

Metaskepticism About Moral Responsibility

Abstract:

Contemporary philosophical theories of moral responsibility attempt to develop universal criteria for fair assignments of blame and praise. The theories also appeal to intuition about key principles and cases to justify these criteria. Consequently, theories of moral responsibility must make empirical assumptions about the universality or convergence of the intuitions upon which their theories rely. This paper lays out a comprehensive empirical and philosophical challenge to these assumptions. I present evidence suggesting that there are fundamental intuitive differences regarding the conditions for fair assignments of moral responsibility. I then argue that these differences are sufficiently deep and well-motivated to make it implausible that reflection, concept disambiguation, dialogue, and agreement about non-moral facts could resolve them. I conclude that we have no principled means of establishing the truth of ‘universalist’ theories of moral responsibility. I call the resulting position ‘metaskepticism about moral responsibility’ because the challenge applies not only to positive accounts of moral responsibility, but also to skeptical theories which claim that human beings *everywhere* cannot deserve praise or blame for their actions.

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1. Introduction

Just after the shootings at Virginia Tech University, a reporter from the National Public Radio program “Day to Day” set out to interview Koreans living in Los Angeles about the massacre. At first the reporter had trouble finding anyone who was willing to answer her questions. Some actually fled from the microphone. Finally, a Korean realtor agreed to be interviewed. He claimed to be deeply ashamed about the incident. The reporter was incredulous: “Why? You had nothing to do with it!” The man replied: “I know, but he was a fellow Korean.”¹

In the same week Rev. Dong Sun Lim, founder of the Oriental Mission Church in Koreatown, released this statement: “All Koreans in South Korea – as well as here – must bow their heads and apologize to the people of America.” And South Korean Ambassador Lee Taesik called on Korean Americans not just to be ashamed, but to repent. He suggested a 32-day fast, one day for each victim of the carnage.

¹ “U.S. Koreans Respond to Shootings” *Day to Day*, National Public Radio. April 18, 2007.

Many Americans found this attitude baffling. Why should Koreans living thousands of miles away from Blacksburg, Virginia feel compelled to apologize (never mind starve themselves) for something over which they had no control? What do they have to apologize *for*? Adrian Hong, a board member of the Mirae Foundation, a national organization of Korean-American college students, offers this explanation: “First-generation Koreans tend to have a cultural sense of shared responsibility. If something good happens to one, it happens to all Koreans, and if something bad happens to one, it happens to all of them” UCLA Anthropology Professor Kyeyoung Park adds: “In Western culture there is an emphasis on guilt; in many Eastern cultures the emphasis is on shame. I think Korean-Americans want to do something [about the incident] because they feel ashamed. Some of them feel *truly responsible*, even though it is ridiculous to think they are responsible for the action of this person.”² [my italics]

The Koreans’ sense of shared blame, along with the failure of many Americans to understand this feeling, is just one example of the fundamentally different perspectives about moral responsibility that may be found across cultures. At bottom, these differences concern beliefs about the conditions or criteria for fair assignments of blame and praise. The incredulity of the ‘Day to Day’ reporter illustrates a common Western intuition that in order to be genuinely blameworthy for a state of affairs, you must have played a role in bringing it about. This intuition is so deeply embedded in the Western belief system that it appears self-evident, like a mathematical truth or an elementary rule of logic. This paper will argue, however, that this intuition, and others relating to moral responsibility, are not as universal as they appear.

These differences are not merely interesting from an anthropological perspective. They are also philosophically significant—deeply relevant, I will argue, to the contemporary debate

² Citations from “Korean-American groups express sorrow, avoid guilt: Korean-Americans burdened with guilt, shame and fear of backlash,” by Kelly Brewington. *Baltimore Sun*. April 21, 2007.

about moral responsibility. This is because (1) contemporary philosophical theories of moral responsibility develop universal conditions for fair assignments of blame and praise, and (2) they appeal to intuition to justify these conditions. Consequently, the theories must make empirical assumptions about the universality or convergence (under ideal conditions) of the intuitions to which they appeal. This paper will lay out a comprehensive empirical and philosophical challenge to these assumptions. This challenge applies not only to positive accounts of moral responsibility, but also to skeptical theories, views that human beings *everywhere* cannot deserve praise or blame for their actions. Consequently, I call the position defended in this paper *metaskepticism about moral responsibility*.

2. The Appeal to Intuition

Arguments for incompatibilism about moral responsibility generally employ at least one of two key incompatibilist principles: (1) the Principle of Alternate Possibilities (PAP) which states that we cannot be morally responsible for an act if we lack the ability to do otherwise; and (2) the ‘Transfer of Non-Responsibility’ (TNR) principle, which states (roughly) that we cannot be morally responsible for an act if we are not morally responsible for any of the determining factors of that act.³ Incompatibilists either argue directly for the intuitively plausibility of these principles (e.g. van Inwagen, 1983), or they describe specific cases in which an agent is intuitively not morally responsible and then argue that there are no relevant differences between those cases and *all* instances of fully determined human behavior (e.g. Pereboom, 2001). These “generalization strategies” (Wallace, 1994) cannot get off the ground, however, unless the reader

³ Fischer and Ravizza (1998) provide the following more careful formulation of this principle: “(1) p obtains and no one is even partly morally responsible for p ; and (2) if p obtains, then q obtains, and no one is even partly morally responsible for the fact that if p obtains, then q obtains; then (3) q obtains, and no one is even partly morally responsible for q .” (p. 152) .

shares with the author the intuitions that the agents in the original cases are not morally responsible for their behavior. Readers who do not share those intuitions will not arrive at the incompatibilist conclusion.

Intuitive plausibility is no less relied upon in the cascade of counterexamples which compatibilists have developed to undermine incompatibilist principles. Frankfurt's (1969) famous counterexample to PAP, for example, can only be effective if it accords with the reader's intuitions about the blameworthiness of Jones the assassin. The same is true of counterexamples designed to further refine compatibilist theories of moral responsibility. A representative example is Susan Wolf's criticism of what she calls the 'deep self view'—the compatibilist position that one is morally responsible for an act that reflects one's authentic self or character.⁴ Wolf begins her criticism by offering a counterexample. JoJo is the son of an evil sadistic dictator, Jo the First. Jo the First has trained JoJo from early childhood to value arbitrary expressions of cruelty, such as executing or torturing his subjects on the basis of mere whim. JoJo understandably sees his father as a role model and acquires a fully authentic deep self that values and endorses cruel behavior as well. According to the 'deep self view,' JoJo is just as blameworthy as someone who had the kindest and most conventionally moral upbringing. But according to Wolf, "in light of JoJo's heritage and upbringing, it is dubious at best that he should be regarded as responsible for what he does." (Wolf, 2003, pp. 379-380). So Wolf adds 'the condition of sanity' to the deep self view, arguing that if actions are a reflection of the agents' authentic selves, *and* the agents are able to understand the difference between right and wrong (which JoJo lacks), then the agent is morally responsible.

Wolf's theory depends on two premises that require intuitive agreement. First, we need to share the (perhaps controversial) intuition that JoJo is not morally responsible for his cruel

⁴ Frankfurt (1971) and Watson (1975) are Wolf's primary targets.

behavior. Second, we must believe that the addition of the ‘sanity requirement’ provides the deep self view with sufficient conditions for moral responsibility.

In sum, all existing theories of moral responsibility appeal to intuitions to justify key premises and principles. True, we may be moved to adjust or reconsider or revise these intuitions if we are persuaded by certain arguments or learn more about non-moral facts, such as the way human decision-making actually functions. But ultimately our intuitions—or “considered judgments,” or however one wishes to describe reflective core beliefs about cases and principles—play an essential role in our acceptance or rejection of the arguments for each particular theory of moral responsibility.

3. The Empirical Challenge to “Universalist” Theories of Moral Responsibility

Most contemporary theories of moral responsibility have another feature in common: the conditions or criteria for moral responsibility contained in the theories are designed to apply universally, for all agents, for all societies.⁵ By this I don’t mean that the theories conclude that all (or even any) adults in a given society can be morally responsible for their behavior. It may be that no member of a particular culture can meet the theory’s criteria for justified assignments of blame and praise. But the conditions or criteria *themselves* are meant to apply across cultures in such a way that *if* the sufficient conditions specified in the theory are met, the agents are judged to be morally responsible; and if a necessary condition is not met, the agent judged to be exempt from morally responsibility (although not necessarily exempt from punishment). I call theories that have this feature ‘universalist’ theories of moral responsibility.

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Because they contain universal conditions for genuine blameworthiness and praiseworthiness *and* appeal to intuition for the justification of these conditions, theories of moral responsibility are vulnerable to an empirical challenge: in particular, the claim that the intuitions to which the theories appeal are not nearly as universal as the theories (at least implicitly) presume.

The empirical challenge has two parts. The first is to show that intuitions about the conditions for justified assignments of moral responsibility radically differ across cultures. The second is to show that these differences are unlikely resolvable by philosophical analysis and dialogue, using a method such as 'wide reflective equilibrium' (Rawls, 1971; Daniels, 1979).⁷ To develop the first part of the challenge, one must provide evidence that there is deep variation in intuitions regarding the conditions for moral responsibility. And this evidence is available. For example, virtually all Western theories of moral responsibility contain some type of "control condition," although the theories differ on what it means for an agent to have the right kind of

⁶ Possible exceptions to this rule are Wallace (1994), and Fischer and Ravizza (1998).

⁷ This challenge is in many ways a version of the argument from relativity or disagreement, related specifically to issues concerning moral responsibility. See Mackie (1977) and Loeb (1998) for two recent examples of arguments from disagreement. And See Doris and Stich (2005) and Doris and Plakias (2007) for excellent discussions of the role of empirical research in these arguments.)

control over an action. Theories that lack a control condition are referred to as ‘strict liability’ theories, according to which individuals may be blamed or punished whether or not there was intent, *mens rea*, or negligence on the individual’s part. Western philosophers tend to regard strict liability approaches as fundamentally unfair (even if appropriate under certain circumstances for consequentialist reasons). As Thomas Nagel puts it: “strict liability may have its legal purposes, but seems irrational as a moral position.” (Nagel, 1979, p.31.)

Evidence from cultural anthropology suggests, however, that denying the control condition for moral responsibility may only “seem irrational” to people in certain kinds of societies. Research on honor cultures, for example, suggests that agents do not need to have any kind of control over an act in order to be deemed fair and morally appropriate targets of punishment. This is evident by the frequent practice of collective punishment—retaliation against people who played no part in committing the offence that is to be avenged. In honor cultures it is thought to be completely fair and appropriate to target friends, family members, or associates of the offender. This is a radically different way of viewing the criteria for moral responsibility than those commonly found in the West. No matter how one interprets the control condition, it cannot involve merely being the cousin or friend of the offender.⁸

One might object that the retaliators in these kinds of cases do not truly deem their targets blameworthy or morally responsible. Perhaps the retaliators are trying to send a message to deter future attacks; or perhaps they regard the non-offending targets as people who are (unfortunately) caught in the crossfire. But while deterrence and other pragmatic goals are certainly part of the function of these kinds of attacks, they are not the whole story. Retaliation in honor cultures is never described as ‘collateral damage’ or ‘regrettable but necessary.’ Members of honor cultures feel no need for consequentialist justifications. There is never any

⁸ See Boehm (1984), Miller (1990, 1994), for many other examples of ‘shared responsibility.’

acknowledgment that the non-offenders are being unfairly punished. The most plausible interpretation of the practice and its justification is that the non-offenders *deserve* the punishment they receive.

We find another example of an absence of a control condition for responsibility in the terrible and almost incomprehensible practice of honor killings. (Indeed, the incomprehensibility of this practice from a Western perspective suggests that there may be tremendous variation in intuitions about moral desert.) The term ‘honor killing’ refers to the murder of a woman or girl (usually by a family member) because she has lost her virginity—a stain on the family’s honor. What makes the practice even more unfathomable is that the murders may occur even when the woman is a victim of rape. In the West, we find this perspective not just brutal and cruel but bewildering. Even if one believes that premarital sex is a mortal crime, how could it possibly be justifiable to punish rape victims? The woman clearly does not have any kind of control—compatibilist or incompatibilist—over the loss of her virginity. Yet the woman is still judged to be culpable, and therefore an appropriate target of punishment in the eyes of her family and even the legal system. According to the Middle East Report (Spring 1998), “maintaining honor is deemed a woman’s responsibility, *whether or not she has been educated about sex or consented to the act.*” (my italics).⁹

It is true that in some cases the family members view wives and daughters exclusively as property. But in other cases, the victim is a *beloved* daughter or sister. The murderer may be consumed with grief over the act, yet he seldom repents. It is also true that there are many people within these cultures who find honor killings barbaric and fight against this practice. Yet

⁹ Consider too this example of institutionalized punishment of rape victims: “In Saudi Arabia, a 19-year-old girl who was kidnapped at knifepoint, gang-raped, and then beaten by her brother for having “allowed” herself to become the victim of a rape has been sentenced to 90 lashes. Her crime? Indeed, one of her judges told this young woman she was lucky to have not gotten jail time.”

crucially, the objections seldom focus on the lack of control that the victim had over her actions. Rather, the objections focus on the wrongness of killing women for losing their virginity, whether they intended to or not.¹⁰

One finds additional evidence of deep intuitive differences about moral responsibility from research on what are termed ‘shame cultures’ (in contrast with ‘guilt cultures’) and “collectivist societies” (in contrast with ‘individualist societies’). Members of shame cultures feel more responsible for conspicuous acts that are clearly not of their own doing, as illustrated in the example of Koreans who feel morally responsible for the act of the Virginia Tech killer. In guilt cultures, individuals are more likely to find an act of this kind appalling but not something they *personally* deserve blame for in any way. In addition, members of shame cultures appear to feel less responsible for a class of actions that would count as morally responsible behavior in guilt cultures. Benedict (1947), for example, argues that moral norms in shame cultures depend in large part on the *perception* of one’s behavior, character traits, and appearance. “True shame cultures,” she writes, “rely on external sanctions for good behavior, “True shame cultures,” she writes, “rely on external sanctions for good behavior, not, as true guilt cultures do, on an internalized conviction of sin.” (Benedict, 1947, p. 223). Hofstede (2001) argues that the shame/guilt culture distinction applies to “collectivist” and “individualistic societies as well.” Hofstede cites E.M. Forster’s *A Passage to India* to contrast the motivations of individuals from these two types of cultures:

Aziz upheld the proprieties, though he did not invest them with any moral halo, and it was here that he chiefly differed from the Englishman. His conventions were social. There is no harm in deceiving society as long as she does not find you out, *because it is only when she finds you out that you have harmed her.* (Hofstede, 2001, p. 212, my italics).

¹⁰ See also Williams (1993) and his discussion of the Greek notion of responsibility, which also extends “beyond our normal purposes and what we intentionally do.” (p. 74).

In somewhat oversimplified terms, if agents violate norms in a shame culture but the violation is not discovered, the agents are less likely to hold themselves responsible. Agents in guilt cultures will hold themselves responsible whether or not the offence is discovered.¹¹

Less striking but just as suggestive are data that come from the recent studies of Japanese (collectivist) and American (individualist) intuitions on moral responsibility. Hamilton and Sanders (1981, 1983) presented a series of different scenarios to subjects from Detroit and two sets of subjects in Japan, and asked them to assess the moral responsibility of the offenders. The scenarios were manipulated according to the mental state of the defender, and the authority and status of the offender and victim. The authors report that:

Japanese respondents made significantly less use of mental state information than Americans in both surveys, made more use of information regarding the hierarchy of roles; more regarding role solidarity; and more regarding influence from another. (Hamilton and Sanders, 1983, p. 208).

According to the authors, it matters less to subjects in collectivist societies whether the offender intended to perform the act. Furthermore, to the extent that this does matter, the information about intentionality is used less as a means of dishing out ‘just-deserts,’ and more to reinforce solidarity within the group,

We have reason to think, then, that individuals in shame/collectivist cultures and guilt/individualist cultures have significantly different perspectives on moral responsibility. True, these differences are a matter of degree and not kind, and any of these examples (and others) can be challenged by offering alternate explanations for the evidence that don’t involve essential differences in intuitions about moral responsibility. Yet while no *single* study or piece

¹¹ One famous example of ‘guilt culture responsibility’ is Raskolnikov in *Crime and Punishment*. He feels searing guilt and a subsequent need to confess to a crime that no one knows he committed. Someone in a true shame culture, according to Benedict’s and Hofstede’s accounts, may find Raskolnikov’s inner turmoil more difficult to understand.

of evidence can provide decisive support for my conclusions (there will always alternate explanations that cannot be ruled out entirely), the evidence when *taken together* makes it plausible that there are deep intuitive differences regarding the conditions of responsibility in the desert-entailing sense with which I am concerned.

4. Are These Intuitive Differences Resolvable?

Many universalists will concede that there is plenty of variation concerning the intuitions about moral responsibility. They will claim, however, that the differences—where they exist—are a result of irrationality, superstition, conceptual ambiguity, and ignorance about non-moral facts. What matters, according to this view, are the attitudes of “fully informed” individuals under ideal conditions of rationality. These fully informed individuals, stripped of irrational biases, informed about the relevant facts, employing wide reflective equilibrium or a similar methodology, would converge on the same judgments and attitudes regarding the conditions of moral responsibility. And it’s *those* judgments that give us the truth about moral responsibility. (This strategy is analogous to Michael Smith’s (1994) strategy, among others, for defending moral realism.) After all, many cultures have different intuitions and beliefs about geology and biology, but this does not mean that there is no fact of the matter about questions in those fields. Just as cultures have irrational views about the Earth’s origin, many cultures may have irrational or false views about the conditions for moral responsibility and desert.

I believe this type of appeal is the most promising strategy available for defending universalist theories of moral responsibility. Note, however, that those who employ this defense are making empirical assumptions as well, assumptions about the uniformity of human psychology. Specifically, the assumption is that once all conceptual confusions are eliminated

and non-moral facts are agreed upon, human beings will come to share ethical intuitions about the criteria for justified assignments of moral responsibility—whatever their physical and social environment. The second part of the empirical challenge, then, is to raise doubts about the truth of this assumption.

One way to raise such doubts is to identify cultures with well-developed but quite different beliefs about moral responsibility and show that the differences do not essentially involve irrationality, ignorance, or concept ambiguity on either side.¹² Consider, for example, the responsibility norms in the honor culture of Saga Iceland. These norms seem arbitrary and often unjust in the extreme from the perspective of a contemporary Westerner. But it is not at all clear how one could demonstrate that the norms are irrational. The norms and beliefs of Icelandic honor cultures are elaborate and complex; they are the subject of endless discussion, analysis, and revision from within.¹³ Their norms do not seem to result from superstition or incomplete knowledge about the relevant non-moral facts. Nor do there seem to be any essential conceptual differences in their use of blame and praise. What grounds do we have for thinking that more rational reflection on one side or the other would result in a convergence of intuitions or “considered judgments” about the conditions for responsibility?¹⁴

An interesting contemporary example of someone endorsing a different, some might say “primitive,” view of moral responsibility can be found in Milan Kundera’s novel *The Unbearable Lightness of Being*. Tomas, the hero of the book, questions whether his Czech countrymen should absolve themselves of responsibility for the evils of the communist regime

¹² see Doris and Plakias (2007) for an excellent elaboration of this strategy.

¹³ See Miller (1990, 1993) for descriptions of these norms.

¹⁴ One might reply that we have good grounds for this belief since the norms of those particular cultures no longer exist. By most accounts, however, the demise of the cultural perspectives of Saga Iceland was due to the influence of Christian theology after Iceland was invaded. Arguably, the intuitive convergence was brought about by the use of force and is not the result of rational argument.

simply because they had no knowledge of the atrocities being committed. For Tomas, whether they knew or not, is not the main issue, “the main issue is whether man is innocent because he didn’t know.” Here Tomas is challenging the “epistemic condition” for moral responsibility: the view that in order to deserve blame for an act, one must have *known* that it was wrong or lead to harm, or be responsible in some way for one’s ignorance. Oedipus’s acts of parricide and incest are famous examples of acts in which the epistemic condition is not met—and indeed Tomas uses Oedipus as an analogy:

When Tomas heard Communists shouting in defense of their inner purity, he said to himself, ‘as a result of your ‘not knowing,’ this country has lost its freedom, lost it for centuries, perhaps, and you shout that you feel no guilt? How can you stand the sight of what you’ve done? How is it that you aren’t horrified? Have you no eyes to see? If you had eyes, you would have to put them out and wander away from Thebes.
(Kundera, 1999, p. 177).

So here we have a contemporary endorsement of moral responsibility with no epistemic condition, a view that not only seems perfectly rational, but also, according to Tomas (and Kundera too, almost certainly), *morally superior*, at least under the circumstances that the Czechs were facing. We might flinch at making the same endorsement, but there is no clear sense in which Tomas/Oedipus view of moral responsibility is irrational, primitive, or inferior.

One might claim, as Nussbaum does in her classic article “Equity and Mercy,” that this ancient way of regarding responsibility neglects crucial facts about Oedipus’s *particularity*, his good character and fine intentions. But there is an important difference between *neglecting* particulars, and being aware of the particulars but not believing them relevant to Oedipus’ blameworthiness. According to Nussbaum, the Greek notion of responsibility (*dike*) ignores “questions of motive and intention that one might think crucial in just sentencing.” (Nussbaum, 1993, p. 90.) But surely those subscribing to this view of responsibility do *not* think those questions are crucial to just sentencing. It is begging the question to simply assume that an

epistemic or control condition is essential for issuing just assignments of moral responsibility and therefore that the most rational form of justice is one that accommodates those features. Indeed, it seems that members of these cultures—or the cultures of Saga Iceland, or contemporary honor cultures—could just as easily accuse Western cultures of neglecting crucial particulars in our own practices. When assigning responsibility in the U.S., we do not place much focus on the offender’s social status, nor to the familial associations of the offender and the offended party. Like Oedipus, we are not *neglecting* those particulars—we may be perfectly aware of them—we just don’t find them particularly relevant to the task of determining the individual’s blameworthiness. Again, it is hard to see an uncontroversial sense in which an emphasis on one set of particulars is more rational than an emphasis on another.

Another to assess the universalist’s optimism about convergence is to examine the *origins* of intuitive differences about moral responsibility. Richerson and Boyd (2005), for example, introduce their gene-culture co-evolution model with a description of the radically different norms found in honor and non-honor cultures. They discuss Nisbett and Cohen’s (1996) hypothesis that a strong disposition towards protecting one’s honor and reputation, and avenging even minor insults, might be well suited for relatively lawless environments—where raids are common and a single occasion of theft is capable of destroying an individual’s entire wealth. Similarly, it is likely that certain features of the environment make an emphasis on *individual* moral responsibility more appropriate.¹⁵ Richerson and Boyd’s model can account for norm-governed behavioral and even *physiological* variation across cultures over relatively short time spans. The key point is that different environments may dictate different moral norms—norms underwritten by core physiological differences that affect emotional responses and intuitions

¹⁵ See Sommers (forthcoming) for a detailed defense of this view.

about deservingness. If the variation of intuitions is so deep as to be grounded in our neurophysiology, which in turn is influenced by our social and physical environment, then it is unlikely that intuitive convergence concerning the criteria of moral responsibility can be reached through wide reflective equilibrium. There will always be variation in human environments. And therefore it is likely that there will always be core differences in the starting intuitions which will form the basis of our considered judgments.

5. Conclusion

My argument in this paper has been as follows:

- (1) Theories of moral responsibility cannot be justified without appealing to intuitions about crucial premises and cases involving issues relating to moral desert.
- (2) These theories therefore implicitly contain empirical assumptions about the universality or convergence of core intuitions about moral responsibility.
- (3) We have reason to believe that these assumptions are implausible.
- (4) So we have reason to doubt the soundness of arguments for theories of moral responsibility (including skeptical theories).

Of course, premise (3) is an empirical claim, and so may turn out to be false. But the evidence outlined in this paper is sufficient, I believe, to shift the burden of proof to defenders of universalist theories of moral responsibility. They must lay out and defend their empirical assumptions. As it stands, philosophers from all sides of the debate use phrases like ‘intuitively we find [the agent] blameworthy’ or ‘it seems clear that the agent is not morally responsible’ without giving any evidence that members of different cultures would share those judgments. It is no good to say that philosophers are not in the business of providing empirical data to support

their theories—that this is a job for scientists. Philosophers who defend universalist theories of moral responsibility are making scientific claims already, at least implicitly. They are making the empirical claim that intuitions about moral responsibility are, or could be, shared universally. Philosophers making claims *of any sort* are obliged to provide reason to believe that the claims are true. And the only way to judge the plausibility of empirical claims is to look at the evidence.

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