

Determinism, Self-Reference and Morality

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Things and actions are what they are, and the consequences of them
will be what they will be; why, then, should we desire to be deceived?

– Joseph Butler, *Fifteen Sermons*, §7.16

I

Consider the following three propositions:

- (1) Nobody may be held morally responsible for their conduct if they could not have done other than they did in fact do.
- (2) If determinism is true, every piece of human conduct occurs under conditions such that, given those conditions, nothing else could have occurred.
- (3) If determinism is true, nobody may be held morally responsible for their conduct.¹

Practically every moral philosopher who has treated determinism at any substantial length seems to think that this is a valid syllogistic argument, so simple that it can be taken as trivially true.² This is manifested most succinctly in the familiar saying that

¹ Wordings adapted from Lawrence C. Becker, "Determinism as a Rhetorical Problem," *Philosophy & Rhetoric* 4 (1971), p. 20, where an earlier version by Roderick Chisholm is in turn credited for inspiration.

² Representative examples include, among the writings of twentieth-century analytic philosophers, C. D. Broad, *Determinism, Indeterminism and Libertarianism* (Cambridge: Cambridge University Press, 1934); G. E. Moore, "A Reply to My Critics," in Paul Arthur Schilpp (ed.) *The Philosophy of G. E. Moore* (Evanston: Northwestern University, 1942), pp. 623–627; Gilbert Ryle, *Aspects of Mind* (Oxford: Blackwell, 1993), pp. 111–145; and Thomas Nagel, *What*

"ought implies can". The "demographic profile of the free will debate," as Derk Pereboom calls it,³ portrays most moral philosophers as thinking that determinism is false, and that therefore there is no problem in holding individuals of sound mind morally responsible for their wrong doings. This majority group includes both complete voluntarists and so-called "compatibilists," both of whom think that even if we are not completely free, we are sufficiently free to be morally responsible for our actions. Opposed to this idea is the minority group of "hard determinists" (to use a famous expression of William James's), who claim that there is no free will, and that moral responsibility cannot therefore exist. They suggest that we give up the practice of holding people morally responsible. But another, more interesting minority group is constituted by the committed, "hard" determinists who fully admit the importance to a civilised society of a widespread belief in the existence of free will. They have been led to suggest to their fellow determinists that they should encourage this false belief against their own better judgement, perhaps as a kind of "noble lie".⁴

But the argument presented above in three steps, while a formally valid syllogism, cannot do the work it is unthinkingly supposed to do. It is self-applicable in a way that makes its typical everyday uses self-defeating. The claim that we should not hold anyone morally responsible implies that we are faced with a choice: whether to hold someone morally responsible or not. *But if determinism is true and nobody has control over their actions, it follows that we do not ourselves have any choice in this matter.* Because of their inability to see this, most determinists and most non-determinists alike are failing to think through the logical consequences of determinism. In its properly thought through form, genuine determinism has perhaps never been the

Does It All Mean? (Oxford: Oxford University Press, 1987), pp. 47–58. A few hours' bibliographic research would certainly come up with many others.

³ Derk Pereboom, "Determinism *al dente*," *Noûs* 29 (1995), p. 21.

⁴ Various versions of this are suggested by Hans Vaihinger, *The Philosophy of "As If"* (London: Kegan Paul, 1924); Susan Wolf, "The Importance of Free Will," *Mind* 90 (1981), pp. 386–405, and esp. pp. 390–394; and Saul Smilansky, *Free Will and Illusion* (Oxford: Oxford University Press, 2000), esp. pp. 171–172. There is also a family resemblance to the "affirmation" recommended for determinists by Ted Honderich, *How Free Are You?* (Oxford: Oxford University Press, 1993), pp. 107–118.

“live option” (to use another famous expression of James’s) as which it is usually portrayed in moral philosophy.

To illustrate this, suppose that a determinist, Charles, has managed to convince a non-determinist, Diana, of the truth of determinism. Shortly after this, Charles sees Diana admonish her neighbour’s fourteen-year-old son for bouncing a basketball on the asphalt outside her bedroom window and disturbing her afternoon nap. He says: “Don’t you know that you may not do that, because nobody can act freely!” But she quickly replies: “Well, if nobody can act freely, then I’m not free to choose whether to admonish this kid or not!” By saying this, Diana shows how Charles has unwittingly painted himself into a corner. He might reply impatiently: “Oh, yes you are!” But that would of course impugn his own proclaimed determinism. Or he might perhaps retort: “Well, in that case, neither can I choose whether to censure *you* or not!” But that would defeat his original remark, which rested on the assumption that no parity of reasoning was applicable between his supposedly justified censure of Diana and Diana’s supposedly unjustified censure of the boy.

Both non-determinists and determinists are seemingly haunted by the spectre of a thief saying to a judge that he cannot be convicted, because everyone’s freedom is destroyed by determinism, and all he really could do was therefore to steal – the way he did. But such a thief is in no position to complain if the judge replies to him that because everyone’s freedom is destroyed by determinism, all he, the judge, really can do is therefore to find him guilty and sentence him – the way he is about to do. If the thief invokes his appalling childhood, the judge can invoke *his* comfortable childhood; and so on. Neither is this a mere sophistic thought experiment. There really have been people who successfully reconciled their determinism with their career as criminal judges or prosecuting attorneys. For instance, Christmas Humphreys (1901–83) was a nationally eminent British prosecutor and judge from the 1950s to the 1970s, and a practicing Buddhist. A biographical sketch notes that to Humphreys, “it was karma that

had made him a prosecutor just as it was karma that had led criminals to commit crimes. Later, it would be karma that saw Humphreys as a judge.”⁵

Proposition (3) above says that if determinism is true, then nobody may be held morally responsible for their actions. But *holding morally responsible* is *itself* an action – no less than stealing, helping the poor, or riding a bicycle. What proposition (3) implies, therefore, is the paradoxical claim that those who hold others morally responsible should be held morally responsible for so doing, because nobody may be held morally responsible. If ought implies can, then “A judge ought not to convict those who did not choose to commit the crimes they committed” absolves a determinist judge just as well as “One ought not to commit crimes” is supposed to absolve a determinist criminal. The two absolutions cancel each other out.

II

The idea that determinism can have no bearing on moral responsibility is not new as such. Perhaps the most famous, and certainly the most sophisticated, attempt to defend this idea has been P. F. Strawson’s groundbreaking discussion of “reactive attitudes”.⁶ Strawson contends that it is pointless to ask whether moral responsibility is justifiable under determinism, because it is simply “not in our nature”⁷ to see the lack of complete freedom as destroying moral responsibility. It is not psychologically possible to divest ourselves of moral reactions to the actions of others; or even if it were, the “noble lie” referred to above would still be preferable because of its beneficial effects on society. I agree with Strawson that it is impossible to divest ourselves of the reactive attitudes. But Strawson does not seem to see that if determinism is true, the impossibility of such divesting is caused neither by any psychological inhibitions nor by the desirability of the “noble lie,” but by the very fact that determinism is true.

⁵ Damien P. Horgan, “Christmas Humphreys: A Buddhist Judge in Twentieth Century London,” *Korean Journal of Comparative Law* 24 (1996), p. 15.

⁶ P. F. Strawson, “Freedom and Resentment,” *Proceedings of the British Academy* 48 (1962), pp. 187–212.

⁷ Strawson, “Freedom and Resentment,” p. 204.

Both defenders and critics of Strawson suppose that the existence of reactive attitudes alongside determinism calls for some kind of explanation. Strawson himself offers us a psychological one. But in the end, the true ultimate explanation is determinism itself. It has often been claimed by critics of Strawson that if determinism is true, there is no rational basis for our reacting as we do. But if determinism is true, it obviously means that there is no free will, and from this it follows that we ourselves cannot choose freely which reactive attitudes to take towards others.⁸ It has simply been determined – the way things normally are determined in determinism – that we shall go on to take the reactive attitudes we do in fact take.

If determinism is psychological in nature, the psychological facts to which Strawson appeals *do* of course explain its existence alongside reactive attitudes. But what Strawson does not see is that if determinism is true, these facts are themselves a product of the determinist forces that govern all psychological events. Thus, appealing to them as something that *justifies* the coexistence of determinism and reactive attitudes is otiose. Importantly, this also means that Strawson's argument outstrips its own dependence on psychological considerations.⁹ It can be extended to all other kinds of determinism, should these turn out to be true. If determinism is psychological, it provides a psychological explanation of our reactive attitudes; if it is physical, it provides a physical explanation; if it is social, it provides a social scientific explanation;

⁸ Thus Paul Russell, a critic of Strawson, is calling for a new "approach [that] does not encourage us to accept or reconcile ourselves to reactive attitudes [...] irrespective of whether or not we have reason to repudiate them" ("Strawson's Way of Naturalizing Responsibility," *Ethics* 102 (1992), p. 302); while Susan Wolf, a defender, claims that "the truth of determinism gives us no reason at all to choose to take one attitude rather than another" ("The Importance of Free Will," p. 403). Neither attempts any explanation whatsoever of how the truth of *determinism* – the philosophical position that itself claims that nobody can ever freely choose anything – could conceivably give us a reason to *choose* to take an attitude, or to *choose* to repudiate it.

⁹ *Pace* critics of Strawson's naturalism, such as Russell, "Strawson's Way of Naturalizing Responsibility"; Marina A. L. Oshana, "Ascriptions of Responsibility," *American Philosophical Quarterly* 34 (1997), pp. 71–83; Simon Blackburn, "Relativization and Truth," in Lewis Edwin Hahn (ed.) *The Philosophy of P. F. Strawson* (Chicago: Open Court, 1998), pp. 160–163.

and so on.¹⁰ (This is shown by the fact that my thought experiment leaves open whether Charles had converted Diana to psychological, physical or social determinism.)

Neither is it helpful here to suggest, in a Wittgensteinian tone, that we view determinism not as a metaphysical thesis but as a kind of distinctive attitude to human action. Such action can be seen "in terms of determinism" but also in terms of something else. In different social contexts people express both determinist and indeterminist attitudes, depending on the metaphors and imagery that are called to the forefront of their mind by each individual case: clockwork or chaos, sinner or sinned against.¹¹ Here, determinism is seen as a kind of picture or outlook that forces itself on you to the exclusion of competing ones (the truth of which would be phenomenologically indistinguishable from the truth of determinism). But if I adopt a determinism that can be unproblematically redescribed as an attitude, it still follows from my "thinking in terms of determinism" that I cannot view my own *attitudes toward* this determinism, including its relation to moral responsibility, as having come about otherwise than... deterministically.¹² I cannot grant myself an exemption from the general determinism which I, however fleetingly and by force of circumstance, see as governing the whole world. Or if I do grant it, this is not a counterexample. It just

¹⁰ It should be noted that some writers have already defended something that resembles my strengthened version of Strawson's position (Becker, "Determinism as a Rhetorical Problem"; David Blumberg, "Determinism and Moral Responsibility," *Journal of Value Inquiry* 5 (1971), pp. 207–211). But for some reason or another, their treatments have in turn restricted themselves to *social* determinism, which is no more sensible than Strawson's restriction to psychological determinism. Also, A. J. Ayer seems briefly to harbour a similar modified version of Strawson's position ("Free-Will and Rationality," in Zak van Straaten (ed.) *Philosophical Subjects* (Oxford: Clarendon Press, 1980), p. 10). However, he quickly recoils back to brooding over ought-implying-can.

¹¹ This is a major theme of Wittgenstein's 1939 "Lectures on Freedom of the Will," in *Philosophical Occasions 1912–1951* (Indianapolis: Hackett, 1993), pp. 427–444. It is developed further by İlham Dilman, *Free Will: An Historical and Philosophical Introduction* (London: Routledge, 1999), pp. 234–254, and by William H. Brenner, "Natural Law, Motives and Freedom of the Will," *Philosophical Investigations* 24 (2001), pp. 246–261.

¹² Of course, Wittgenstein's image of determinism – as a way of looking at things that forces itself upon you in some circumstances – is itself a piece of determinism-encouraging imagery in his terms. *It* undoubtedly forced itself upon *him*, but not me, for instance.

shows that I have simultaneously ceased to think in terms of general determinism at all, because something else *is* now in the forefront of my mind.

In an interesting way that has received almost no attention, determinism is intrinsically self-referential. This sets it apart from most other philosophical positions. For instance, there is no contradiction if I say: "Think of it what you will, but Cartesian dualism is true." But it would be contradictory to say: "Think of it what you will, but determinism is true." This would be a philosophical joke, like the solipsist who wondered why solipsism is not more popular; or at least a self-vitiating paradox, like the liar paradox. If determinism is true, we are not free to think what we will of anything at all – including, among millions of other facts, the very fact that determinism is true. But Strawson does not get the joke, and neither do his numerous opponents and supporters. Anyone who thinks that a philosophical theory can help us choose whether to hold someone morally responsible, given determinism, has already unwittingly taken this same determinism off the table. If determinism is true, then that particular choice is not ours any more than any other choice is.

III

I am a hard determinist myself, but my reasons are not every hard determinist's. For instance, I reject the scientistic idea that there could be a kind of *a posteriori* demonstration of the lack of freedom of the will, through research in brain physiology or whatnot. To me, determinism itself is an explanatory hypothesis, and to be favoured because it is the simplest workable one, the most elegant one formally. Freedom of the will is an extra presupposition which Occam's razor cuts away, because it is not needed to save any hypothesis worth saving. Were somebody to come up with one that is worth saving, I can imagine myself abandoning my determinism. It is the mere lack of a belief in freedom of the will, not a belief in the lack of freedom of the will.

(A word is in order about the most popular hypothesis I have been offered. Many people have tried to get a foot in the door by saying that the first-person phenomenology of a putatively voluntary action is different from the phenomenology of

an involuntary action. This is usually put to me like a reminder of something uncontroversial and well-known. But I have repeatedly tried to spot the alleged difference through introspection, and failed. In situations of choice, for instance, I do not experience “trying to choose,” but “waiting to see which way I choose”.)

It is sometimes said that since a notion such as *being morally responsible* could only get its content from examples, hard determinism is meaningless, since hard determinists cannot say what they would *count* as an instance of moral responsibility.¹³ This reflects the extent to which hard determinism and the denial of conventional moral responsibility are taken to go together. But my own position as a hard determinist is that, roughly speaking, I count as instances of moral responsibility all those in which someone is normally said to be morally responsible – when someone does an act generally held to be despicable and is as a consequence sent to prison, fined, deserted by his friends, or whatnot.¹⁴ That is what being morally responsible, practically speaking, *consists in*.¹⁵

I do not dispute that there is genuine moral responsibility, only that such responsibility requires any freedom of the will. There are even times when I regard myself as a kind of moral realist, in spite of my hard determinism. Now someone might object that this makes me into a compatibilist instead of a hard determinist.¹⁶ But compatibilists are philosophers who say that although there is no complete freedom, people are morally responsible because they are still *free* in *some* sense. But what I say

¹³ E.g., Andrew Ward, “Talking Sense About Freedom,” *Philosophy and Phenomenological Research* 50 (1990), p. 738; and cf. Bruce N. Waller, “Hard Determinism and the Principle of Vacuous Contrast,” *Metaphilosophy* 19 (1988), pp. 65–69.

¹⁴ This does not mean that I am thrilled about all these ascriptions in equal measure. For example, I vehemently oppose capital punishment, and hope that this will in time help to secure its worldwide abolition. But I would also oppose it for crimes committed voluntarily, if I believed determinism to be false.

¹⁵ Strawson is criticised for hinting at this by Oshana, “Ascriptions of Responsibility,” pp. 73–75. I, in turn, praise him for it.

¹⁶ Ward, “Talking Sense About Freedom,” pp. 740–744.

is clearly that they're not free in any sense.¹⁷ If determinism is true, it is also true that most people have been determined to think that determinism is false. Far from preventing the ascription of moral responsibility, if determinism is true, it actually facilitates thousands of ascriptions every day around the world, these ascriptions being determined by what they are determined. As Derk Pereboom puts it: "If one has resolved to do what is right, *by whatever motivation*, one thereby has reason to act in accordance with this resolution."¹⁸

As long as this state of affairs persists, there is no risk that moral responsibility will be eroded on any significant scale. And if crime, addiction, poverty and other social evils all result from the inexorable laws of determinism, then all the courageous and salutary efforts made to combat these social evils also result from the same inexorable laws. But even this does not do full justice to the complexity of the matter. Not only is our thief caused to steal, and the judge caused to convict him, but the members of human rights organisations are also caused to demand humane treatment for the thief, and the relevant authorities are caused to either grant it or deny it.

The contemporary determinist Saul Smilansky has acknowledged all this, but has nevertheless expressed worries about the possibility that the truth of determinism might some day gain general acceptance. He writes that in such a case, "it is implausible to think that we could maintain the appropriate seriousness of moral attitude and not lose confidence in our basic beliefs, reactions, and practices".¹⁹ But I do not see how even the conversion of an entire society to determinism would have this outcome. Consider Spinoza, who was as hard a determinist as can be found, but who was also one of the most eloquent defenders ever of the human spirit, and whose main works include an elegant and well argued political treatise. Think about Baron d'Holbach, another philosopher who was both a hard determinist and a social reformer; one of the most radical European intellectuals of his time, in fact. Finally, consider the

¹⁷ Strawson seems content to be labeled a compatibilist in spite of his similar predicament: "So do I emerge as a straight compatibilist? If so, *ainsi soit-il*." "Reply to Simon Blackburn," in Hahn (ed.) *The Philosophy of P. F. Strawson*, p. 170.

¹⁸ Pereboom, "Determinism *al dente*," p. 36 (my italics).

¹⁹ Smilansky, *Free Will and Illusion*, p. 204.

case of John Hospers, who was a determinist, but who in 1972 ran for President of the United States – as the candidate of the *Libertarian* Party, which takes the view that there is much too little individual liberty in contemporary liberal democracies. A. J. Ayer, in fact, seems to be correct when he states, referring to his own life experience, that “professing determinists are not the less likely to feel gratitude or resentment, or pride or remorse or moral indignation, or to avoid any of the other commitments which their theory might be expected to deny them”.²⁰

Smilansky does not help his case by ignoring the self-referential nature of determinism to which I draw attention above. For instance, he has a paper arguing that “even though hard determinists might find it morally permissible to incarcerate wrongdoers apart from lawful society, they are committed to the punishment’s taking a very different form from common practice in contemporary Western societies”.²¹ That would have come as news to Christmas Humphreys. If hard determinism is true, and some hard determinists scoff at Smilansky’s arguments or shrug them off as irrelevant, then this outcome is merely another thing that is determined and out of their hands. If hard determinism does destroy responsibility, inspiring Smilansky’s call for more humane treatment of those who commit crimes deterministically, then hard determinists cannot be held to account for deterministically ignoring this same call, unpleasant and uncongenial though this is to Smilansky himself. But then again, if someone views the hard determinists as inane or smart-alecky for invoking these considerations, this harsh judgement too escapes moral censure, because it is also made deterministically in just the same way – if this is any consolation. Used as a premiss in moral arguments, hard determinism is a double-edged sword, and those who live by it shall die by it at double the normal rate.

²⁰ Ayer, “Free-Will and Rationality,” p. 5.

²¹ Saul Smilansky, “Hard Determinism and Punishment: A Practical *Reductio*”, *Law and Philosophy* 30 (2011), pp. 353–367.

IV

There would, of course, be a number of people in a thoroughly determinist culture who would falsely claim that determinism makes it impossible for others to hold them morally responsible. Perhaps such people would especially be influenced by the tempting “Christian-Kantian” belief that moral worth does not depend upon brute facts.²² But then again, there already are some people in present-day society who claim to be above moral responsibility without invoking determinism at all. Dealing with the new irresponsible determinists should not be any bigger a problem than dealing with irresponsible non-determinists. The morally poor you will always have with you.

Finally, it should be noted that the combination of determinism with moral responsibility is perhaps not as alien to Western culture as it is thought to be, and judges such as Humphreys are perhaps not as freakish as they seem. For instance, if the gods punish people in a Greek tragedy by pushing them into immoral decisions, this does not exempt them from the jurisdiction of the human courts. The earthly legal system’s reaction, if any, counts as part of the punishment the gods have decreed.²³ The chorus even held Oedipus responsible for his unintentional deeds for which he showed remorse.²⁴ Even the gravest moral responsibility does not always imply wickedness or vileness, and should not preferably be conflated with these. Raimond Gaita has pointed out how determinism of the “society’s to blame” variety, invoked instrumentally in attempts to evade legal culpability, makes its opponents

often fall into an unpleasant moralism that is supported by an implausible voluntarism in order to justify their sense that moral descriptions are appropriate. The idea that a person who judges that someone has done evil

²² Jonathan Bennett, “Accountability,” in van Straaten (ed.) *Philosophical Subjects*, pp. 25–28.

²³ This point was put to me by Ray Davis in comments on an earlier version of this paper.

²⁴ Raimond Gaita, *Good and Evil: An Absolute Conception*, second ed. (London: Routledge, 2004), p. 44.

(logically) must blame him in a sense which conflicts with pitying him appears to be, at least partly, a rationalisation of our apparently natural, but unsavoury disposition to point fingers at one another disguised as moral theory or conceptual analysis. It leads to an unnecessary sense of conflict between pity and moral judgement and is responsible for the unedifying tone of much of the contemporary discussion of the relation between crime and social circumstances.²⁵

Moving away from the Greeks, even a worldview like Christianity, which has often attempted to solve the problem of evil by invoking freedom of the will, has its determinist elements. Think about the idea of ancestral sin, or God's foreknowledge, or the Calvinist doctrine of predestination. If these are very much in the forefront of people's minds, in the way highlighted by Wittgenstein, Christianity will often lead to conclusions that are determinist for all intents and purposes, although its official self-image is not determinist.²⁶

Nevertheless, I am personally gratified that the laws of determinism are such that they hide their existence from most people – but not because of the illusion of non-determinism is beneficial to society as a whole; rather, simply because I enjoy knowing things most people don't know. And I am, of course, equally gratified that the laws of determinism are such that they allow me to express my gratitude for the foregoing. The only reason why I don't recommend to my fellow determinists that they be gratified in the same way is that, being a determinist, I don't think they have a choice. I can only hope that this little reminder causes them to be gratified without choosing.

²⁵ Gaita, *Good and Evil*, p. 45.

²⁶ A particularly extreme train of thought in philosophy of religion, such as Simone Weil's, may even cause Christians to feel a kind of guilt for the "crime" of having been created by God, because they view themselves as unworthy of it.