action is not under our exclusive control. But that is a non-sequitur. The action is under our control in the required sense because we adjusted it to the circumstances, took advantage of them, avoided difficulties they presented, etc. That is the way control is exercised when we act.

**Third,** we are sometimes responsible<sub>2</sub> for beliefs and emotions and not only for actions. Robert Adams reminds us that people are often held responsible for their emotions (e.g. for excessive, irrational anger, or for jealousy), for their beliefs (e.g.

that some races are inferior to others), and for other attitudes (e.g. self-righteousness) and are blameworthy or praiseworthy for them. Adams explains that:

*The deepest reason for accepting this responsibility ... To refuse to take responsibility for one's emotions and motives is to be inappropriately alienated from one's own emotional and appetitive faculties.*<sup>15</sup>

Adams recognizes that the claim has to be restricted to a subclass of psychological phenomena:

*... among states of mind that have intentional objects, the ones for which we are directly responsible are those in which we are responding, consciously or unconsciously, to data that are rich enough to permit a fairly adequate ethical appreciation of the state's intentional object ...*<sup>16</sup>

The explanation is both correct, and up to a point, consistent with the control principle. We control our beliefs and are in control of our emotions, desires, intentions and actions in so far as we respond to reasons as we see them, and have those beliefs, emotions, desires and intentions which we take to be in accord with reason.<sup>17</sup> In fact Adams rejects The Control Principle altogether.<sup>18</sup> And so do I. The next sections examine the reasons for doing so.

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<sup>15</sup> R.M. Adams, 'Involuntary Sins' p. 16. I believe that most of the sins Adams deals with are neither voluntary nor involuntary. They are psychological phenomena to which the distinction does not happily apply. See for more detailed discrimination J. Raz, ENGAGING REASON pp. 11-12. Adams identifies the voluntary with what is chosen or meant. That seems to me inaccurate. See above pages 12-14.

<sup>16</sup> P. 26

<sup>17</sup> ENGAGING REASON ch. 1, see also David Owens, Susan Hurley

<sup>18</sup> I am not clear what his view is. He writes: 'whereas the traditional theories are concerned with conscious recognition of the badness of the act, my criterion demands only that the data to which we are responding be rich enough to permit recognition of the relevant values. ... it would not be plausible to limit our responsibility for states of mind to cases in which we are or should have been conscious (so as to be able to say) that we are responding to those data. We expect of our desires and feelings an ethical sensitivity that exceeds what we can articulate'. (26-7) As responsiveness to reason involves some degree of self-awareness the passage suggests a rejection of The Control Principle, at least if control is understood as responsiveness to reason. He also rejects a negligence standard in rejecting that the limit is at what we should have been aware of, as well as in his earlier remarks about Alan Donagan who 'maintains ... [that] "Ignorance . . . is culpable if and only if it springs from negligence- from want of due care" ... Negligence, in this context, is a voluntary omission of actions that one ought to have performed and that would have cured or prevented the ignorance.' (19) But as

#### 4. RESPONSIBILITY<sub>2</sub> & THE DOMAIN OF SECURE COMPETENCE

One type of case in which responsibility<sub>2</sub> is inconsistent with **TCP** involves cases in which people are responsible<sub>2</sub> for actions which they do not control adequately, and because of that they are also responsible<sub>2</sub> for another, accidental action. The person who picks up a vase and it slips from his fingers and breaks, and the driver whose foot 'accidentally' slips off the brake, causing an accident, are examples.

There was nothing wrong in the person who broke the vase and the driver picking up the vase, or driving. The relevant fact is that they did not control these actions adequately, and yet the common judgement, and it is correct, is that they are responsible<sub>2</sub>. But why?

There are two principles involved. If they are responsible<sub>2</sub> for handling the vase and for driving even though they do not control these actions then they are responsible<sub>2</sub> for breaking the vase and for the accident. This responsibility<sub>2</sub> arises because of another principle of derivative responsibility<sub>2</sub>, whereby one is responsible for some of the consequences of actions for which one is responsible<sub>2</sub>. I will not stop to define or defend the principle here.<sup>19</sup> The question I wish to explore is why are they responsible<sub>2</sub> for actions they do not control in the first place? The answer is bound up with the special standing of a domain of secure competence. I've argued

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Adams misinterprets here the nature of negligence, this is consistent with his view coinciding with setting a negligence limit to responsibility, once negligence is properly understood. Indeed later on he remarks 'I take it the imaginary Hitler Jugend alumnus ... has rich enough data in his evidence of the humanity of the non-combatants in question, even if he is never told that they have rights. This will normally be true even if he has never met a member of the race or ethnic group to which the non-combatants belong; it is enough to know that they are human beings. On the other hand, I am prepared to grant, for example, that some conception of a preferable, workable alternative system may be part of the data needed for a fairly adequate appreciation of the injustice of a social or economic system, and that one's experience and education may leave one innocently unable to imagine such an alternative' (27?) which suggest endorsing a negligence principle.

<sup>19</sup>

It will be discussed in my Hart Lecture.



that central to our way of being in the world is a permanently evolving sense of our own mastery and its limitations. Our sense of ourselves and of our relations to our environment includes developing a domain within which we are confident that, barring competence-defeating events (a sudden explosion, a seizure, a biased teacher, etc.), if we set ourselves to do something we will, and being aware of that domain and its limits.<sup>20</sup> I will call it the ***domain of secure competence***. The crucial point is that we hold ourselves and others responsible<sub>2</sub> for conduct within our respective domains of secure competence, and we do so even when actions within the domain fail, provided that the failure is not due to a competence-defeating event.

This is an observation about how we judge matters: When the glass we put on the table tumbles off it, when while taking a step towards the door we bump into the table, etc., we tend to feel annoyance, and to blame ourselves. In these and other reactions we show that we take ourselves to be responsible<sub>2</sub> for these actions. Moreover, these reactions are accepted as appropriate, so long as they are not based on mistakes about our domain of secure competence, do not ignore the occurrence of competence-defeating events, and are not disproportionate. Section 2 provided the root of an explanation: We develop our sense of who we are in part by evolving, and coming to recognise where we have secure competence. That recognition takes a normative form: if an act is of kind within our secure competence then we hold ourselves responsible<sub>2</sub> for performing it (e.g., placing the vase on the table), or for doing whatever we may happen to do in failing to perform it (e.g., breaking the vase).

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It seems plausible that in building our understanding of our domain of secure competence the concept of ability plays an important role. However, I do not wish to emphasise the role of abilities too much.

Failure to control conduct within our domain of secure competence threatens to undermine our self-esteem and our sense of who we are, what we are capable of, etc. We must react to it.

We can of course conclude that we are no longer able to securely perform that action. We have grown frail, our competence is diminishing. We come to recognise our limitations. But normally that is not the situation, and we do not allow it to be. We assert our competence by holding ourselves responsible<sub>2</sub> for it. To disavow responsibility<sub>2</sub> is to be false to who we are.<sup>21</sup>

These remarks are meant both to draw attention to the practice of holding ourselves responsible<sub>2</sub> for actions within our respective spheres of secure competence and to justify it, by pointing to its role in maintaining our sense of who we are, and of our relations to the world in which we live. It, therefore, misses the point to counter-argue, saying that my observations are guilty of *petitio principii*, that, we are false to ourselves if we deny responsibility<sub>2</sub> for failed actions within our sphere of secure competence only if I am right, which remains to be established. My argument, such as it is, simply points to our practice of ascribing and acknowledging responsibility<sub>2</sub>, which defines the concept, and enables us to understand its significance in our life. We should, however, expect an additional vindicating explanation of the practice, one which relates it to our capacities of rational agency.

Before describing my explanation, I will discuss two alternatives; one modest; the other radical. The modest approach regards responsibility<sub>2</sub> for intentional but

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<sup>21</sup> Adams's observation quoted earlier though confined to our emotions applies to actions as well: "to refuse to take responsibility for one's emotions and motives is to be inappropriately alienated from one's own emotional and appetitive faculties."

uncontrolled action as derivative from responsibility<sub>2</sub> for the intention or from the attempt to act on it. I find this unsatisfactory partly because such actions are not always attempted in a controlled way, before we lose control of them, nor are they always performed with an independent intention. They may well be expressive actions or other acts whose intentionality is embedded, and does not arise out of an independent intention. Besides, there is the difficulty of justifying the principle of derivative responsibility<sub>2</sub> relied on. An explanation which is a variant of mine for underivative responsibility<sub>2</sub> would not explain why the responsibility<sub>2</sub> is merely derivative, and cannot think of another justification.<sup>22</sup>

The second, radical, alternative to my approach is that we ought to control actions which lie within the domain of secure competence. It may be argued that while other duties, other practical reasons, do not establish responsibility<sub>2</sub>, duties of control are special and do just that. It has to be admitted that in various ways duties to control our actions differ radically from ordinary practical reasons and other duties. It is also true that we tend to express ourselves in ways which may encourage acceptance of this suggestion. I would say 'I ought to have held more firmly to the vase' (and then it would not have slipped and broken), and such like.

And in many of the relevant cases it is true that we ought to have controlled our actions. But that duty does not explain why we are responsible<sub>2</sub> for the actions we should have controlled. They are, or are analogous to, instrumental duties. Since I ought not break the vase, and if, when handling it, I control my actions it would not break, therefore I ought to control my actions. That is the means to the required end.

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<sup>22</sup> It is important not to think of the relation of an action to the independent intention guiding it as a means to an end.

Where there is no sound end to which control is a means or a prerequisite, there is no duty of control. But we are responsible<sub>2</sub> for actions of that kind, so long as they belong within our sphere of secure competence. As with other duties, failure to comply with duties to control counts against us only if we are responsible<sub>2</sub> for the actions which constitute such failure.

The explanation lies elsewhere: the sphere of our secure competence demarcates the basic domain in which we are competent rational agents, agents capable not only of planning and intending, but of acting as well. It is the area in which our capacities of rational agency are available to us. And that is the connection we were looking for: we are responsible<sub>2</sub> because we are rational agents, but only for those actions (we can extend the conditions to consequences later) regarding which our capacities of rational agency were available to us to guide and control our actions.

Note that their availability does not mean that we did control the action, or that we would have controlled it had we tried harder. We are always liable to fail to control actions within the sphere of secure competence, even though no competence-defeating condition obtained. The conditions establishing that the action is within the sphere of secure competence apply to action-types. It does not follow that in an individual case where we did not control the action we could not. 'Can' and 'could not', having to sustain counterfactuals, must be generic rather than specific to the occasion. When applied to a specific act 'you can do it now', when it does not mean you have the opportunity to do it now (the conditions are right for successfully doing it now) means you will succeed if you try. It need not presuppose the 'can' of ability.

Before continuing to examine and develop this principle of responsibility<sub>2</sub> it is worth noticing some complications in its application to the area of secure

competence. The process by which people develop their sense of their secure competence is complex, and influenced by the fact that among various social subgroups certain views about what everyone should be able to securely do (walk, climb stairs, hold objects, etc.) prevail, and people tend to develop those competences. Beyond that basic domain of common competence various individuals develop further more advanced competences, following their inclinations and capacities.

Some people are disabled, and disability is (to give it a somewhat stipulative definition) just that: the inability to control a range of conduct which is commonly taken to be conduct which should be within people's domain of secure competence. As we know there are disadvantages in being identified publicly as disabled, with the result that people who are on the borderline of disability often prefer to avoid seeing themselves and being seen by others as disabled. They do so by holding themselves responsible<sub>2</sub> for conduct which they believe that they should control because it is the common view that everyone should have it within their secure competence, even when their control of it is not fully secure. Needless to say, often others accept them at their word, i.e. as responsible<sub>2</sub> for conduct of that kind.

Furthermore, when people fail to do what they should have been competent to do, should have done, and tried to do, the question whether the failure was due to the fact that they were not as competent as they should have been, or whether they did not try hard enough, or whether their action just failed as some do, does not always have an answer. The boundaries between 'one's competence is not up to the required level', 'one did not try hard enough', and 'one just failed', are vague and indeterminate. Often there is no fact of the matter as to which category an individual case belongs to, and if there is it is rarely possible to be sure about it. Hence, absent indication of disability, the practice of holding people responsible<sub>2</sub> for actions which,

by a reasonable social standard, they are expected to have within their domain of secure confidence, is justified.

This may seem to imply a harsh judgment on individuals who cannot help the situation. But that is not quite so. The judgement is finessed to apply only to people who should have had that competence and control, and that means that they could have had it. It does not apply in the same way to young children, disabled people, etc. Judgement about what one should be able to control is nuanced. I conclude that the practices I have described are, unless pushed to extremes, reasonable given their role in human life.

#### 5. THE CASE OF OMISSIONS

Sometimes we are responsible<sub>2</sub> for not doing something. In the absence of a better word I will refer to not- $\phi$ ing as omitting to  $\phi$ , using the term stipulatively, in a meaning free of any implication as to whether or not one ought to have performed it. As noticed earlier it seems impossible to explain responsibility<sub>2</sub> for omissions by reference to either intention or control principles. A characterization of control of omissions might go like that: an omission is controlled if and only if (1) the omitted action is within the agent's sphere of secure competence, (2) the omission is intentional, and (3) these conditions are securely realized. As we are responsible<sub>2</sub> for many unintentional omissions so understood control is not a necessary condition for responsibility<sub>2</sub> for omissions. A weaker conception of control would replace the second condition with (2) the agent would not perform the action unintentionally. So understood control is not necessary for responsibility<sub>2</sub>. People who due to some medical condition (e.g. Parkinson's disease, Tourette's syndrome) cannot control some of their omissions may well be responsible<sub>2</sub> for some of them. Besides, it does not guarantee any particular relationship between controlled omissions and the

capacities of rational agency of the agent (and cannot therefore be sufficient for responsibility<sub>2</sub> either).

As we omit an indefinite number of actions at any given time, and never have occasion to think of almost all of them, it seems plausible to expect that there is no clear demarcation between those omissions we are responsible<sub>2</sub> for and others we are not responsible<sub>2</sub> for, except in cases where there is reason to refer to those omissions, for example, because they were wrong, or advisable. The demarcation that I propose below is suggested by general theoretical considerations, underlying my approach throughout the paper, and by and large it is consistent with other distinctions.

Consider unintended omissions. They are unintended because the question whether or not to perform the omitted action was not fully resolved in the agents' mind. To simplify let us assume that it was not fully resolved because it did not arise. I will assume that in-between cases, cases of ambivalence and the like, could be explained once we understand the case of responsibility<sub>2</sub> for intended omissions on the one hand and of responsibility<sub>2</sub> for omissions which never surfaced in the agents' mind on the other hand. Obviously an omission is by nature continuous over time, but as it can be interrupted, and the action performed, at various points in time, it is possible to focus on the non-performance of the action at any particular point in time. So let us consider cases in which at the time it did not occur to the agent to consider whether to perform the action or omit it. Two kinds of such cases can be distinguished. In one the omission is accidental. It is due to a failure in the rational functioning of the agent. For example, he intended to set the alarm, but then it slipped his mind and he did not. In the other kind of case that is not so. So far as the agents' beliefs, resolutions, intentions or other attitudes are concerned there is nothing to make him perform the action or even consider whether to perform it. For

example, I did not call the person whose name is first in the Munich telephone directory today.

We are responsible<sub>2</sub> for clear cases of the first kind, and not responsible<sub>2</sub> for clear cases of the second. Had I functioned properly as a rational agent then given the person I am, that is given my beliefs, intentions and attitudes, I would have set the alarm. My failure to do so was a failure to connect my various beliefs, intentions, etc. My omission is due to failing to function adequately as a rational agent, even though my capacities of rational agency were available to me (I was not drugged by anyone, I do not suffer from amnesia, etc.). It was an occasional lapse of functioning just like the case in which I drop the vase I am holding, or when my foot slips off the brake while driving. Omitting to call that person in Munich was not due to failure to function as a rational agent. This is not because I decided not to call him, but because there was no fault in my functioning as a rational agent in not thinking about the question at all, in not noticing it as a possibility.

How far does the 'failure to connect', in ways which render us responsible<sub>2</sub> for omissions, go? It certainly extends well beyond the example of accidentally failing to act on a prior intention. In particular it includes cases in which one 'should have known better', that is cases in which one failed to consider the case for an action because there was nothing in one's beliefs to suggest such a case. However, a fairly minimal degree of reflectiveness would have made the person change his beliefs and not because of any new information coming to his notice. Had he been reflective he would have easily realised that an additional belief is implied by his existing beliefs, and that belief in combination with his other beliefs and attitudes would have indicated a case for considering performing that action. This too is a case of failing to connect, though a more demanding one: a case in which had he connected he would have modified his existing beliefs and attitudes.



Needless to say there are other examples of failing to consider an action due to 'failing to connect'. And needless to say the boundary is anything but determined. If I am right that indeterminacy is a feature of our concept of responsibility<sub>2</sub> then it involves no flaw in the account that it preserves it. Before explaining the theoretical merit of this account of responsibility<sub>2</sub> for omissions, one confession of a drawback in it: it may well lead to classifying some cases often taken as excuses for wrongful omissions due to ignorance as cases in which one was not responsible<sub>2</sub> for the wrongful omissions.

6. THE EMERGING CONCEPTION OF RESPONSIBILITY<sub>2</sub>

I focused on 3 types of case: (1) responsibility<sub>2</sub> for normal (intentional and) controlled action, where the qualification 'normal' excludes responsibility<sub>2</sub> for intentional and controlled action under hypnosis or other conditions which disable, or suspend one's ability to function as a rational agent; (2) responsibility<sub>2</sub> for uncontrolled action within one's sphere of secure competence; (3) responsibility<sub>2</sub> for non-performance of actions due to failure to connect, to integrate in a standard way one's beliefs, intentions, etc. What I said about them is a bare outline of an account, leaving much to be fleshed out. Arguably, however, all cases of responsibility<sub>2</sub> can be analysed as combinations of these three and of principles of derivative responsibility<sub>2</sub>. For example, the drunk wobbling his way out of the bar, and accidentally breaking a wine glass is responsible<sub>2</sub> for breaking the glass derivatively, because he is responsible<sub>2</sub> for walking. And he is responsible<sub>2</sub> for walking derivatively because he is responsible<sub>2</sub> for setting out to leave the bar unaided. Why then is he responsible<sub>2</sub> for the latter? It is tempting to reply that he should not have started walking as he did. He should have stayed at the bar, or asked the bartender to help him out. Perhaps so. But doing what one should not does not establish responsibility<sub>2</sub> for that action. That is the point of responsibility<sub>2</sub>, that actions, good bad and indifferent, are held neither to one's credit

nor discredit unless one is responsible<sub>2</sub> for their performance. Responsibility<sub>2</sub> depends on a condition independent of whether the act is right or wrong.

The drunk is responsible<sub>2</sub> for setting out to walk because it was an action within his sphere of secure competence. So is walking, but not when he is drunk. But deciding not to walk **is**, even when ordinarily drunk. To be sure, there is a degree of inebriation which would suspend his capacity to function as a rational agent altogether. I am merely instancing a case in which this is not so (as in some other cases the drunkenness may not be of a degree to exclude the walking from his secure competence, even though when he walks he may wobble and stumble).

What is needed in conclusion is an explanation which unifies the three kinds of cases, and relates them to responsibility<sub>1</sub>, to the fact that we are rational agents. Actions of all three kinds manifest the functioning of our powers of rational agency, as they are shaped through our life [the capacities of rational agency of “the concrete individual”, not the abstract one].

It is plain that this is so regarding controlled intentional actions and intentional omissions. But is it also true of unintended omissions which, given one’s beliefs and attitudes one should have deliberated about? Or, of uncontrolled actions within one’s domain of secure competence? The only reason for the doubt is that those actions and intentions are ones in which the functioning of one’s powers of rational agency failed to a lesser or greater degree. And that is a bad reason. The actions within our sphere of secure competence for which we are responsible<sub>2</sub> are intentional, even if uncontrolled, and we are responsible<sub>2</sub> for such accidental actions as we are responsible<sub>2</sub> for, derivatively only.

If uncontrolled intentional actions are cases of partial failure<sup>23</sup> to be guided and determined by our powers of rational agency, the unintended omissions that we are responsible<sub>2</sub> for represent total failure: due to failure to connect we did not even consider performing the actions. But the failure is not normative. It does not mean that we behaved in ways that we should not have. It means merely that had our faculties of rational agency functioned properly then, given our existing beliefs, intentions etc. we would have considered whether to act or to omit. In these circumstances the omission manifests a failure of functioning of our powers of rational agency.

Let us assume that that is correct, and that cases of these three kinds do have a distinctive relationship to our powers of rational agency, that they manifest the functioning or malfunctioning of those powers in a way that other actions do not. Why are we responsible for them? Why is that the relationship between action and our capacities for rational agency, as forged throughout our lives, which render us responsible<sub>2</sub> for those actions? More specifically: why are we responsible for actions and omissions manifesting the mal-functioning of our powers of rational action?

This takes us back to my earlier remarks. But first, one point of background: In remarks about what makes people persons, or rational agents, it is common to emphasise the ability to distance oneself from one's beliefs, commitments, intentions, to review them and revise them. Equally essential, however, necessary even for the ability to distance oneself, to review and to revise, is the ability to function and act with confidence, without the need to review, double check or

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<sup>23</sup> Failure here is used non-normatively, to indicate unsuccessful functioning rather than unsuccessful functioning when there was reason for the functioning to be successful.

reassure oneself. That competence which applies to mental processes, like forming beliefs and intentions, and to control of ones body alike, is essential if we are not to be stuck in loops of hesitation and indecision. Moreover, we need to be aware of at least some aspects of that competence. That, and now we connect with my earlier discussion, awareness, which need not reach the level of explicit articulation of its object, constitutes part of our understanding of who we are, and plays a major role in forming our dispositions to engage with or distance ourselves from various possibilities, prospects or risks.

I discussed these matters when defining the notion of a zone of secure competence. It was defined in relation to secure skills in performing various actions, but it can be extended to apply to competence in reasoning, mental arithmetic, kinds of memory, resoluteness and other mental phenomena. The sense of who we are and the skills and competences which underlie it continuously evolve during our life. As I there explained part of insisting on their integrity consists in the denial that the inevitable occasional lapse in their functioning is a result of the skill being degraded, of its contracting. And that denial takes the form, among other things, of admitting, indeed insisting, on our responsibility for actions, including unsuccessful actions within the zone. Similarly, acknowledging others to be the people they take themselves to be includes accepting their responsibility in such cases. That is why the responsibility-constituting relationship between capacity for rational agency and action is not limited to successful intentional and controlled actions.