

The »Culpability-Problem« and the Indeterminacy of Choice

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I) Peter van Inwagen's description of the problem

Culpability Problem: If it is not true that a human agent, when faced with a choice between mutually incompatible actions, is at least on some occasions *able and capable* to perform each of them, then the bad consequences of his choice are never his own fault, that is, he is then never to blame for them.

Thesis One: On at least some occasions when a human agent is trying to decide between two or more incompatible courses of action, that agent is able to perform each of them" (van Inwagen, p. 197)

„*Determinism* is the thesis that the past and the laws of nature determine a unique future.“ (van Inwagen, p.199)¹

„*Indeterminism* is the thesis that the past and the laws of nature do not determine a unique future.“ (van Inwagen, p. 199)

II) Are forms of determinism and indeterminism conceivable that might not be contradictory?

Incompatibilism “If one is at a certain moment faced with a choice between doing A and doing B, it is then up to one whether one will do A or do B **only if it is then undetermined** whether one will do A or do B – and *necessarily* so.“ (van Inwagen, p. 167)

New Indetermination-Inability-Principle „Where t_2 is a future moment and t_1 is a future moment earlier than t_2 : If one is now faced with a choice between doing A at t_2 and doing B at t_2 , and if, at t_1 , it will be **undetermined** whether one will do A at t_2 or do B at t_2 (and if this *would* then be undetermined whatever one might do between now and t_1), then one is **not now able** to do A at t_2 and one is **not now able** to do B at t_2 .“ (van Inwagen, p. 170)

Hence, according to van Inwagen, a decision competence that justifies culpability imposes incompatible requirements and is therefore impossible: Before a human agent decides what to do it has to be *undetermined* what she is going to do, if her decision between mutually incompatible actions is supposed to be only up to her. However, *if* it is undetermined what she is going to do, she *cannot be able and capable in the relevant sense* to perform the actions in question before she decides.

III) Personally localized indeterminism and its aporetic consequences for the possibility of controlled decision

Personally localized Indeterminism:

(a) There has to be an actual world in which a decision is upcoming at a given time (= ‘temporal-choice-world’ or ‘TC-world’).

(b) There have to be (at least) two possible worlds that are congruent with the TC-world up to that time and that, from this time on, differ from one another without contradicting their own past (= the possible A-world and the possible B-world).

(c) In both of these possible worlds there have to be laws of nature that are the same in the A-world and in the B-world and that are, moreover, in accordance with the laws of nature of the TC-world. (Cf. van Inwagen, p. 166)

IV) Decisions in a situation of personally localized Indeterminism

The possible worlds that according to personally localized indeterminism have to be compatible with the TC-world, might have **different degrees of closeness** with respect to an

¹ Peter van Inwagen: *Thinking about Free Will*, Cambridge UP 2017.

agent at a certain time in the actual world, without thereby contradicting the conditions of personally localized indeterminism.

Cf. David Lewis' concept of "comparative possibility" (*Counterfactuals*, p. 50 sqq.)

It is, therefore, not excluded that there might be exactly one course of action for a certain agent which, according to rational principles of decision, is *more possible than any other*.

V) The most possible course of action according to rational principles: Aquinas' idea of a rational consilium of free decisions

The human will before making a rational choice is always "**indeterminately disposed to many things**".

Thomas Aquinas (*Quaestiones disputatae De malo*, qu. 6 *Respondeo*)

„Human beings [unlike things of nature] have an intellectual form and an inclination of the will resulting from understood forms, and external acts result from these inclinations. But there is this difference [compared to the inclination of natural things], that the form of a thing of nature is a form individuated by matter, and so also the inclinations resulting from the form are determined to one thing, but the *understood* form is universal and includes many individual things. And so since actualities regard singular things, and none of them exhausts the potentiality of the universal, inclinations of the will remain indeterminately disposed to many things“

„Therefore, in order to show that the will is not moved necessarily, we need to consider the movement of the will both regarding performance of the will's act and regarding specification of the act, which is by the object.“ (Aquinas, *On Evil*, Translated by Richard Regan, S.J. and Edited with Introduction and Notes by Brian Davies, O.P., Oxford 2003: Oxford University Press)

VI) Sameness of Laws of Nature with a Potential Difference of Principles of Choice

The thesis that a possible A-world and a possible B-world of a human choice *have all natural laws in common* is defensible, if it is denied that *everything* that takes place follows entirely from an arbitrary state of the past solely together with the laws of nature. Even though, in my view, nothing that ever happens is a contradiction of the laws of nature or 'violates' a law of nature, it does not follow, assuming a past state, that it is *implied* solely by a law of nature. – Instead, there might be *other* rules or *other* true generalizations without exception, according to which something in the world occurs or happens – other principles, that is to say, that are *not* laws of nature.

VII. General Determinism and Ability to Decide Otherwise

General Determinism is the thesis that the past and the laws of nature together with other principles (generalizations without exception) concerning human action determine a unique future.

„Let us say that it is at a certain moment up to one whether one will do A or do B if one is then faced with a choice between doing A and doing B and one is then able to do A and is then able to do B.“ (van Inwagen, p. 166)

1st element (*up to one*): It is at a time when faced with a choice 'up to one' whether one will perform (or not perform) that course of action that conforms to the possible world that is most possible according to rational principles.

2nd element (*being able*): One can at a time t_1 before a choice be *sure* that, if one sticks to the rational principles of decision one is able to follow, one will do what in that situation (at t_2) is the most possible according to rational principles.